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**PRESENT:** L. M. Smith, Chairman; R. P. McDermott, Vice Chairman; J. E. Ziolkowski, Selectman; L. A. Ruest, Town Administrator

With reference to a public comment made at the last Selectmen’s meeting, L. Smith stated that thought has been given to allowing public comment after each agenda item, however, it has been determined that due to the fact that Selectmen’s meetings are held to conduct the business of the Town, and these meetings are an opportunity to get work done, that the Selectmen’s Meetings policy (6/2017) will stand.

**6:30 PM - PUBLIC HEARING – ACCEPTANCE OF HIGHWAY AID SB 38 \$58,096.79:**

**Public Hearing  
Acceptance of Unanticipated State Funds**

**August 16, 2017, 6:30 p.m., Hampton Falls Town Hall**

In accordance with Article 24/1994 and RSA 31:95-b, the Board of Selectmen of the Town of Hampton Falls will hold a public hearing on Wednesday, August 16, 2017, 6:30 p.m., at the Town Hall to receive public comment on the acceptance and expenditure of funds for road work, a special allocation representing funds in addition to the normal highway block grant:

<b>Source</b>	<b>SB 38 Highway Aid</b>	<b>Amount</b>
NH Department of Transportation	Highway Block Grant Funds	\$58,096.79

Chairman Smith opened the public hearing and outlined the intentions of the State in allocating this special additional funding to the normal highway block grant. Hearing no questions of the Board, he opened comment to the public. Hearing no comment from the public, L. Smith closed the public hearing.

**MOTION:** To accept the SB 38 Highway Block Grant Funds in the amount of \$58,096.79.

**MOTION: R. P. MCDERMOTT**

**SECOND: J. E. ZIOLKOWSKI**

**UNANIMOUS**

L. Smith noted that this funding will be utilized for three projects that were not able to be addressed with 2017 funds (as identified at a work session held earlier this date). The work is planned for the spring of 2018 due to the late date and unavailability of contractors.

**OPENING OF BIDS FOR 2017-2018 PROPANE – GOVERNMENT BUILDINGS (Town Hall, Public Safety Building, Historical Society Museum):** Six bids were received and opened; the results as follows:

<b>Bidder</b>	<b>One Year</b>	<b>Two Year</b>	<b>Three Year</b>
<b>Lamprey Energy, North Hampton, NH</b> *See information relating to purchasing propane tanks.			<b>1.60</b>
<b>Hartman Oil &amp; Propane, Exeter, NH</b>	<b>1.399</b>		
<b>Dead River Company, Somersworth, NH</b>	<b>1.499</b>	<b>1.499</b>	<b>1.499</b>
<b>Palmer Gas &amp; Oil,</b>	<b>1.40 fixed</b>	<b>1.40 fixed</b>	

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<b>Atkinson, NH</b>	<b>1.35 pre-buy</b>	<b>1.35 pre-buy</b>	
<b>Osterman Propane, Methuen, MA</b>	<b>1.869</b>	<b>Lock in .95 Over Selkirk 8/1/2018</b>	<b>Lock in .95 Over Selkirk8/1/2018</b>
<b>Eastern Propane, Danvers, MA</b>	<b>1.599 fixed</b>	<b>1.599 priced matched to Selkirk, decreased or increased, in August of each second and third year</b>	<b>1.599 priced matched to Selkirk, decreased or increased, in August of each second and third year</b>

The Board took this matter under advisement so that the information can be prepared in the form of a spreadsheet for review at the September 6, 2017 meeting.

**BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT:**

The Board acknowledged the Building Inspector’s report for July.

**ABUTTER NOTICE – ZBA – 51 DEPOT ROAD (MAP 2, LOT 102):** The Town of Hampton Falls received an abutter notice for an upcoming application before the Zoning Board of Adjustment on August 31, 2017.

**ROAD AGENT – MONTHLY REPORT:** The Board acknowledged the Road Agent’s report for the month of July; no questions or comments were heard.

