

**TOWN OF HAMPTON FALLS**

**PRESENT:** S. C. Volpone, Jr., Chairman, T. C. Tocci, S. C. Hanson, Selectmen;  
E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

**ROAD AGENT**

**MONTHLY REPORT:** R. B. Merrill, Jr. reported that activity has slowed now that the winter season has passed. Minimal damage was incurred from the recent Northeaster storm. Some trees were down and culverts blocked. R. B. Merrill, Jr. will work with E. N. Small with regard to additional tree work needed to be done as well as brush removal from road sides. S. C. Volpone, Jr. requested that a road sign for Old Stage Road be ordered and replaced as the former sign went away with the replacement of a utility pole. Other signs in town are askew from winter storms and need to be righted.

**BUILDING INSPECTOR**

**MONTHLY REPORT:** K. C. Kelley distributed the monthly report for April for the BI/CEO/Health Officer departments.

**METHOD TO DETERMINE COST OF CONSTRUCTION FOR BUILDING PERMIT FEE CALCULATION:** K. C. Kelley provided a Building Valuation Data Sheet created by the International Code Council that outlines ways to set building permit fees based on a square footage basis. He stated that this is an objective way to approach the setting values of construction in order to establish building permit fees for Hampton Falls. He noted that the warrant article to allow the Board of Selectmen to address and set fees did not pass. Concern was expressed with the voters not understanding the process to set fees to cover the cost of administration. E. N. Small suggested that the change could also be addressed by way of the Building Code. K. C. Kelley stated he plans to include information on this matter in an upcoming newsletter.

T. C. Tocci inquired as to the clearing of a portion of the apple orchard at Applecrest Farms and how the disposal of stumps is handled. K. C. Kelley stated he would check into this matter.

K. C. Kelley reported to the Board that the owner of 115 Lafayette Road requested permission to store landscape materials at this location. K. C. Kelley approved this request for a 45-day time period.

**INTENT TO CUT APPLICATION:** An application for 60 Brown Road was reviewed with the Board. This work is being done in conjunction with a restoration plan required by the Department of Environmental Services. The Board signed approval of the application.

**CODE ENFORCEMENT**

**MONTHLY REPORT:** K. C. Kelley referred the Board to his report for April and reviewed the status of each.

**ROUTE 1 SITE AND COMPLIANCE WITH STATE WETLAND LAWS:** K. C. Kelley noted concern with 49 Lafayette Road in that he has been working with the property owner and one business owner, however, did not receive an application for the Planning Board timely for the May meeting; one of the first steps to come into compliance. K. C. Kelley continues to work toward resolution of this matter, however, a cease and desist order may become necessary.

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The Department of Environmental Services has provided results of inspection of 131 Lafayette Road and identified numerous items that need to be addressed within a deadline. K. C. Kelley reported that it doesn't appear any corrective work has begun.

**HEALTH**

**MONTHLY REPORT:** E. N. Small reported that the NH Department of Agriculture is administrating the Mosquito Control Program this year. A copy of the public notice pertaining to Hampton Falls was provided to the Board.

**MOSQUITO CONTROL ORDINANCE:** E. N. Small suggested the Board consider instituting an ordinance for the Town of Hampton Falls. Suggestion was made to provide information and education with respect to making property owners aware of what can be done to reduce mosquito activity. The Board agreed to review a sample ordinance, however, determined that there is no reason at this time to put an ordinance in place and that problems can be addressed on a case-by-case basis.

**PRELIMINARY APPROVAL FOR 2007 APPLICATION TO CONDUCT MOSQUITO CONTROL PROGRAM HAS BEEN RECEIVED**

**FIRE CHIEF**

**MONTHLY REPORT:** J. M. Lord reviewed the Fire Department monthly report for April noting emergency, fire and storm incidents. He reported that the Hampton Fire Station at Hampton Beach had to be abandoned due to high water. This affected Hampton Falls in that the dispatch system is located within that building. This identified the need to provide a phone line at an alternate location and is being done.

J. M. Lord reported that he is working with the Building Inspector/Code Enforcement Officer on a number of code enforcement issues throughout the Commercial District.

J. M. Lord and R. Dirsa requested that the meeting scheduled for May 29 with the Selectmen be rescheduled. He will check calendars with R. Dirsa and report back to the Board.

