

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

**MOTION TO GO INTO NONPUBLIC SESSION  
AT 6:00 PM TO DISCUSS LAND ACQUISITION,  
PERSONNEL, WELFARE**

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

**MOTION TO SEAL THE MINUTES OF THE  
NONPUBLIC SESSION AND RESUME AT 6:19 PM**

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

## **ROAD AGENT**

**MONTHLY REPORT:** R. B. Merrill reported a quiet month for April.

**REPORT ON FLOODING / ESTIMATED FOR OF DAMAGES:** R. B. Merrill reported that all roads are back in shape from damages resulting from the recent severe rain storm. Some minor work is still needed, however, all roads are in decent shape overall.

**PREPARATION FOR SPRING CLEANUP DAY – JUNE 3, 7AM-2PM –HAMPTON FALLS  
BRUSH DUMP:** R. B. Merrill stated he would have the brush ready for grinding and removal.

**IS THERE A NEED FOR A PHONE AT THE BRUSH DUMP?:** A hard-wired phone is located at the dump in case of emergencies. The new dump attendants have cell phones and it is questioned whether it is necessary to continue to maintain a phone at a monthly expense. Following discussion, the Board approved the discontinuance of the hard-wired phone and suggested that the Administrative Assistant's cell phone be used if the attendant's personal cell phone becomes unavailable.

**SWAIN DRIVE – ENGINEERING MEETING RE LOAM AND SEEDING – AUTHORIZE  
PAYMENT:** E. N. Small reported that B. Jones conducted an inspection of this work and has submitted his invoice. The Board signed approval of payment of the bill. The cost is to be paid by the engineering review account held by the Town on behalf of the developer.

**SPREADSHEET – MAINTENANCE PHASE – SUBDIVISION ROADS:** E. N. Small provided the Board with a listing showing the status of subdivision roads.

**FRYING PAN LANE – POSSIBLE CLOSING OF ROAD BY TOWN OF KENSINGTON:** Information is being received from Town residents and Department Heads of indication that the Town of Kensington is considering closing the Class VI road at the end of Frying Pan Lane. E. N. Small provided the Board with an excerpt of the Kensington Selectmen's minutes of May 1, 2006 as well as information on Class VI roadways. No action was taken by the Kensington Selectmen and the Class VI road remains open.

Numerous residents of Frying Pan Lane were present. Discussion was opened to them and comments and concerns were heard. Some felt the Town would be better served if the road were closed as the area is not maintained and is a nuisance (road is in disrepair, trash and building material debris is dumped and speeding is not monitored by police). Others felt it should remain open as it is a convenience as well as an alternative outlet or access should area roads be closed due to emergency (flood or fire). Comment was also heard that the Town of Hampton Falls should not be in the business of maintaining

another Town's property or liability. Question was also raised as to whether the area could be developed if the road were to close.

The Board could offer no answers at this time and thanked the residents for attending. T. C. Tocci stated he felt the road serves as a safety outlet. Suggestion was made to post the road as done with other Class VI roads. E. N. Small noted that there is a process in place to discontinue a road and that it needs to go through town meeting for vote.

**REPORT ON THE INSPECTION OF WHITTIER POND DAM – LETTER OF DEFICIENCY – MAY 3, 2006:** Department Heads will be provided with a copy of this report and respond to the letter of deficiency.

**FIRE CHIEF / EMERGENCY MANAGEMENT DIRECTOR**

**MONTHLY REPORT:** J. M. Lord distributed the Fire Department report for April noting statistics and incidents.

**REPORT ON FLOODING:** J. M. Lord reported that Emergency Management is seeking preliminary damage assessments for the storm. He provided R. B. Merrill with information needed from him regarding roadways. This information will be compiled and forwarded to the President for consideration.

J. M. Lord commended R. B. Merrill's efforts during the flooding. He reported 45 calls for service. Some fire personnel stayed overnight at the station and Department Heads have met twice. The Fire Department is looking to obtain different pumps to assist residents in the future.

**ADVERTISING FOR A PART TIME FIREFIGHTER – CHIEF LORD:** J.M. Lord stated he is looking for approval of the Board to begin a search for a part-time firefighter as provided for in this year's budget. The position is for 16 hours per week. He plans to post the position in house for two weeks and if no response is received, post out of house for another two weeks. The candidate will need to be EMT certified with Firefighter 1 qualifications and also have a CDL designation. The process will include background checks and an oral board with non-department members. The Board approved.

