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PRESENT: T. C. Tocci, S. C. Hanson, M. J. Farinola, Selectmen;
E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

RE-ORGANIZATION OF THE BOARD OF SELECTMEN

MOTION: To nominate and elect T. C. Tocci as Chairman.

MOTION: S. C. HANSON
SECOND: M. J. FARINOLA
UNANIMOUS

MOTION: To nominate and elect S. C. Hanson as Vice Chairman.

MOTION: T. C. TOCCI
SECOND: M. J. FARINOLA

S. C. Hanson declined. Motion withdrawn.

MOTION: To nominate and elect M. J. Farinola as Vice Chairman.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI
UNANIMOUS

PUBLIC HEARING – CHANGE IN THE DRIVEWAY PERMIT APPLICATION: T. C. Tocci referred those in attendance to the public hearing notice to accept public comment with regard to amendments to the Driveway Permit application. Discussion was opened to members of the public. Hearing none, T. C. Tocci closed the public hearing.

MOTION: To accept the changes to the Driveway Permit application as presented.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI

M. J. Farinola inquired as to the reasons for the amendments expressing concern that the Town would go after driveways in violation. It was explained that throughout town residents are placing obstacles within the town right of way. These items have both damaged plow equipment and have been damaged by plow equipment. Other attempts have been made to solve this problem and the amendments to the driveway permit application will assist with this effort. It was noted that the amended driveway permit application will allow the Building Inspector and Road Agent to ensure driveways meet requirements for drainage and construction standards and do not interfere with the town's right of way. M. J. Farinola acknowledged that this matter has been addressed in Town Reports for the past ten years and asked if there has been a cost to the Town. E. N. Small reported that there have been issues over time and that costs have been incurred by the Road Agent.

VOTE: 2 IN FAVOR, 1 OPPOSED, PASSES

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NORTHSIDE CARTING INC. OF NORTH ANDOVER - ROBERT A. GEORGE - SOLID WASTE & RECYCLING: Robert George introduced himself to Board members. T. C. Tocci stated that the Town's current trash and recycling contractor is going out of business and that the Town sent Requests For Proposals with five responses. The Board has met, reviewed proposals and decided on Northside Carting of North Andover, Massachusetts. A number of questions were raised during review of this proposal; one being whether the collection day will remain Friday. R. George stated Friday would be the collection day. He also indicated that there is no discount in limiting collection to three barrels from the four allowed now. Question was raised as to whether it would be agreeable to include an option to renegotiate the contract to address the proposal of collecting recyclables every other week. R. George stated that the option is in place and that he would need the Town'

T. C. Tocci noted that there is not enough time to get information to residents this year and that the Board would like the opportunity to get information to them to encourage the recycling effort in order to take advantage of the potential \$88,000 savings. R. George stated there would be no limit on the amount of recyclables that could be collected and that different containers should not be a problem. Suggestion was made to revise the contract wording to read "clearly marked recycling container." It was also suggested to change Section 2. Terms to read "shall begin on 4/1/08 and end 12/31/12" rather the term "period of just over five years."

M. J. Farinola inquired as to whether the start time for collection could be 8 a.m. R. George stated no; the start time being 6 a.m. K. C. Kelley and E. N. Small confirmed that the 6 a.m. start time does not conflict with the nuisance ordinance. M. J. Farinola also inquired about the container(s) for Earth Day. R. George confirmed that the container at no charge is a donation and is not included in the contract cost. Discussion of the Certificate of Insurance took place with regard to the information provided being different from the request in the RFP. R. George noted that the Certificate of Insurance provided is more than what was required. Although he felt the quote was adequate, M. J. Farinola suggested using the wording from the quote within the contract. E. N. Small will contact the Town's insurance company to determine the best way to address this matter.

M. J. Farinola suggested that a clause be added to the contract to address the possibility of a vote by town meeting that would affect this contract. R. George stated he is not willing to add such a clause. E. N. Small added that he has spoken with town counsel regarding this suggestion and that an opinion is forthcoming.

R. George referred the Board to Section 3.6 and indicated that indication is made that the vendor is responsibility for disposal. He stated that his company would be delivering waste to the landfill under the Town's agreement and requested this section be amended to reflect the specifics of the arrangement with Southeast Regional Refuse District and the Rochester landfill. R. George provided the costs for bulky item collection days with regard to containers and hauling. E. N. Small will add figures to the contract wording. R. George requested that reference to his name for signature should read "President" not "Owner." R. George confirmed that his workers wear safety vests and equipment has warning sounds for backing.

