

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**JUNE 5, 2019- 6:30 PM
TOWN HALL**

DRAFT

PRESENT: L. M. Smith, Chairman; E. B. Beattie, Vice Chairman; L. Gargiulo, Selectman;
L. A. Ruest, Town Administrator

SECTION 1 – PUBLIC COMMENT: No public comment was heard at this time.

OLD BUSINESS:

FINANCIAL REPORTS – GENERAL FUND BALANCE: \$122,057

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

Bookkeeper	Payroll Warrant #462	\$19,844.00
Bookkeeper	Accounts Pay Warrant #664	\$5,265.70
Bookkeeper	Payroll Warrant #463	\$17,054.53
Bookkeeper	Accounts Pay Warrant #666	\$36,808.85
Treasurer	Check Warrant #2019-6	\$9,520.94

MOTION:To approve the Bookkeeper and Treasurer warrants as presented above.

MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS

NEXTERA – VALUE SETTLEMENT AGREEMENT: L. Smith provided information relating to the previous five-year value settlement agreement, the reduction in assessment and the change in Payment in Lieu of Tax (PILOT) amounts. Town Counsel found the proposed 2019-2023 agreement to be in order.

MOTION: To enter into a five-year Settlement Agreement and Tax Stabilization Agreement for the Seabrook Nuclear Generating Station as presented and sign the document.

MOTION: L. GARGIULO
SECOND: E. BEATTIE
UNANIMOUS

AMBULANCE REVENUE WRITE-OFF – CHIEF LORD: J. Lord and L. Gargiulo met with a representative of Comstar and learned of an additional step that can be taken in the collection process; reporting to a collection agency. He provided statistics with regard to percentages of amounts billed and collected over time. The Board acknowledged the good job the Fire Department does to ensure appropriate information is obtained in order to experience the best collection of ambulance revenue. This matter will be added to the Selectmen’s June 19 agenda to address the amount of write-off for the period January – April 2018 and amend the policy as follows:

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Once it identified that an amount due for services is not collectable, the Fire Chief brings the matter to a public meeting of the Board of Selectmen with recommendation to write-off uncollectable accounts, ~~or~~ **and** transfer uncollectable accounts to a collection agency. The Board of Selectmen considers the recommendation(s) and makes a determination on the record as to its decision.

NH DOT RESURFACING OF ROUTE 88 AND CROSSWALK MAINTENANCE

AGREEMENT: A request has been forwarded to Senator Sherman to assist with this matter, however, neither Senator Sherman nor the Town Administrator has received a response from the DOT. The Board agreed to set this matter aside until response is received.

**JONES AND BEACH ENGINEERS INVOICE #33329 – DRINKWATER ROAD CULVERT
APRIL SERVICES:**

MOTION: To approve Jones and Beach Engineers Invoice #33329 for services ending 4/30/2019.

MOTION: L. GARGIULO
SECOND: E. BEATTIE
UNANIMOUS

AXIOMATIC ROAD SURFACE CONDITION SURVEY & BUDGETARY PLANNING

AGREEMENT: The Board reviewed the agreement and agreed to sign. The road surface survey work has been done and the final report is being prepared by Axiomatic.

MOTION: To approve and sign the agreement for the Road Surface Condition Survey and Budgetary Planning as presented and to pay the cost of \$1,300.

MOTION: L. GARGIULO
SECOND: L. SMITH
2 IN FAVOR, 1 OPPOSED, PASSES

MEETING ROOM SOUND SYSTEM: The audio portion of the meeting room video recording equipment has again been reviewed and input and recommendation received. It was identified that the additional audio equipment and microphones purchased was found to be faulty and has been returned for repair or replacement. In addition, recommendation is to add a mixer and associated equipment to assist with the adjustment of microphones.

MOTION: To purchase a digital rack mixer, cables and iPad (if needed) as recommended and to hire Chris Parker Sound for one meeting to assist with initial set up and balancing of the microphones to be paid from the Town Communication Fund.

MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS

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2019 HOUSEHOLD WASTE COLLECTION DAY FOLLOW-UP: The Board discussed preliminary findings resulting from the May 18 collection day. It was noted that the number of trips compared to the previous year were reduced: 120 this year and 210 in 2018. It was also noted that the electronics recycling container was not filled nor was one of the roll-off containers. Discussion took place with regard to options to continue to provide the once a year opportunity for disposal of bulky items versus the costs associated. Suggestion was made that residents may be utilizing the information for other options of disposal available on the web site. It was also noted that the tent, table and chairs used for this day are missing. Efforts will be made to locate or identify what happened to these items. It was suggested to place items such as this in a locked area of the garage separate from the area used by contractors.

In addition, E. Beattie reported that the Board should review the condition of fencing around the Brush Dump and determine needs to improve or replace. This matter is also part of the Hazard Mitigation Plan update.

OTHER SELECTMEN’S OLD BUSINESS: L. Smith requested that the topic of “default budget” be added to the discussion at the Selectmen’s June 12 work session meeting.