In response to T. C. Tocci's inquiry regarding recent invoices from National Wrecker, J. M. Lord reported that full state inspections, to include repairs, have been performed on Fire Department vehicles. T. C. Tocci added that he was disappointed with the outcome of the vote for the new fire truck and requested the Fire Department keep an itemized listing of the costs associated with servicing Fire Department vehicles (starting with the date the new fire truck would have been acquired).

**EMERGENCY MANAGEMENT**

**MONTHLY REPORT:** J. M. Lord reported that an emergency management drill will be conducted soon with regard to a scenario involving a hurricane off the coast.

**GRANT AWARD – EMERGENCY OPERATIONS PLAN:** J. M. Lord reported that the NH Department of Safety, Homeland Security and Emergency Management has awarded Hampton Falls a

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grant contingent upon Governor and Council approval. The grant agreement and other conditional documentation required have been prepared for signature of the Board.

**MOTION:** To authorize the Chairman to sign the grant agreement.

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

**REVERSE 911:** J. M. Lord explained the Reverse 911 system to the Board. He stated that consideration has been given to having this plan implemented. J. M. Lord learned that the State of NH is looking into establishing this system. Once available, Hampton Falls can look into signing up for the service.

**REPORT ON PRELIMINARY DAMAGES FROM APRIL 16 NORTHEAST STORM:** A quick number analysis has been prepared. The bulk of the costs were associated with road repairs and personnel time. Assessment needs to be made with regard to the dam at Whittier Pond. The Fire Department would like the ability to remove a board when the water rises.

**POLICE CHIEF**

**MONTHLY REPORT:** R. Dirsa reviewed the Police Department report for the month of April noting statistics and incidents. On behalf of the Board, S. C. Volpone, Jr. expressed thanks for a job well-done with respect to a recent television news interview regarding a police incident in town. T. C. Tocci also congratulated Chief Dirsa with regard to the success of the DARE program and its 17 years in effect. He added that Sheriff Linnehan complimented the Hampton Falls' program as well.

**SELECTMEN'S PERMIT – DOG AGILITY SHOW – EXETER ROAD:** The Board informed the Police and Fire Chiefs of this upcoming event.

**MOTION:** To authorize the Chairman to sign the Selectmen's Permit.

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

• **OLD BUSINESS**

**REVIEW AND APPROVAL OF PREVIOUS MINUTES - APRIL 18, 2006:**

S. C. Hanson stated that he forwarded proposed changes by email to L. A. Ruest late last evening. S. C. Volpone, Jr. stated that he reviewed them and was okay with the changes which resulted in the following:

Revise Page 2, Paragraph 4, to read:

This discussion was taken up again shortly after C. Merrill arrived. C. Merrill reported that he called area towns (Greenland ~~and North Hampton~~) to compare the charges they incurred as a result of snow storms with the charges incurred by Hampton Falls. He reviewed the figures and practices of the other

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towns with the Board noting that he feels the costs charged to Hampton Falls are excessive. He further stated that he went out to certain roads to verify work has been done and was unable to identify trees cut in one instance. C. Merrill suggested that the Road Agent provide a detailed monthly report on fees charged and hours worked. S. C. Volpone, Jr. restated that the Board is to study aspects of the Highway Department to include setting a lower limit of values for bidding of projects.

Revise Page 6, Paragraph 1, to read:

P. Robart will now be handling the scheduling of the ball fields. ~~*An appointment form for Larry Smith as Recreation Commission member was signed by the Board.*~~

**MOTION:** To approve the minutes of the April 18, 2007 meeting as amended.

**MOTION:** S. C. VOLPONE, JR.  
**SECOND:** S. C. HANSON  
**UNANIMOUS**

**FINANCIAL REPORTS-GENERAL FUND BALANCE:** E. N. Small reported a general fund balance of (\$179,000). Expenditure and Budget Status reports for the month of April were provided to the Board. The Town Clerk reported receipts totaling \$48,200 for April.

**HAMPTON FALLS WEB SITE HITS: 995 HITS since last report.**

**ACTION ITEMS:** An updated listing of action items was provided to the Board.

A copy of the draft minutes of the May 1, 2007 Selectmen's meeting as prepared by E. N. Small was provided to the Board.

**WEB SITE – 2007 BUDGET WORKSHEETS AND 2006 TOWN REPORT / SELECTMEN'S AGENDAS POSTED:** T. C. Tocci stated that in reviewing the web site there are numerous items that need attention and updating. Suggestions are to be provided to E. N. Small.