E. N. Small will incorporate changes into the contract document, talk with the insurance company and await word from counsel with the intention to set a time to sign the contract by next week.

MOTION: To accept the contract with Northside Carting, Inc., as amended for trash and recycling.

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**MOTION: S. C. HANSON
SECOND: M. J. FARINOLA
UNANIMOUS**

E. N. Small noted that the five proposals resulted in a high bid of \$942,000 and a low bid of \$632,000. The Board plans to work with townspeople by way of a survey and does not plan to disturb the service until feedback is received.

NEW SELECTMAN – M. J. FARINOLA: T. C. Tocci formally welcomed M. J. Farinola to the Board and acknowledged other elected persons. He noted that a number of warrant articles did not pass and that some did. The Board will be reviewing the outcome of the voting. He acknowledged the fact that towns throughout the Seacoast were affected by the economy. T. C. Tocci suggested that M. J. Farinola take advantage of training available to new selectpersons as both he and S. C. Hanson found it helpful. He noted that the Board of Selectmen has embraced meetings with conduct and respectfulness and acknowledged the efforts and contributions of former Selectmen S. C. Volpone, Jr. A letter of thanks for his service was signed by T. C. Tocci and S. C. Hanson. T. C. Tocci stated it is his intention to strive to make this one of the best Boards; starting meetings on time, being respectful of time as demands are greater on some. He acknowledged the town staff as hardworking employees and indicated his experience has found bright and conscientious employees who serve in the best interest of the Town. He requested that the Board keep in mind that decisions are for the benefit of the Town and residents.

ROAD AGENT - MONTHLY REPORT: T. C. Tocci suggested that R. B. Merrill, Jr. and E. N. Small meet to identify numerous projects that are to be addressed this year and work out a schedule that will accomplish this work before summer end. Concern was expressed with scheduling of contractors. S. C. Hanson requested that the Road Agent maintain a file when quotes are obtained. M. J. Farinola asked whether the Highway Safety Committee should be part of this process. E. N. Small reported that the Highway Safety Committee deals with issues such as site distance and safety and that there is a system set up with the Police/Fire/Road departments in cases of emergency. M. J. Farinola stated he felt the Highway Safety Committee should be part of advising the Road Agent on day-to-day workload.

Member of the public, C. Merrill, provided an example of the expenses associated with brush clean up from Coach Lane. He restated that he feels the Town is paying too much and that projects should be put out to bid.

TREE REMOVAL: R. B. Merrill, Jr. reported that a number of trees have been removed from Drinkwater Road with one more to be removed from Brown Road. E. N. Small will work with R. B. Merrill, Jr. to identify certain dead limbs for removal from Drinkwater Road.

FROST BAN: R. B. Merrill, Jr. reported on the status of pot holes and his plans to address some that have opened up again. Frost ban signs have been posted.

BUILDING INSPECTOR - MONTHLY REPORT: K. C. Kelley reported that he received complaints with regard to a stone wall being removed from a scenic road. He has issued a stop work order and the property owner has applied to the Planning Board for proper approval. In most cases, the stone wall is a boundary marker; identifying both the property owner and town boundary.

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K. C. Kelley provided the status of 97 Lafayette Road, Granite Commons, where a number of store front style businesses were damaged by fire. He noted that approximately 20 insurance companies are involved and explained issues of need for site plan review before the Planning Board, required documents with regard to reconstruction. M. J. Farinola stated he is concerned with the Town being a barrier to rebuilding. K. C. Kelley stated that building permits could not be issued until documentation showing the reconstruction meets all codes is received.

K. C. Kelley reported that he is working with the construction company who subcontracting the slate roof on the Town Hall addition. Both the contractor and roofing contractor are to come to look at the roof. The State Fire Marshall's office has been contacted to assist with this safety issue.

K. C. Kelley reported that Eban Lewis of the Wetlands Bureau has taken another position. Some complaints relating to Hampton Falls are pending waiting for a new person to address them.

HEALTH - MONTHLY REPORT: K. C. Kelley reported that he received complaints with regard to a business employee with a skin condition. He has contacted the State and found this to be okay as long as the person wears gloves and follows correct practices.