Consent Agenda

1. Monthly Financial Reports of Bookkeeper, Treasurer, Tax Collector
2. Selectmen Meeting Summer Schedule (July 17 and August 21)

7:00 PM PUBLIC HEARING – HAZARD MITIGATION PLAN (continued from May 1, 2019):

L. Smith opened the public hearing and welcomed J. Rowden of the Rockingham Planning Commission. J. Rowden referred the Board and public to a draft Hazard Mitigation Plan Update 2019 document and chart of strategies. She reported that this 78 page plan is prepared for the purpose of preventing and mitigating disasters such as flood, wind, winter weather, dam failure and other disasters. By having this Plan in place, the Town becomes eligible for federal (FEMA) grants.

This public hearing is a requirement in the process; to obtain Town and public comment. The Plan is then submitted to the Office of Emergency Management for review and comment. Once received back, the matter will again be addressed a public meeting of the Board of Selectmen for consideration of adoption. This process is initiated every five years.

Hearing no questions from the Board, L. Smith opened discussion to members of the public. J. Rowden stated that Hampton Falls has experienced the hazards of flooding, high water, high wind and lightening in the past. Hearing no questions from the public, L. Smith closed the public hearing.

Board members and the Fire Chief will submit non-substantive or grammatical changes to J. Rowden for revision before sending the draft Plan to the Office of Emergency Management. This matter will be added to the July 17, 2019 Selectmen’s agenda.

SECTION 2 – PUBLIC COMMENT

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S. Volpone, Batchelder Lane, restated his position with regard to the 2019 default budget amount. The Board restated that it has identified that improved procedures will be put in place and used going forward. S. Volpone stated that he felt that the cost of living adjustment would not have been in effect if the budget had not passed resulting in a default budget. Board members asked if S. Volpone has a remedy in mind; he stated no but that the beneficiaries are those who received pay raises.

T. Samway, Old Stage Road, stated that the election was legitimate with 1,200+ votes; bottom line is to go with the vote of the people.

NEW BUSINESS:

PROPERTY TAX ABATEMENT #685: The Board reviewed the abatement document prepared by the Tax Collector and acknowledged the timing issue of applying an elderly exemption.

MOTION: To approve the abatement for Map 4, Lot 12 as presented.

MOTION: E. BEATTIE

SECOND: L. GARGIULO

UNANIMOUS

PURCHASING POLICY – FIRST READ: The Board reviewed the first draft of a purchasing policy for the Town of Hampton Falls page by page. L. Smith stated that the matters of reputation and past experience should be taken into consideration equal to the importance of price and offered three amendments to accomplish this (page three). L. Gargiulo agreed with this position and stated that price is not the sole determining factor in making a final decision. Following discussion, it was determined that the Town Administrator would ask Town Counsel to review the entire policy and offer appropriate wording to incorporate into the policy in this regard.

Referring to page three, Prohibited Purchasing Practices, number 6, the Board questioned the need for an appendix given the manner in which Hampton Falls works with its Road Agent regarding payment for core services as well as established labor and equipment rates. Town Counsel will be asked for assistance to best state current requirements.

Paragraph e) of page four, Purchasing Levels, was revised for better understanding and Town Counsel will be asked to add a statement to this paragraph to address emergencies. The Board also felt that the three highlighted paragraphs on page 5 should be removed and asked that Town Counsel provide input on the merits of removing them.

This matter will be brought back to the Board at future meeting for a second read and adoption, if appropriate.

MOTION: To authorize the Town Administrator to send the Purchasing Policy to Town Counsel for review and input.

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**MOTION: L. SMITH
SECOND: L. GARGIULO
UNANIMOUS**

POLICY REGARDING LEGAL OPINIONS – SECOND READ AND ADOPTION: L. Smith read the amended paragraph. Hearing no questions or concerns, the Board approved the changes.

MOTION: To adopt the Policy Regarding Legal Opinions as amended.

**MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

PERMISSIBLE FIREWORKS ORDINANCE AMENDMENT – FIRST READ: Fire Chief Lord reported a need to clarify the term “minors” used in the policy wording resulting in the removal of the words “anyone under the age of 21” from the policy.

Additionally, L. Smith reported on an incident involving the use of fireworks at 3 a.m. and suggested amending the Enforcement section, specifically, number 2. Failure to comply...; as this 3 a.m. example failed on three or more conditions of the Ordinance. Board members were in agreement for the most part, however, agreed to allow time for research of law as well as input from the Police Chief. This matter will be added to the Selectmen’s agenda of June 19 for a second read and possibly adoption with amendment.

INTERNAL CONTROL PROCEDURES OF PAYROLL, ACCOUNTS PAYABLE AND SPECIAL FUNDS: L. Ruest explained that this policy has been updated to meet current practices and incorporate a recommendation of the auditing firm.

MOTION: To adopt the Internal Control Procedures of Payroll, Accounts Payable and Special Funds Policy as amended.