S. C. Hanson suggested that the detailed budget worksheets be posted to the web site. The Board approved. He also reported that he continues to review the Town's phone and internet services, contacting vendors. He plans to talk with the Chiefs with regard to reviewing the internet setup at the Public Safety Building. S. C. Hanson requested a copy of the 2006 Town Report in PDF form so that he can reformat it to new software. The Board approved posting it to the web site as well.

**PERSONNEL POLICY – SET UP A WORKSHOP DATE:** A meeting date of Thursday, May 24, 2007, 7:30 a.m. was scheduled.

**SUMMARY OF DEPARTMENT HEAD GOALS 2007:** A Department Head Goals Listing as compiled and prepared by E. N. Small was provided to the Board. T. C. Tocci suggested, and the Board agreed, to require Committees and Boards submit goals as well.

**VOTING BOOTHS – OPINION FROM BART MAYER:** E. N. Small provided a history of the reason the request for funds for voting booths was presented to include safety issues. The warrant article

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did not pass by 28 votes. Opinion has been verbally received from Attorney Bart Mayer with regard to the suggestion of using private funds to purchase new booths. B. Mayer indicated that the Town can use Town funds to upgrade the existing booths. Concern was expressed in doing so given the outcome of the vote. The Board requested that an estimate of the costs to repair be provided for review. Should private funds/donation be raised, the matter can be addressed through public hearing.

**THANK YOU LETTER TO NEWELL EATON FOR REPAIR TO A BALLOT BOX was signed by the Board.**

**REAL ESTATE LIEN – TAX LEVY OF 2006 - \$143,500 – 18% INTEREST AFTER THE LIEN**

**RE-INVESTMENT OF CERTIFICATES OF DEPOSITS – CONSERVATION COMM. FUNDS – 5.25 % 5 MOS. WITH THE PROVIDENT BANK – TREASURER SURVEYED 4 BANKS AND NHPDIP:** The Treasurer called area banks and obtained current rates. Following review, it was determined that the Provident Bank has the best rates.

**MOTION:** To approve the reinvestment of Conservation Funds in the amount of \$412,000 with the Provident Bank (5 month CD).

**MOTION:** S. C. VOLPONE, JR.  
**SECOND:** T. C. TOCCI  
**UNANIMOUS**

**EMPLOYEE COMPENSATION COMMITTEE:** E. N. Small will contact P. Robart to determine whether he's made a decision regarding serving on this committee.

**REPORT ON REMOVAL OF BRUSH, RAILROAD TIES, IN FRONT OF TOWN HALL:** The Historical Society is reviewing ways in which to remove the sign from the front of the Town Hall for use at another location. If it is determined otherwise by the Historical Society, B. Mutrie will let E. N. Small know so that the Town can have it removed. The Selectmen also discussed cleaning and repairs to the front offices in order to allow rearrangement of offices.

**REPAIRS TO TOWN HALL SLATE ROOF AND PORCH ROOF:** E. N. Small will obtain prices, to include prices for work at the old Library.

**STUDY – HIGHWAY DEPARTMENT:** E. N. Small will be working on this study. S. C. Hanson requested a schedule of rates for review.

**ENGINEERING BILL FOR STARVISH LANE:** E. N. Small requested the Board sign approval of the inspection done for Starvish Lane.

**MOTION:** To approve payment of the invoice for inspection services regarding Starvish Lane from the Starvish Lane maintenance fund.

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

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**WORKSHOP – EAST ROAD:** A date and time of Thursday, May 31, 7:30 p.m. was set to prepare for the public hearing to designate a portion of this road as an emergency lane.

**RECYCLING STATISTICS FOR FIRST QUARTER 2007:** Total tonnage figures for co-mingled recyclables as well as newspaper were provided to the Board.

**REPORT ON PLANS FOR WHITE GOODS DAY/SPRING CLEANUP ON JUNE 9:** Minutes of the May 1 Selectmen’s meeting outline the arrangements for this year’s spring clean up date.

J. M. Lord reported that the Department of Environmental Services has brought to his attention the fact that storage of tires at the Brush Dump is regulated regarding location and size. E. N. Small stated that a certain quantity triggers removal, therefore, the Town will now need to remove them regularly. S. C. Volpone, Jr. suggested looking into cleaning up the Brush Dump and developing a plan to keep it better managed.