FIRE CHIEF - MONTHLY REPORT: J. M. Lord referred the Board to the Department's report for February noting incidents and statistics. He noted that the Department has talked with church groups with regard to winter safety.

S. C. Hanson noted that AMR has been unavailable a number of times and it appears contract terms are not being met. J. M. Lord stated he has met with the Regional Manager and that there is a need to review the contract terms as AMR is interpreting them differently from the Fire Department. J. M. Lord suggested meeting with the Board to discuss and develop a plan to address this problem.

M. J. Farinola outlined ambulance contract criteria with AMR in the past to the time the Department purchased an ambulance noting that the contract has been renegotiated bringing down coverage. He stated he felt the Board should look to reinstate 24 hour service immediately and then look at areas of duplicated service. He added that the Town should not pay AMR if the Department covers a call. E. N. Small noted that the budget reflects the reduced coverage amount and suggested holding a workshop to discuss the issue before approaching AMR. M. J. Farinola inquired as to the ambulance receipts going to the Fire Department. He requested when this was implemented and voted. E. N. Small explained that it was approved by warrant article and is set up as a special revenue fund. M. J. Farinola requested a copy in writing as to when this was implemented and voted.

M. J. Farinola asked J. M. Lord if there are drills planned in the current budget. J. M. Lord reported no. He also inquired as to the stipends available to Fire personnel. J. M. Lord explained how this process works.

EMERGENCY MANAGEMENT - MONTHLY REPORT: J. M. Lord informed the Board of a training drill scheduled for next Tuesday from 6:30 to 10:30. J. M. Lord presented M. J. Farinola with a pager, requested contact information and informed of notice provided by email.

APPOINTMENT OF FOREST RANGER – JOHN W. DODGE: J. M. Lord recommended reappointment of J. W. Dodge as Forest Ranger noting that this is a two-year appointment.

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MOTION: To appoint John W. Dodge as Forest Ranger.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI

M. J. Farinola stated he is cautious of this process and concerned with people changing titles and stepping into roles. J. M. Lord noted that this is an appointment by the State that needs approval of the local Select Board. M. J. Farinola stated he is okay with the appointment as long as there is no cost associated with the Town.

VOTE: UNANIMOUS

POLICE CHIEF - MONTHLY REPORT: R. Dirsa was not available for this meeting. The Department's report was provided to the Board.

• **OLD BUSINESS**

REVIEW AND APPROVAL OF PREVIOUS MINUTES - FEB 6 & 20 AND MARCH 5:

MOTION: To approve the minutes of the February 6 meeting with typographical corrections.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI
1 ABSTENTION, PASSES

MOTION: To approve the minutes of the February 20 meeting as written.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI
1 ABSTENTION, PASSES

MOTION: To approve the minutes of the March 5 meeting as written.

MOTION: S. C. HANSON
SECOND: T. C. TOCCI
1 ABSTENTION, PASSES

HAMPTON FALLS WEB SITE HITS: 3-17-08 - 26,303 HITS

**FINANCIAL REPORTS-GENERAL FUND BALANCE \$1,113,000
TOWN CLERK – RECEIPTS \$42,633, TAX COLLECTOR – RECEIPTS \$29,153**

MEETING DATES AND TIMES: The Board considered a meeting schedule for 2008. M. J. Farinola suggested weekly evening meetings. T. C. Tocci stated he is not in favor of weekly meetings as he has other commitments. S. C. Hanson stated he would be amenable to weekly meetings as long as work sessions can be held to address projects and goals of the Board and that additional meetings are not added. Discussion took place with possibly reserving the first hour of each meeting for business and the remaining half-hour for projects, potential increase in work within the office, conflicts with other

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meetings. E. N. Small requested that the Board let him know when they wish to add an agenda item so that he can inform the Department Head in advance. The Board agreed to two regular meetings per month and two work session meetings. T. C. Tocci will work out a schedule with E. N. Small for meetings with a begin time of 6:30 p.m.

