

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

WELFARE OFFICER SUEANNE BENOIT – AGREEMENT FOR WELFARE SERVICES. – (SIGNATURES OF THE BOARD): E. N. Small introduced S. Benoit to the Board and reviewed the terms of the updated agreement for welfare services with S. Benoit. Following introductions, S. Benoit informed the Board of her 28 years experience in human services as well as her background working with Community Action, Department of Children and Youth Services and other municipalities in the capacity of welfare agent. She noted that she is also member of the Executive Committee for Local Welfare Administration. M. J. Farinola inquired as to where this cost is located within the budget. E. N. Small stated it is part of the Welfare budget.

MOTION: To accept S. Benoit as welfare officer per the agreement dated 4/1/08-3/31/09.

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

Board members and S. Benoit signed the agreement.

ROAD AGENT

MONTHLY REPORT: R. B. Merrill, Jr. reported that patching of roads continues to take place, the frost ban signs have been removed (frost ban lifted April 14) and that there are areas along the sides of roads that need gravel on the shoulders. He asked whether the Board wishes to bid out the work with regard to the shoulders. R. B. Merrill, Jr. noted that he is currently handling emergency repairs as they are identified.

T. C. Tocci noted the need to schedule a date for a workshop to address this question and to develop a plan. A date of Monday, May 19, 7:00 p.m. was scheduled.

DRAINAGE FOR TAYLOR RIVER ROAD-PLANS FOR THE SYSTEM: S. C. Hanson inquired as to the drainage problem on Taylor River Road. E. N. Small reported that he has spoken with a property owner on this road and that a drainage plan is needed. He requested approval of the Board to request the Town Engineer to draw up plans and specifications for use in bidding. M. J. Farinola asked whether the Engineer has looked at the road and provided a preliminary plan and S. C. Hanson requested an estimate of the cost before drawing plans.

E. N. Small referred the Board to a letter with regard to a bookkeeping error made relating to the March invoice for highway equipment rental service. A check reimbursing the Town has been received. M. J. Farinola stated that he reviewed the March invoice from the Road Agent and visited the sites where work was done. In two cases, the cost for rental of a truck was made for the same truck, same day. R. B. Merrill, Jr. acknowledged the mistake and reviewed the work done. E. N. Small suggested revising the spreadsheet to allow for more room to identify in detail the location(s) and types of work done.

BUILDING INSPECTOR

MONTHLY REPORT: K. C. Kelley referred the Board to the Department's report for March 2008 and provided information item by item with regard to 97 Lafayette Road, Town Hall addition slate roof, a proposed 18-lot subdivision for property formerly known as "The Raspberry Farm," as well as information of a Department of Environmental Services employee returning to the Portsmouth office; this will assist with issues that arise from time to time.

In response to T. C. Tocci, K. C. Kelley reported that there is an application before the Planning Board for 97 Lafayette Road to address changes of use, intensification and needed corrections to the site plan. He stated that the building permit for 356 Exeter Road relates to the riding stables. K. C. Kelley reported that he has implemented new fees approved on March 11 effective March 12, 2008.

K. C. Kelley provided information with regard to the types of work that require building permits and those that do not. He added that inquiries in this regard are addressed case by case and that it is always best to call in advance of a project. There is a value associated with repairs that is addressed by the Assessor.

CODE ENFORCEMENT

MONTHLY REPORT: K. C. Kelley reported that he is working on multiple code violations at property located at 47 Lafayette Road. In response to M. J. Farinola, K. C. Kelley reported that the Department of Environmental Services has reported on the site and stated no environmental contamination; a final letter is forthcoming.

HEALTH

MONTHLY REPORT: K. C. Kelley reported he has been working with two property owners with regard to septic systems; one daycare and one residential home.

FIRE CHIEF

MONTHLY REPORT: J. M. Lord referred the Board to the Department's report for March noting incidents, statistics, service calls, brush permits, commercial inspections and woodstove inspections. He also reported on assistance provided with basement flooding and failed sump pumps.

M. J. Farinola requested a meeting be scheduled with AMR ambulance. A date of May 5, 6:30 p.m. was tentatively scheduled. J. M. Lord will contact AMR.

