

**TOWN OF HAMPTON FALLS**

**PRESENT:** P. G. Robart, Chairman; S. C. Volpone, Jr. and Francis J. Ferreira, Jr., Selectmen; E. N. Small, Town Administrator; M. A. Hill, Minutes+

**POLICE DEPARTMENT:** Chief Dirsa has interviewed applicants for the position of part time patrolman. He introduced Jeremy Tetreault to the Selectman and distributed Jeremy's resume. Chief Dirsa recommended that J. Tetreault be appointed as part time patrolman for a period of 6 months.

**MOTION:** To appoint Jeremy Tetreault as part time police officer for a 6 month probationary period.

**MOTION:** F. J. FERRIERA, JR

**SECOND:** S. C. VOLPONE, JR **Motion passed.** Selectmen signed the appointment.

**FIRE/AMBULANCE:** Jay Lord reported that the air packs have been purchased with the federal grant. A FEMA representative will inspect the units on Monday. J. Lord wants to sell the old packs to the training company in Brentwood and is trying to ascertain the best price.

**MOTION:** To declare the used air packs as surplus and to approve that J. Lord sell them for the best price.

**MOTION:** F. J. FERRIERA, JR

**SECOND:** PETER G. ROBART **Motion passed.**

**OLD BUSINESS**

**REVIEW AND APPROVAL OF PREVIOUS MINUTES:** Decision to wait until Lori returns from vacation and everyone has reviewed the April 20<sup>th</sup> minutes.

**FINANCIAL REPORTS:** E. N. Small reported a general fund balance of -\$80,000. Lori is distributing the school checks as needed by the school treasurer.

The Highway Department budget has \$21,400 available after the costs of the winter storms and some spring repairs. Lori has applied for a Federal Emergency Public Assistance grant for reimbursement of expenses for the January 22/23 and March 11<sup>th</sup> snowstorms. Lori has also applied to the DRA for an increase in appropriations for the Highway budget.

**EXECUTIVE:** The Local Government Center is holding a seminar on "Critical Thinking" May 19<sup>th</sup>. Eric will be attending.

**FINANCIAL ADMINISTRATION:** L. Ruest and E. Small have been completing the 2005 questionnaire to be used by the NH Property Liability Trust in determining rates for the 2005-2006 period.

Selectmen signed the individual applications for Residence in Commercial Zone. The summary report has been filed at the Registry of Deeds.

**Application for Current Use assessment:** Selectmen signed new and revised Current Use Applications.

**GOV'T BUILDINGS:**

**Old Library:** Selectmen approved the expenditure of \$200 for the replacement and installation of glass in a storm window at the Old Library. NH Glass of Portsmouth will perform the work.

**Town Hall:** Mesh has been installed over the intake and outtake vents for the heating system in the Town Hall to keep the birds from blocking the airflow and shutting down the furnace.

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F.A. Gray submitted a bid of \$8,495 to paint the second half of the Town Hall including the high gable end.

**MOTION:** To accept the F.A. Gray bid to complete the painting of Town Hall for \$8,495.

**MOTION:** F. J. FERRIERA, JR  
**SECOND:** S. C. VOLPONE, JR. Motion passed.

**Request to Purchase:** There will be a site walk on Map 4, Lot 35- Exeter Road- on June 1<sup>st</sup> at 7:00am. Eric will contact the Sabatinis, who would like to purchase the land from the Town.

**Restoration of the Town Clock:** The Board reviewed the amended contract from American Steeple and Tower to complete restoration of the Town Clock with upgrades at a cost of \$12,000.

**MOTION:** To approve the amended contract with American Steeple and Tower.

**MOTION:** P.G. ROBART  
**SECOND:** S. C. VOLPONE, JR Motion passed.

**INSURANCE:**

**Appraisal:** The appraisal of town buildings and Historic Building Designations has been completed and will be available in July.