**HYA BASEBALL FIELD AGREEMENT:** In conjunction with counsel, E. N. Small revised this document to remove the word “exclusive” from the approved use (ref #2). S. C. Hanson noted concern with the fields being used by soccer and lacrosse during the time allotted for baseball and suggested this be brought to the attention of the Recreation Commission. Signage is to be provided by the Hampton Youth Association.

**TOWN COMMON IMPROVEMENT COMMITTEE MINUTES OF APRIL 18:** Referring to this committee’s meeting minutes, T. C. Tocci reported that work is to begin on the Monument. A site walk is scheduled for May 23 to determine additional phases for improvements to the Town Common.

• **NEW BUSINESS**

**SELECTMEN’S POLICIES 2007:** E. N. Small referred the Board to a listing of policies established since January 1 and noted that he plans to keep this information segregated by year(s). S. C. Hanson will meet with E. N. Small to review the policies on file.

**POLICY ON EMAILS:** There is an unwritten policy with regard to not conducting business by email amongst the Board members. Following discussion of options of disclosure, it was determined that the best policy is not to discuss matters outside of a public meeting. It was noted that scheduling of meetings, etc. would be an appropriate email.

**CABLE SCHOLARSHIP FUND:** S. C. Hanson reported that he was approached by a member of the public who asked why Hampton Falls does not have televised meetings. S. C. Hanson stated he called Comcast on his own to ask how to obtain a channel. Information was provided to him to include the agreement in place with the Town.

He explained that Comcast assesses a fee to customers to generate revenue deemed by agreement to be used for scholarships for high school seniors. Some towns use the revenue to purchase equipment for the channel. Question was raised as to whether the warrant article 11 years ago was proper. S. C. Hanson stated he is not looking to change this, but rather answer the question raised. E. N. Small was asked to investigate the issues surrounding this issue and obtain an opinion from counsel.

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**APPLICATIONS FOR RESIDENCES IN THE COMMERCIAL ZONE:** The Board signed the applications for residences in the Commercial Zone.

**MOTION:** To accept the applications for residence in the commercial zone.

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

**APPOINTMENT FORM – ALTERNATE TO THE PLANNING BOARD – ROGER SPOERRY:** The Planning Board appointed Roger Spoerry as an Alternate Member at its meeting of April 24. The Board signed the appointment form.

T. C. Tocci reported that a preliminary consultation was also held with the Planning Board with a potential buyer of 33 Lafayette Road who is looking to operate an audio visual business and add a living space above the garage.

**SPRING HAZARDOUS WASTE COLLECTION – OLD TOWN HALL PARKING LOT-  
HAMPTON –MAY 5, 9AM – NOON:** Information and handouts for this collection day were provided to the Board. Handouts are available at the Town Clerk's office.

**OTHER**

**HISTORIC DISTRICT COMMISSION:** S. C. Volpone, Jr. informed the Board of an upcoming preliminary consultation with the Planning Board from a potential buyer of 2 Depot Road seeking direction to place two 18-hole mini-golf courses at this location. The proposal includes the removal of the house. The Historic District Commission meets soon and will review this matter.

**Ann Haggart – Frying Pan Lane:** A. Haggart has requested that the Class VI portion of roadway between Hampton Falls and Kensington be improved. E. N. Small will contact the Town of Kensington to discuss this request. She also offered stones that washed up to her Rye, NH, property during a recent storm to the Town if they wish to remove them. The Board questioned the cost to haul and declined her offer.

**UNITIL – TREE REMOVAL – DRINKWATER ROAD:** Patrick Aquilina of Unitil joined the meeting at this time and explained that he has been asked to remove a large limb that has separated from a maple tree across the street from 109 Drinkwater Road. Given that this is a scenic road, Planning Board approval is required. Following discussion of the condition of the tree and the fact that the limb will bring down wires if it falls, the Board determined this a safety issue.

**MOTION:** To declare the maple tree as described a safety issue and approve removal of the hazardous leader branch by Unitil.

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

**NEXT SELECTMEN'S MEETING – WEDNESDAY, MAY 16, 2007, 6:30 P.M., TOWN HALL**

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The Board of Selectmen, at the Department Heads request, agreed to change the meeting time of its meetings to the first Wednesday of each month 6:30 p.m. and the third Wednesday of each month 7:30 a.m.

**MOTION TO GO INTO NONPUBLIC SESSION  
AT 9:45 AM TO DISCUSS WELFARE**

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

**MOTION TO GO OUT OF NON-PUBLIC SESSION  
AND RESUME AT 9:52 AM**

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

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