**VIDEO CONFERENCE ON AVIAN FLU – MAY 10:** J. M. Lord and S. C. Volpone, Jr. attended this conference and learned that monies will become available to make plans for influenza pandemic.

**CONTACT OF SPECIAL NEEDS:** Contact has been made with those persons on the special needs list. This effort has allowed for updated information to be received.

**7:00 PM - PUBLIC HEARING – TRAFFIC CONTROL ON A PUBLIC STREET:**

Chairman Ferreira opened the public hearing reading the notice as posted. Discussion was opened to the public. R. Dirsra reported that this ordinance is a mirror-image of North Hampton's ordinance. It will assist with situations where utility and tree companies take it upon themselves to decide if a traffic officer is needed. This compromises public safety at times. State law provides certain authority in this regard to assist with public safety. He recommended, however, to amending Section 4. Penalty to a fine not less than *Two Hundred (\$200) Dollars*.

Hearing no further comments, F. J. Ferreira, Jr. closed the public hearing

**MOTION:** To accept the Traffic Control on a Public Street ordinance as amended to a \$200 fine.

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

**SECOND:** T. C. TOCCI

**UNANIMOUS**

Board members signed the revised ordinance.

**POLICE CHIEF**

**MONTHLY REPORT:** R. Dirsa distributed the monthly report for April noting an increase in statistics and reviewing certain incidents that occurred throughout the month.

**REPORT ON FLOODING:** Route 1 at Whittier Pond has been closed during the severe rainstorm. Plans are in place to reopen certain lanes to allow for repair to the easterly side of the road that is washed out and to upright a utility pole. The top board of the dam has been removed by the Road Agent. This allowed the water level to lower and no longer flow over the roadway. The area of Route 84 and Stard Road that has been closed has also been opened. E. N. Small referred the Board to a letter from the State requesting removal of two boards at Whittier Pond. Copies of this letter will be provided to the Fire Chief, Police Chief and Road Agent.

**EXETER-HAMPTON DISTRICT COURT – DEPT. OF ADMINISTRATIVE SERVICES – DONALD HILL:** A letter has been received identifying three criteria to be used to identify a new location for the District Court.

**PAYMENT TO NH SPCA – RUPIA CASE:** R. Dirsa provided background information on this invoice. Back in 2003, the SPCA assisted with an animal abuse case and took possession of animals. The \$2,784 invoice is for the boarding, medical care and feeding of the animals. R. Dirsa recommended approval of payment of this invoice as the SPCA has been waiting three years for payment. He noted that restitution for reimbursement is being addressed by the court.

**MOTION:** To approve the payment of the SPCA bill in the amount of \$2,784 relating to the Rupia case.

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

**SECOND:** T. C. TOCCI

**UNANIMOUS**

Board members signed approval of the invoice.

**THE GRANITE STATE QUEST (CANCER RESEARCH) BIKE RIDE – JUNE 17, 7:30 AM – 4:30 PM:** Request to hold a bike ride has been received. This group has held this event in Town in the past without problems. Notification is to be made not to mark roads with paint.

**MOTION:** To approve a permit for the Granite State Question bike ride.

**MOTION:** T. C. TOCCI

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

**DONATION OF THE BUILDING INSPECTOR'S VEHICLE TO THE NH POLICE**

**ACADEMY:** R. Dirsa reported on his research of disposing this vehicle and recommended donating it to the Police Academy. The amount of work needed on the vehicle has been disclosed and they are willing to pick it up saving a tow expense. The Board approved. R. Dirsa will inform the Police Academy that the vehicle is available to them.

**DAVID BENOIT –**

**NAME CHANGE FOR HIS SUBDIVISION ROAD FROM LEAVITT LANE TO FOX RUN OR FOX HILL LANE:** David Benoit was present and requested reconsideration of the road name assigned by the Board.

**MOTION:** To rename this subdivision road to Fox Hill Lane.

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

**BOSTON POST CANE:** David Benoit informed the Board that his mother, current holder of the Boston Post Cane, is residing in a nursing home in Dover. He suggested that the Board consider having a replica of the cane made and place the original with the Historical Society for safekeeping.

**MOTION:** To assign the Boston Post Cane to the Historical Society for safe keeping and that a replica be commissioned to be used in the future.

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

**CONSERVATION COMMISSION**

**COASTAL GRANT PROGRAM – GRANT AWARD OF \$50,000 – Map 9, Lot 9:** T. Beattie reported that a letter has been received from the Manager of the Coastal Grant Program dated May 1, 2006 indicating a grant of \$50,000 has been awarded. She stated that the Conservation Commission did not petition for this increase in award. The direction of the Selectmen was to proceed once the \$50,000 grant was awarded.