**Liability insurance:** The annual application for property liability insurance has been completed by L. Ruest and E. Small and will be sent in when L. Ruest returns. The summary of Amounts of Protection from LGC was distributed.

**AMR:** American Medical Response (AMR) will be re-submitting a certificate of insurance to the Town, listing the Town as additional insured in accordance with the terms of the town's contract with AMR.

**BUILDING AND HEALTH:** Selectmen received the Code Enforcement Officer's letter sent to the homeowner at 45 Crank Road who cut trees on the Town's right-of-way in front of his house. Crank Road is a scenic road.

The letter to the homeowner on 19 Birch Drive requiring him to correct a major violation was reviewed.

**HIGHWAYS:** The estimated cost of road reconstruction work has not yet been determined.

**SANBORN RD.:** No bids were received for the Sanborn Road culvert. E. Small spoke with John Hubbard of Pike to request a proposal since Pike is doing the paving and reclamation of Sanborn.

**MARSTON RD.:** E. Small showed a photo of the damage to Marston Road which occurred when a piece of heavy equipment which had gotten stuck in the mud was pulled out. Turner Porter has been notified and the damage will be repaired at the time Swain Drive is paved.

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**CURTIS RD:** E. Small showed photos of Curtis Rd. T. Samway had asked that the culvert be cleared of debris from the beavers.

**OLD STAGE RD.:**

**Indemnification Agreement with Applecrest Farms for Old Stage Road:** Chairman Robart signed this agreement on behalf of the Town. Jones and Beach Engineers inspected Old Stage Rd and Brown Rd. to document the current condition of the roads prior to the anticipated heavy trucking required to construct Avery Ridge Lane. This inspection is required as part of the Indemnification Agreement with Applecrest Farm Orchards.

**NASON RD.** Tim Samway requested that the town fill a hole at the edge of Nason Rd.

**SOLID WASTE:** Annual spring cleanup will be on May 14<sup>th</sup> from 7 AM to 3 PM on Parsonage Rd. The brush has been removed and 2 compactors and 7 roll-offs from Waste Management are in place. Hazardous Waste Cleanup is in Hampton on May 14<sup>th</sup> from 9 AM to NOON.

E. Small reported that there are about 40 recycling bins left which should be enough for the rest of the year. More will be ordered in 2006.

E. Small spoke to NE Resource Recovery about the removal of metals and Freon.

E. Small distributed a Newsletter from Waste Management to be circulated to residents re household trash and recycling guidelines. E. Small has made some additions and deletions to the newsletter.

**PATRIOTIC:** The American Legion has invited the Selectmen to participate in the Memorial Day exercises at 9:00 AM on Weare's Common on Monday May 30<sup>th</sup>.

**CONSERVATION:**

**Roadside cleanup:** Roadside cleanup will be May 21<sup>st</sup>. Waste Management will leave one roll off at the Brush Dump for this purpose.

**Inspection of the Town Forest by NH DREA:** The Office of Recreation and Resource Services will be conducting an inspection of the Janvrin Natural Area this summer.

**Minutes and the Right to Know:** E. Small worked with Elizabeth Volpone on the Right to Know law relative to the minutes of the Conservation Committee.

**Appointment:** The Conservation Commission recommended that David Gandt be appointed as an alternate to the Conservation Commission.

**MOTION:** To appoint David Gandt to the Conservation Commission as an alternate.

**MOTION:** F. J. FERRIERA, JR  
**SECOND:** P. ROBART **Motion passed.**

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**APPLECREST FARMS CONSERVATION EASEMENT:**

**QUESTION:** Shall the Board of Selectmen approve the purchase of a Conservation Easement (development rights) from Applecrest Farms Orchards, Inc? F. Ferreira, Jr. stepped down being an abutter.

**MOTION:** To purchase the development rights on parcel 14, Tax Map 5 from Applecrest Farm Orchards, Inc., as recommended by the Conservation Commission, conditioned on the acceptance of the final conservation easement language, the exact number of acres and the final purchase price, in accordance with RSA 36-A:4.