**MOTION: L. SMITH
SECOND: E. BEATTIE
UNANIMOUS**

SELECTMEN’S PERMIT APPLICATION – FRIENDS OF THE BANDSTAND CAR SHOW/CONCERTS:

MOTION: To approve the Selectmen’s Permit Application as presented and authorize the Chairman to sign.

**MOTION: L. GARGIULO
SECOND: E. BEATTIE
UNANIMOUS**

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RELEASE OF IMPACT FEES TO WINNACUNNET SCHOOL BOND (2004) - MAP 4, LOT 2-4: L. Smith provided information for the benefit of new Selectmen Gargiulo with regard to impact fees (purpose and criteria) noting that the Winnacunnet bond qualifies.

MOTION: To release the impact fees for Map 4, Lot 2-4 (Conant) for the purpose of the Winnacunnet School Bond (2004).

**MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

TOWN HALL WINDOWS (FRONT): The upper level windows on the front of the Town Hall are in deteriorating condition; this was identified by a missing window pane found broken on the front walkway. Two estimates to repair have been obtained; one from an architectural millwork contractor and another from a window restoration company. Following review of options, the Board agreed with the proposal for restoration services from Window Woman of New England to restore the three windows.

MOTION: To approve the proposal to repair the three front, upper level windows at the Town Hall from Window Woman of New England in the amount of \$4,500 to be paid from the Government Buildings Expendable Trust Fund.

**MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

OTHER SELECTMEN'S NEW BUSINESS

Fertilizing of Town Common and Gov. Weare Park: L. Gargiulo inquired as to the status of fertilizing noting that it is needed as soon as practical. L. Ruest reported that a meeting with the Parks and Recreation Chair is scheduled for Tuesday, June 11. L. Ruest was asked to note the Mowing Agreement for amendment to include fertilizing, etc. to ensure these services are established at the same time as mowing.

SELECTMEN REPRESENTATIVE MONTHLY REPORTS:

PLANNING BOARD, LINCOLN AKERMAN SCHOOL BOARD: E. Beattie reported that the Planning Board continues to review and adopt chapters of the Master Plan and that a private road subdivision application for a property on Depot Road was conditionally approved creating one additional lot. He stated that the group working on the new playground is seeking to obtain granite blocks from the Town. E. Beattie and a representative of the group will determine if, and how many, suitable blocks are available and bring the request to a future meeting of the Selectmen. The matter of

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Unitil tree trimming and removal on Stard Road and Mill Lane as part of its Storm Resiliency Program is ongoing. Concern was expressed with the number of trees and manner of complete removal.

PARKS & RECREATION COMM., LIBRARY TRUSTEES: L. Smith reported that the Summer Camp Program is still attempting to identify a location for this year's camp; the Art on the Common event went well with 24 artists; Castleberry Fair went well, too. Discussion is taking place with regard to mowing of Gov. Weare Park and the need for additional mowing at times. A Memo of Understanding between the Town and Library will be part of the June 19 agenda. The lines in the Library parking lot are in need of repainting and the event to recognize retiring Children's Librarian Carol Sanborn went well.

HERITAGE COMMISSION, CONSERVATION COMMISSION: L. Gargiulo reported that the Conservation Commission continues to work on the potential conservation easement of a Toppan Lane property. A public hearing and other steps are needed.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: 5/15/2019 AND 5/29/2019

MOTION: To approve the minutes of the May 15 and May 29 meetings as written.

MOTION: E. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS

PUBLIC COMMENT

T. Samway, Old Stage Road, inquired as to whether the generator for the Town Hall is a possibility utilizing the Government Buildings Expendable Trust Fund. The Board asked that he contact the Town Administrator to be placed on the agenda for the Selectmen's meeting of September 4.

Motion to enter Nonpublic Session made by L. Smith, seconded by E. Beattie

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.*

Roll Call vote to enter nonpublic session:	Larry M. Smith, Chairman	Y
	Edward B. Beattie, Vice Chairman	Y
	Louis Gargiulo, Selectman	Y

Entered nonpublic session at 8:30 p.m.

Motion to leave nonpublic session and return to public session by L. Smith, seconded by E. Beattie.

Motion: PASSED

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Public session reconvened at 8:45 p.m.

MOTION: To hire Karen Anderson, Hampton Falls, as Part-Time Town Secretary for 20 hours each week at a pay rate of \$25.75 per hour on a six-month probationary basis, to begin employment September 3, 2019.

**MOTION: L. SMITH
SECOND: L. GARGUILO
UNANIMOUS**

MOTION: To hire Elizabeth Blankenship, Hampton Falls, as Part-Time Assistant Tax Collector at a pay rate of \$17.15 per hour on a six-month probationary basis, to begin employment on June 10, 2019.

**MOTION: L. SMITH
SECOND: E. BEATTIE
UNANIMOUS**

MOTION: To adjourn the meeting at 8:50 p.m.

**MOTION: E. BEATTIE
SECOND: L. GARGUILO
UNANIMOUS**

NEXT SELECTMEN'S MEETING – WEDNESDAY, JUNE 19, 4:00 P.M., TOWN HALL