The following assignments were agreed upon:

REPRESENTATIVES TO

PLANNING BOARD / CAPITAL IMPROVEMENT PROGRAM COMMITTEE – S. C. Hanson

ZONING BOARD OF ADJUSTMENT – M. J. Farinola

CONSERVATION COMMISSION – T. C. Tocci

FIRE DEPARTMENT – M. J. Farinola

ENERGY COMMITTEE – S. C. Hanson

HERITAGE COMMISSION – SELECTMEN’S REPRESENTATIVE AND 4 OTHERS – T. C. Tocci

HAMPTON CHAMBER OF COMMERCE – TOWN REPRESENTATIVE ON BOARD OF DIRECTORS – E. N. Small

T. C. Tocci requested that Board members provided periodic reports on the groups represented.

SPREADSHEET OF ELECTED OFFICIALS – 2009-2014: A copy of this listing was provided to the Board. The opening in the Cemetery Trustees needs to be filled. There were a number of write-ins this election.

ACTION ITEMS - MARCH 5: An updated listing of action items was provided to the Board. M. J. Farinola stated he has a problem with the Town Report, its contents and feels it is a luxury. E. N. Small reported that law requires certain information be part of the Town Report and that it is up to the Board to decide on this matter.

M. J. Farinola inquired as to the indication of switching insurance companies. He inquired as to whether this was bidded out and learned that prices were obtained from two pool groups. He stated he wants to see bids from other than pool groups before voting. E. N. Small stated it might be helpful if M. J. Farinola understood the pool and S. C. Hanson agreed providing some background information.

ADJUSTMENT TO BUDGET WORKSHEET RE TOWN MEETING VOTES: Board members were provided with revised budget worksheet pages as a result of town meeting.

HAMPTON FALLS EMPLOYEE PAY PLAN: E. N. Small stated that the pay plan represents a 2.3% increase in wages as approved by the passing of the town budget. The pay plan was signed by T. C. Tocci and S. C. Hanson.

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PRINTING OF THE MASTER PLAN: L. A. Ruest reported that the Master Plan is in the hands of the printer. Some formatting issues arose and have since been addressed. A proof is expected soon.

• **NEW BUSINESS**

LOCAL GOV'T CENTER – COMMUNICATION WORKSHOP FOR TOWN OFFICIALS AND EMPLOYEES: E. N. Small reported that he recently met the new representative to the Town from the LGC and learned of a number of programs available. The Board approved his making arrangements for a communications workshop.

CUT OFF DATE FOR THE SELECTMEN'S AGENDA: The cut-off date for Selectmen's meeting agenda items is the Thursday prior to the meeting.

ANNUAL APPOINTMENTS: A listing of appointments was provided to the Board as prepared by the Town Clerk. The matter of appointments will be added to the next agenda.

MS-2 REPORT OF APPROPRIATIONS VOTED: E. N. Small provided the completed MS-2 report for signature of the Board. M. J. Farinola stated he would like to verify the figures prepared by the Town Administrator before signing. Suggestion was made that M. J. Farinola work out this issue with the Town Administrator. The document was signed by T. C. Tocci and S. C. Hanson.

BIENNIAL INSPECTIONS OF TOWN OWNED BRIDGES- OLD STAGE RD & TOWLE FARM RD: A copy of this report was provided to the Board. It was noted that a committee has been formed with regard to changing the Old Stage Bridge to a pedestrian bridge.

OTHER

E. N. Small provided the Board with an updated cash flow spreadsheet and a copy of the Treasurer's revenue report for February as well as her weekly report. S. C. Hanson inquired as to the serious financial issue related to MBIA. E. N. Small stated that the majority of funds are with other banks and that all is collateralized.

E. N. Small offered a file of mailings received for the Board's consideration.

PUBLIC COMMENT:

C. Merrill requested a breakdown of the Administrative Assistant's salary package in order to send the information out at tax time. He stated he wants the people to know what it is as people don't believe the information in the Town Report. E. N. Small noted that there is a policy in providing information to the public.

MOTION: That a breakdown of information on the Administrative Assistant's salary, by department, be provided to the Board for next meeting.

MOTION: M. J. FARINOLA
SECOND: S. C. HANSON

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T. C. Tocci stated the Board should review the policy.

VOTE: 2 IN FAVOR, 1 OPPOSED, PASSES

NEXT SELECTMEN'S MEETING – WEDNESDAY, APRIL 2, 2008, 6:30 P.M., TOWN HALL

MOTION: To adjourn the meeting.

MOTION: T. C. TOCCI
SECOND: S. C. HANSON

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