**MOTION: P.G. ROBART**  
**SECOND: S. C. VOLPONE, JR**

**Discussion from the floor:**

Rod Vigneau: Rod expressed concern that the Federal government conservation regulations would have to be followed although the Federal grant comprised only 10% of the purchase price of the easement. Would it be worth taking \$228,000 more of taxpayers' money and be free of Federal regs.

Larry Smith: In answer to R. Vigneau L. Smith pointed out that the Federal grant was from the Ranch and Farm protection program whose purpose is to prevent development of ranch and farm lands which is the same purpose as the Conservation Commission. Plus the Rockingham County agent, Mary Currier, has had very favorable experiences with the Farm and Ranch Land Program lands she has administered.

Tim Samway: Requests that the Selectmen table the motion until additional information is available. Mr. Samway feels there are too many unanswered questions such as the potential for future development of the 2 acres being held out of the easement around the current barracks, how the value of the lots was determined and was it really realistic, is the Town being manipulated by the property owner, etc.

Larry Smith responded that Mary Currier had stated that an easement across the conservation easement would be necessary to "develop" the barracks area and she would never grant an easement.

T. Samway: Stressed his concern that if the property owner is farming the property he could drive all over it and not need an easement to get to the barracks area to develop it.

R. Vigneau: Found that Applecrest had been mixing chemicals (pesticides, herbicides, and fungicides) in an area close to the barracks. Has anyone asked about this with regard to toxicity of that area, the price attached to the acreage surrounding that area and would that effect the Farm and Ranch Land grant?

Larry Smith: Shouldn't effect the easement since the pesticide mixing area is in the two acres being excluded from the easement.

T. Samway: Someone should ask how possible chemical contamination would affect the lot prices in that area, and the price of the easement as a whole.

**Selectmen's responses:**

P. Robart: Feels that the town may not have this opportunity again if it is turned down now. Property owner has said that he will develop the area if an agreement cannot be reached. Applecrest Farm has been the centerpiece of the town for years, and contributes to the beautiful appearance of the town. Peter has received unsolicited comments from visitors on the open

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space in Hampton Falls. Considering the recent sale prices of land in Hampton Falls he believes that the price is realistic.

S. Volpone: Steve stated that he was not originally in favor of the easement. He sees the best scenario for the town is to keep the property as a farm; worst scenario is developing the land with more Mc Mansions. He feels that the best compromise is the current conservation easement opportunity, and that the window of opportunity is a narrow one.

**VOTE ON THE MOTION:**

**P. Robart and S. Volpone both in favor, F. Ferreira (an abutter) abstained**

**NEW BUSINESS**

**EXECUTIVE:** Selectmen signed two permits: The Baptist Church Senior High Youth Group applied for a permit to hold a yard sale on the town Common on May 30<sup>th</sup>; and The American Lung Assn requested use of the Public Safety rest rooms on the day of their Bike Tour, May 14<sup>th</sup>.

**FINANCIAL ADMINISTRATION:**

**Property transfers for April 2005:** An updated listing of transfers was provided to the Board. This listing is now prepared by the Tax Collector.

**LEGAL:** Bart Mayer is on a sabbatical for 4 mos.

**HIGHWAY:** Verizon needs to relocate three poles on Dodge Rd in order to access them from the right-of-way.

**HEALTH AGENCIES:** E. Small passed around a flyer for the Summit on Aging for residents over 55.

**PARKS/REC:** E. Small reported that new Flags have been ordered.

**Next Selectmen's Meeting – Wednesday, June 1, 2005, 7:30 AM, Town Hall**

**MOTION TO GO INTO NONPUBLIC SESSION AT 7:45 PM TO DISCUSS  
PERSONNEL, PROPERTY EASEMENT, WELFARE, PENDING LITIGATION**

**MOTION: F. J. FERREIRA, JR.**

**SECOND: S. C. VOLPONE, JR.**

*Minutes taken by Mary Ann Hill*