**FALL HOUSEHOLD WASTE COLLECTION DAY:** The Board scheduled Saturday, October 21, 2017. It was noted that both electronics recycling and clean wood recycling is NOT available at the fall household waste collection day (spring only). A reminder notice will be sent out through the municipal website’s “subscribe to” feature. This matter will be added to the September 20 agenda to discuss specifics to include signage needs, etc.

**AVESTA – BROWN ROAD REPAIRS (PERFORMANCE AGREEMENT EXPIRES 9/15/17):**

Discussion took place with regard to road improvements needed to Brown Road as a result of the impact from truck travel during the construction of the Avesta senior housing development. Question was raised as to whether this work should be scheduled now, whether Avesta should be put on notice of this need to correct or whether it is not worthwhile to do the work now and potentially have to do similar work after the second and third buildings are constructed.

Additional discussion took place with regard to damages to a culvert in this area deemed to be a result of heavy truck traffic. It was noted that the matter of the culvert needs priority attention. The Board determined that a meeting with representatives of Avesta is in order and asked the Town Administrator to schedule a meeting for Wednesday, September 6, 2017, 9:30 a.m.

**ROAD SALT CONTRACT (2017/2018):** Pricing from Granite State Minerals (awarded the NH DOT contract) and Morton Salt has been received; both offering a \$53.30 per ton price. The Board decided to reserve 600 tons from both providers for the upcoming winter season.

**FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT:** The Board acknowledged the Fire Department report for July. Fire Chief J. Lord was not present at this meeting.

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L. Smith acknowledged receipt of a letter from a citizen of a neighboring Town thanking the Town of Hampton Falls, and expressly the Fire Department, for the efforts of its Volunteer Firefighter/EMT Chuck Weinhold in assisting the citizen's daughter after a bicycle accident. The Board expressed its appreciation for Chuck's efforts.

**FIRE TRUCK COMMITTEE:** L. Smith noted that this agenda topic was requested by Capital Improvement Plan (CIP) Committee Chairman T. Santora in that he has requested that a member of the CIP Committee be part of the Fire Truck Committee. L. Smith read the statute relating to Capital Improvement Plan Committees which states that the "sole purpose and effect of the capital improvement program shall be to aid the Board of Selectmen in their consideration of the annual budget," and indicated that this is a valuable service provided to the Board, but it is not a best use of the CIP Committee to have members review items directly under the purview of the Board of Selectmen. For example, the Board of Selectmen is directly responsible for road maintenance and determines the amount for the road warrant article in late fall by using the recommendations of our consultants (Axiomatic) and input from the Road Agent to determine which roads are anticipated to be repaired the following year. J. Ziolkowski stated that last year questions arose where it was identified that the Committee needs education on the subject. This matter will be added to the September 20 agenda. T. Santora stated that the CIP Committee members do not have the background or knowledge in this regard nor do they know what questions to ask.

**HIGHWAY SAFETY COMMITTEE RECOMMENDATIONS:** Due to the unavailability of the Fire Chief, this matter will be added to the September 20 agenda.

**POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT:** The Board acknowledged the Police Department's report for the month of July. Chief Dirsa was not present at this meeting.

**TRICENTENNIAL COMMITTEE:** No representative was present to address the Board.

• **OLD BUSINESS**

**FINANCIAL REPORTS - GENERAL FUND BALANCE \$#3,676,048.32**

The Board acknowledged monthly reports from the Treasurer, Bookkeeper and Tax Collector for the month of July.