EMERGENCY MANAGEMENT

MONTHLY REPORT: J. M. Lord reported on education classes he's attending regarding becoming more compliant in order to obtain Federal grants for storms, snow plowing, etc. His completion of these classes qualifies the Town in this regard. J. M. Lord reported he is working on drafting a National Response Plan as well as Seabrook Station drills.

POLICE CHIEF

MONTHLY REPORT: R. Dirsra referred the Board to the Department's report for March noting incidents, statistics and information with regard to the incident at 38 Depot Road. M. J. Farinola

inquired as to mailbox vandalism. R. Dirsa noted that some damage is a result of snow and some is not; no reports of mailbox damage were received in March.

M. J. Farinola inquired at to the Traffic Control Ordinance implemented in 2006 by the Selectmen and voted down this year by the voters. This ordinance relates, in part, to an officer being required for equipment working on public roads and highways. He asked whether this has increased public safety since implementation. R. Dirsa reported on times when utility companies were conducting projects in town where it became difficult to manage; often without traffic control measures or safety. Given the vote in March, this ordinance doesn't exist any longer. R. Dirsa stated it is unfortunate as it helped the Police Department manage traffic in regard to these projects. He added that certain companies use the Department regardless of the ordinance as it is a safer situation. In response to M. J. Farinola, R. Dirsa confirmed that the ordinance is not enforced now, however, some utilities continue to use detail officers for liability reasons. The Police Department has the authority to shut down a project if it is determined unsafe.

S. C. Hanson inquired with regard to the NH State Police Database and the costs associated. R. Dirsa provided background on this matter noting that a portion of the quarterly cost is for access, maintenance and some equipment. S. C. Hanson asked whether there was any way to reduce this cost. R. Dirsa indicated that certain conditions need to be met in order to access and that the fees relate to the equipment, lines, etc.

T. C. Tocci inquired as to whether the Police Department has granted solicitor permits lately. R. Dirsa stated that Hawkers and Peddlers Permits are granted by way of a Selectmen's Permit. To the best of his knowledge, none have been granted. Religious groups are not required to obtain a permit by law. T. C. Tocci commended Officer A. Roach and Chief Dirsa on their efforts with regard to the DARE program.

M. J. Farinola inquired as to the expenses associated with repairs to police vehicles on the last accounts payable warrant and whether quotes were obtained for the work. R. Dirsa reported that he benefits from the use of a regular repair facility that provides a good price and fleet discount. One benefit is that the technicians know the vehicles. The Ford dealership is used when a large repair is needed or is under warranty. He added that some of these expenses related to repairs identified as part of the vehicle inspection process. He stated he obtains good quality and safety control from the repair facility.

ATTEND WORKSHOP ON PERSONNEL POLICY ON APRIL 21, 7 PM: R. Dirsa acknowledged this workshop and stated he plans to attend.

8:00 PM

PUBLIC HEARING – ACCEPTANCE - \$23,000 FOR IMPROVEMENTS TO - TOWN

COMMON (MOTION REQUIRED): T. C. Tocci opened the public hearing reading the notice. He then opened discussion to members of the public. Peter Robart, Curtis Road, identified himself as Chairman of the Town Improvement Committee. He reported that the warrant articles for town common improvements were turned down by the voters. Donated funds have been received and improvements have been made (to include, but not limited to, walkway around monument, cleaning of monument, plantings, pruning of trees and lighting of flagpole). At this time, anonymous donations have been made to continue the effort specifically for a well and irrigation system to assist with maintaining the lawn and plantings. Hearing no further comments from the public, T. C. Tocci closed the public hearing.

S. C. Hanson stated that this is a very generous offer, however, expressed concern with the need and costs to taxpayers going forward with regard to maintenance and electricity. He asked whether some money could be held to cover costs for a number of years. A review of the approximate maintenance and electricity costs took place. P. Robart noted that sometimes the work is done by volunteers. It was noted that the Governor Weare Park system is four times greater than the one proposed for the Town Common. S. C. Hanson added that the Selectmen would have control over the system and could shut it off if decided. P. Robart stated the system would not be run unnecessarily but would be helpful with the new hydro seeding. M. J. Farinola noted concern with the future widening project along Route 1. T. C. Tocci stated the plan does not include widening through Hampton Falls and noted that there are other priorities and funds dedicated to projects ahead of those planned for Hampton Falls. The State also does not plan to do projects without the full acceptance of the community. M. J. Farinola stated he was involved with a similar request for irrigation system at the Library and indicated he feels the Town can get by without an irrigation system at the Town Common. He further noted that voters turned down warrant articles for these purposes in the past and that they were done with donated funds. T. C. Tocci stated he feels the will of the people was not to impact taxes not that they didn't want the Town Common to be a centerpiece of the community. He added that the donated funds can enhance the center of the community at no cost to the taxpayer and no impact on taxes. He also noted that the Library continues to address the issue of irrigation. S. C. Hanson stated he is willing to accept the funds and is comfortable with the costs to maintain.

