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

AVESTA SENIOR HOUSING – INDEMNIFICATION AGREEMENT: T. Norod, T. Rothstein and B. Jones of Jones and Beach Engineers were present on behalf of Avesta. Discussion took place with regard to the Indemnification Agreement terms relating to damages to Brown Road as a result of the development of Building A at 27 Brown Road. An estimate has been received from Bell & Flynn totaling just over \$10,000 for road work. It was also identified that a culvert located along the front of this development has been damaged.

Discussion included the matter of conducting repairs now, in accordance with terms of the agreement, or considering a request from Avesta to postpone the road repairs until Buildings B and C are completed. It was noted that video recordings were made at the beginning of the project to document preconditions (9/2016 and 4/2017). Question was raised as to whether Avesta disputes the damage.

T. Rothstein and T. Norod reviewed their position of acceptance of damages identified to be as a result of the development of Building A, however, they are not in a position to assist the Town with widening the roadway and need to keep in mind that the NH Housing Authority is overseeing this and other aspects of the development. B. Jones noted that he walked Brown Road with the Road Agent and Bell & Flynn and stated some cupping of pavement exists on the 800' section of Brown Road.

The culvert damage is additional to the road damage. B. Jones identified that the CMP culvert is rusted out and needs to be replaced; the Road Agent noted that a headwall is needed at this location. The result would be a repair and enhancement of the existing condition.

T. Norod stated that there is an argument to be made as to responsibility and feels there is no evidence to prove the culvert repair is the responsibility of Avesta. Suggestion was made to dig up the culvert and place a new pipe and materials and pave over the section, addressing the matter in the second phase agreements.

Following discussion, it was agreed that B. Jones, TFMoran (the Town's site inspection firm) and the Road Agent will meet to address these needs in order to come to an agreement on what is needed. T. Norod will be sending a letter to the Board of Selectmen letter from Avesta requesting an extension on the September 15th date for the performance guarantee which includes work to the Avesta driveway which would then trigger the 60 day period for fixes along Brown Road.

PERFORMANCE AGREEMENT WITH PLANNING BOARD: Matters relating to the Performance Agreement fall within the purview of the Planning Board. A number of matters outlined in this Agreement were identified as needing attention.

THREE-PARTY AGREEMENTS (INSPECTIONS): The Road Agent's inquiry relating to the drainage easement deeded to the Town of Hampton Falls was discussed. It was suggested that

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TFMoran should review. B. Jones stated that this drainage easement is the responsibility of the Town of Hampton Falls and that the Town has the right to maintain the swale; there is no provision for Avesta to do the work.

Planning Board Chairman T. Santora stated that the three-party agreements are planned to be extended for Building B and Building C. Building Inspector M. Sikorski stated that before a Certificate of Occupancy is issued, he will be requiring safeguards be put in place to allow safe passing for residents and that there is a need to identify a sunset date to finalize Building A. T. Rothstein will work with TFMoran with regard to a report of final punch list items.

KING STREET AND SANBORN ROAD CORNER: The Board inquired with B. Jones of Jones and Beach Engineers (Town Engineer) as to the survey recently conducted on behalf of the Town in this area. Question was raised as to whether Jones and Beach Engineers took photos at the time of the survey. B. Jones confirmed that iron pins were placed identifying the boundary and stated he would check the information at his office and report back to the Board. Suggestion was made to add a three-way stop at this location.

REVIEW OF PERSONNEL POLICY PROPOSED AMENDMENTS: The Board reviewed a number of proposed Personnel Policy amendments as prepared by the Police Chief to include: Education Incentive, Military Leave, Payroll Payment Schedule, Overtime Policy, Additional Holiday, Holiday Overtime, Sick Leave Bank and Sick Leave Buy Back.

Following review and discussion of each topic, the Board approved bringing forward amendments to all but the Sick Leave Bank and Sick Leave Buy Back proposals.

Amendments will be made to the Personnel Policy for consideration at a future meeting of the Board of Selectmen.

FURNACE PROPOSALS FOR HAMPTON FALLS HISTORICAL SOCIETY MUSEUM (45 EXETER ROAD): The Board acknowledged a number of proposals and identified that it does not have the expertise to make an immediate decision. Suggestion was to have an HVAC contractor review the proposals and advise the Board. The matter was taken under advisement. Question was raised as to whether the Board is replacing an existing furnace or also including improvements to add air conditioning equipment.

The work session adjourned at 11:35 a.m.