**ACCOUNTS PAYABLE/PAYROLL/TREASURER/TRUSTEES OF TRUST FUNDS WARRANT(S)**

**MOTION:**To approve the following warrants:

Payroll	391	631.06
Payroll	392	32,150.64
Accounts payable	587	210,336.88
Payroll	394	20,371.11
Accounts Payable	588	713,320.43
Treasurer	21	825.00

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

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**CITIZEN REQUEST FOR AMENDMENT TO CODE OF ETHICS POLICY:** This matter was continued to this meeting in order to allow input from town counsel. Town Counsel agreed with the opinion analysis provided by the NH Municipal Association indicating that one does not know when a conflict may arise and therefore, it is impossible to comply with the ethics standard proposed by G. Robinson. Recusing oneself in the event of a conflict is the remedy. Counsel further indicated that such a policy would create confusion and dispute and may not stand up in court.

G. Robinson, who was unable to attend this meeting, provided the Board with additional information in writing that was read by the Chairman indicating her request that this matter not be put aside, that she has the best interest of the Town in mind and that the Town of Hampton legal counsel has recommended, and the Town of Hampton has adopted, the same proposed wording to its ethics wording.

The Board determined that no further action will be taken in this regard.

**COUNSEL REVIEW OF MOBILE APPLICATION CUSTOMER AGREEMENT:** This Agreement has been reviewed by Town Counsel and comments have been provided. This information will be provided to the Committee and the matter added to the Selectmen's September 6 agenda.

**GROUNDWATER RECLASSIFICATION OF WELLHEAD PROTECTION AREAS PUBLIC HEARING – THURSDAY, SEPTEMBER 14, 2017, 6 P.M., SEABROOK TOWN LIBRARY, 25 LIBERTY LANE, SEABROOK, NH**

**PRICES OBTAINED FOR NEW FURNACE AT HISTORICAL SOCIETY MUSEUM:** At the Board's request, Historical Society Member B. Mutrie obtained a number of pricing proposals. The matter was taken under advisement for consideration during budget work sessions.

**OTHER:** No other "old business" items were discussed at this time.

- **NEW BUSINESS**

**MS-1 EXTENSION REQUEST FORM AND MS-4:** The Town Assessor has reported that Current Use values will not be available until after September 1 when the MS-1 is due. The Board signed a request for extension to allow for these values to be available and information added to the Hampton Falls MS-1 Summary of Valuation report.

**COMCAST FRANCHISE FEES (2<sup>ND</sup> QUARTER 2017) & AGREEMENT FOR RESIDENTIAL SERVICES:** The Board acknowledged the second quarter franchise fees from Comcast as well as notice relating to the Comcast Agreement for residential services.

**MOTION:** To accept the second quarter franchise fees, and future 2017 franchise fees for the third and fourth quarters, from Comcast for deposit to the Town Communications Revolving Fund.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

**SELECTMEN'S PERMIT (5K ROAD RACE) LOCO SPORTS, LLC 9/10/2017:**

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**MOTION:** To authorize the Chairman to sign approval of this Selectmen's Permit application as submitted.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

In conjunction with the above request, Applecrest Farm Orchards has requested an extension of its liquor license for this event, as well as a second event scheduled for Sunday, October 29, for the 9<sup>th</sup> Annual Orchard Cross Cyclocross Bide Race. L. Ruest will draft letters in response to these requests for signature of the Board and submission to the Liquor Commission.

**SELECTMEN'S PERMIT (CAR SHOW/CONCERT) PARKS & RECREATION 8/24/17:**

**MOTION:** To authorize the Chairman to sign approval of this Selectmen's Permit application as submitted.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

**VOLUNTEER APPLICATIONS – MUNICIPAL ON-LINE INITIATIVE TECH. COMMITTEE:**

**MOTION:** To appoint Peter Malloy, Kensington Road, and Richard Purcell, Kensington Road, as Members to this Committee as well as appoint G. Koch, Drinkwater Road, as Chairman of this Committee.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

**NOTICE OF INTENT TO CUT WOOD OR TIMBER APPLICATION (MAP 4, LOT 52-2):** The Board reviewed and signed this application for processing.

**PROPERTY TAX REFUND (MAP 5, LOT 51-5B)**

**MOTION:**To approve the request from the Tax Collector to refund an overpayment of property taxes.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

**BID REQUEST FOR 2017 TOWN REPORT (NUMBER OF COPIES?):** The Board approved the bid request documents as presented with the indication that 140 copies be requested for printing.