MOTION: To accept and expend anonymous donation of \$23,000 for a well and irrigation system at the Town Common.

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

• **OLD BUSINESS**

FINANCIAL REPORTS

GENERAL FUND BALANCE \$133,530
TOWN CLERK – RECEIPTS \$38,680
TAX COLLECTOR – RECEIPTS \$106,772
MISCELLANEOUS RECEIPTS \$4,252
CURRENT USE – 100% \$25,923

BALANCE SHEET FOR THE PREVIOUS MONTH: A copy of this report was provided to the Board. A review of the way in which funds are invested took place. S. C. Hanson stated he has questions with regard to certain expenditure budget lines. He will forward a listing to the Bookkeeper.

ACTION ITEMS 4-2-08: E. N. Small provided the Board with an updated listing. No questions were heard from the Board.

APPOINTMENTS TO THE CONSERVATION COMMISSION - (MOTION REQUIRED): Recommendation has been received from the Conservation Commission to appoint Julie Hall Williams and Kim Morrell. M. J. Farinola inquired as to the other volunteer applicants he provided recently. E. N. Small reported that he provided these applications to the Conservation Commission. M. J. Farinola

stated the Board should have a chance to look at all persons interested. S. C. Hanson and T. C. Tocci have been both of the recommended candidates as part of serving on the Commission. S. C. Hanson suggested that the other two could attend Conservation meetings and if determined still interested possibly be appointed as alternate members. Conservation Chair K. Ayers stated she would need to review whether RSAs allow for membership with regard to more alternate members and provided support and information on the persons recommended for appointment noting that one is a grant writer and the other works for the Trustees of the Reservations in Massachusetts. Conservation Administrative Assistant M. Garavaglia noted that the two most recent applications received did not meet the criteria specified in that there was no brief statement attached to the application and that it would be helpful for the Conservation Commission to know a person's interest and qualifications.

MOTION: To appoint Julie Hall Williams and Kim Morrell as members of the Conservation Commission.

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

S. C. Hanson stated he would like to see the other two applicants complete the information needed and attend meetings for possible consideration as alternate members.

VOTE: 2 IN FAVOR, 1 ABSTENTION, PASSES

PROCEDURE FOR REVIEW OF PROPERTY VALUATIONS: The memo used by the Assessing Agent outlining steps for the review of property valuations has been updated to use the proper terms and current Selectmen. S. C. Hanson requested that the date restriction with regard to application be provided as a last bullet item in bold. M. J. Farinola also proposed a revision to the second bullet item. Changes will be made and this matter will be added to the next agenda.

BUILDING A MULTI-FAMILY UNITS ON A CLASS VI ROAD – AARON BROWN - (MOTION REQUIRED): A. Brown was present. Background to this matter regarding request for issuance of a building permit on a Class VI road was provided by T. C. Tocci. A. Brown stated that it is not definitive as to whether he will upgrade the road if he could proceed with the development. He noted that it needs to be upgraded from the condition it is now to better handle life and safety, however, did not want to put the Town in a position where it would have to be brought to Class V. S. C. Hanson stated the Board has received advice of counsel and made the following motion.

MOTION: The board of Selectmen is not interested in altering the status of East Road, as a Class VI highway, nor would it be prudent for the Board to issue a building permit for multi-family housing on a road that is not maintained.

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

A. Brown stated he has engaged an attorney to assist him noting that there is a private road ordinance in Hampton Falls and that there is a gray area. He added that he has complied with zoning on the lot and that no waivers are needed. He questioned how this matter could be cured.

S. C. Hanson stated these matters are addressed on a case by case basis and that given advice of counsel it is not in the best interest of the Town to allow a permit at this time. M. J. Farinola noted that the zoning ordinance requires frontage on a Class V or better road; this property does not meet that requirement and would need a variance before going to the Planning Board.

A. Brown requested an opportunity to work with the Board before rendering a motion. The Board acknowledged his position and maintained advice of counsel based on information provided.

VOTE: UNANIMOUS

DEPUTY TAX COLLECTOR- COMMITTEE RECOMMENDATION - (*MOTION REQUIRED*):

E. N. Small reported that prospective applicants have been interviewed and a candidate recommended. As of this time, the candidate has been unreachable by phone. This matter will be added to the next meeting. M. J. Farinola stated he is opposed to this and feels an employee from the Town Clerk's office should be cross-trained. E. N. Small stated that a Deputy Tax Collector is required by law. T. C. Tocci added that it is important to have a well-trained individual to assist in the Tax Collector's office to ensure revenues are received and one that can fill in to cover when the Tax Collector is out of the office.

MEETING WITH TOWN COUNSEL BARTON MAYER – WORKSHOP: E. N. Small will check with Attorney B. Mayer to determine a good time to meet with the Board, preferably during a workshop session.

ONCE A SELECTMAN IS SWORN IN BY THE TOWN CLERK, NO FURTHER NEED TO DO IT AGAIN WHEN BOARD MEMBERS SERVE ON OTHER COMMITTEES OR BOARDS. TOWN COUNSEL

CHOSE A DATE FOR “WHITE GOODS DAY:” The Board set a date of Saturday, June 7, 8 a.m. to 2 p.m. for the spring white goods collection day. The Board also agreed to obtain new dump stickers with a three-year period of 2009-2011 at a cost of \$10 available on June 7.

PROGRESS REPORT ON NORTHSIDE CARTING, INC.: E. N. Small reported that he has not received a single complaint with regard to the transition to this new solid waste collection company. He stated he is impressed with the General Manager's attention to Hampton Falls. M. J. Farinola stated he has observed the trucks traveling against the flow of traffic.

TRANSPORTATION ASSISTANCE FOR SEACOAST CITIZENS – TASC: Information on this group will be added to the next newsletter. The amount of \$500 was approved for this purpose by warrant article this year. T. C. Tocci provided information on the service that is provided and indicated the group is seeking volunteers.

• **NEW BUSINESS**

STATE GRANITE QUEST BIKE FOR CANCER RESEARCH, 7-12-08 - SIGNATURE OF CHAIRMAN: The Board reviewed the Selectmen's Permit request for this event and found no objections. T. C. Tocci signed approval on behalf of the Board.

LAS PTO ROAD RACE, 5-10-08 - SIGNATURE OF CHAIRMAN: The Board reviewed the Selectmen's Permit request for this event and found no objections. T. C. Tocci signed approval on behalf of the Board.

INTENT TO CUT - SIGNATURES OF THE BOARD: Board members signed approval of this application.

LETTER FROM ROGER VENDEN RE 2007 ASSESSMENT RECEIVED 3-31-08 - ASSESSING AGENT TO RESPOND: The Board acknowledged receipt of a letter from Roger Venden, 136 Drinkwater Road, with regard to the 2007 assessment on his property. The Board agreed that the Assessor is to respond.

LETTER FROM DODGE'S AGWAY FARM & GARDEN, INC. RE INCOME APPROACH TO ASSESSING COMMERCIAL VALUE RECEIVED 4-7-08 - ASSESSING AGENT TO RESPOND: The Board acknowledged receipt of a letter from Dodge's Agway, 116 Lafayette Road, with regard to a request for submission of an income and expense form for this property. The Board agreed that the Assessor is to respond.

REVIEW AND APPROVAL OF PREVIOUS MINUTES – 4/2/08:

S. C. Hanson inquired as to whether HIPPEA was spelled correctly and inquired as to the question raised by S. Hemlepp. T. C. Tocci noted a typo on page four.

MOTION: To accept the minutes of the April 2, 2008 meeting as amended.

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

NEXT SELECTMEN'S MEETING – WEDNESDAY, MAY 7, 2008, 6:30 P.M., TOWN HALL

MOTION: To adjourn the meeting at 9:01 p.m.

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

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