**TREASURER'S AUDIT:** The Board approved the Town Administrator's recommendation to have the records of the Town Treasurer audited at an estimated cost of up to \$1,500.

**2018 BUDGET WORK SESSIONS – SEPT. 19 AND SEPT. 21, 9:30 A.M:** These dates were confirmed and scheduled as 2018 budget work session dates.

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**REQUEST FOR STUMP REMOVAL – WESTVIEW CEMETERY, NASON ROAD:** This matter has been resolved.

**NH DEPT. OF TRANS. STATE HIGHWAY BLOCK GRANT AID (\$68,669.31) 2017/2018**

**VOLUNTEER APPLICATION – ALTERNATE MEMBER TO CONSERVATION COMMISSION:**

**MOTION:** To appoint Catherine Golas, Kensington Road, as Alternate Member of the Conservation Commission.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

**OTHER - SEPTEMBER/OCTOBER 2017 NEWSLETTER:** Board members asked for additional time to review the draft newsletter.

**PUBLIC COMMENT:**

<b>B. Mutrie</b>	<b>Brown Road</b>	<b>Avesta Responsibilities, Town Reports Available in Electronic Form and Vegetation Overgrowth at Corner of King and Sanborn</b>
<b>R. Robinson</b>	<b>Brown Road</b>	<b>Avesta Drainage Easement granted to the Town needs improvement and/or mowing; Planning Board minutes should be reviewed to identify developer responsibility in this regard. Road Agent to prepare proposal for work estimated at \$2,000.</b>

**REVIEW AND APPROVAL OF PREVIOUS MINUTES: 7/19/2017:**

Revision was made to Page 7, paragraph five, as follows:

Speaking again as Planning Board Chair, T. Santora said that he has been trying to find out more about a fire truck purchase committee proposed by the Fire Chief, as he feels that a member of the CIP committee should be involved. ~~L. Smith suggested that T. Santora contact the Fire Chief directly.~~ L. Smith stated that this suggestion would be put on next month's agenda.

**MOTION:** To approve the minutes of the 7/19/2017 meeting as amended.

**MOTION: R. P. MCDERMOTT  
SECOND: J. E. ZIOLKOWSKI  
UNANIMOUS**

***NEXT SELECTMEN'S MEETING – WED., SEPTEMBER 6, 2017, 6:30 P.M., TOWN HALL***

**Motion to enter Nonpublic Session** made by L. Smith, seconded by R. McDermott.

**Specific Statutory Reason** cited as foundation for the nonpublic session:

  X   RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

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  X   RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

<b>Roll Call vote</b> to enter nonpublic session:	Richard P. McDermott, Selectman	Y
	Larry M. Smith, Chairman	Y
	James E. Ziolkowski, Vice Chairman	Y

**Entered nonpublic session** at 7:55 p.m.

**Public session reconvened** at 8:05 p.m.

**REVERSAL OF TAX DEEDING (Map 1, Lot 56):**

**MOTION:** To sign the Deed for Map 1, Lot 56 to be held in escrow by counsel until all amounts due the Town of Hampton Falls are paid.

**MOTION: R. P. MCDERMOTT**  
**SECOND: J. E. ZIOLKOWSKI**  
**UNANIMOUS**

**HIRING OF PART-TIME TOWN SECRETARY:**

**MOTION:** To appoint Holly Fazzino as part-time Town Secretary on a six-month probationary basis with an hourly pay rate of \$18.

**MOTION: L. M. SMITH**  
**SECOND: J. E. ZIOLKOWSKI**  
**UNANIMOUS**

**MOTION:** To adjourn the meeting at 8:10 p.m.

**MOTION: L. M. SMITH**  
**SECOND: J. E. ZIOLKOWSKI**  
**UNANIMOUS**