The Board has since received advice from counsel given that the \$50,000 grant applied for was originally awarded for \$45,000. This document has been sealed and voted by the Board not to be released. On behalf of the Conservation Commission, T. Beattie asked for the Board's determination and thinking at this time.

S. C. Volpone and F. J. Ferreira stated they have not changed their position. Former Selectmen P. G. Robart was present and asked for information relating to what has occurred since he left the Board in March. T. Beattie outlined the actions that have taken place since March. The vote of the Board was to not accept the grant on the condition that the terms of \$45k versus \$50k were not met.

Lengthy discussion took place between Selectmen and Conservation Commission members. Conservation Commission members felt the Board has a moral obligation to agree with the terms of the project. S. C. Volpone noted that he has not been in favor of this project from the beginning and noted that a purchase and sales agreement as required has never been received. F. J. Ferreira, Jr. stated his support of this project changed once he walked the site and found it to be 14 acres of wetland. T. C. Tocci stated he feels the Conservation Commission can go forward as the Board has already voted. T. C. Tocci asked that the motion be withdrawn, as this document is an official document of the Board of Selectmen.

Suggestion was made to vote to rescind the previous letter of March 13 and the following motion was made but not voted.

**MOTION:** To rescind the March 13, 2006 letter to Peter Dow.

**MOTION:** S. C. VOLPONE, JR.  
**SECOND:** F. J. FERREIRA, JR.

Following further discussion, the Board agreed to take the matter under advisement and add the matter to the Board's next agenda.

**APPLICATIONS FOR CLERK TO THE CONSERVATION COMMISSION:** Applications for this position have been received. E. N. Small recommended the Conservation Commission interview the applicants and make recommendation to the Board. A job description for this position needs to be drafted.

**RECOMMENDATION FOR A NEW ALTERNATE TO THE CONSERVATION COMMISSION:** T. Beattie reported that the Commission is not ready to make recommendation regarding an alternate member at this time.

• **OLD BUSINESS**

**REVIEW AND APPROVAL OF PREVIOUS MINUTES - MARCH 31, APRIL 12, 26, 28:**

**MOTION TO GO INTO NONPUBLIC SESSION  
AT 8:27 PM TO DISCUSS AMENDMENT TO  
MARCH 31 NONPUBLIC MINUTES**

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

**MOTION TO GO OUT OF  
NONPUBLIC SESSION AND RESUME AT 6:19 PM**

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

**MOTION:** To approve the minutes of the March 31 (non-public as amended), April 12, April 26 and April 28 as minutes as written.

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

**FINANCIAL REPORTS-GENERAL FUND BALANCE (\$271,250)**

**“KNOWING THE TERRITORY”- SURVEY OF NH MUNICIPAL LAW FOR NH LOCAL OFFICIALS:** The updated version of this publication has been received and is available for review.

**“RIGHT TO KNOW LAW” WORKSHOP – JUNE 13, 7 PM, TOWN HALL – NHLGC:** Paul Sanderson will be leading this meeting on issues relating to the Right to Know Law. The Board approved inviting area towns to participate.

**NEWSLETTER - APPROVE OF PRINTING AND DELIVERY COSTS:** The Board signed approval of the invoice for the recently published newsletter.

**REVIEW “ACTION ITEMS” FROM THE LAST MEETING:** E. N. Small provided the Board with a listing of action items from April 26 and identified the status of each.

**TAX LIEN ISSUED APRIL 27, 2006 = \$146,125**

**FIRST PROPERTY TAX WARRANT \$3,227,750 – DUE DATE 7-6-06:** E. N. Small presented the Commitment List and warrant for signature.

**CONTRACTING FOR ASSESSING SERVICES – UTILITIES IN HAMPTON FALLS:** E. N. Small recommended that utilities be appraised and requested the Board’s approval to contract with someone with expertise in this regard. The Board approved.

**CASH FLOW PROJECTION – APRIL 2006:** An updated cash flow spreadsheet was provided to the Board.

**CHERRY CASE – LETTER OF APRIL 20, 2006:** A letter dated April 20, 2006 informing of the Supreme Court’s acceptance of the Cherry appeal was provided to the Board.

**RETURN OF WATER RESOURCES PLAN, CHAPTER 12 - PLEASE BRING TO THE MEETING:** E. N. Small requested that the draft copy provided to the Board be returned so that the maps can be used in the final copies.

**PLANNING BOARD GRANTS A 1 YR EXTENSION OF SITE PLAN APPROVAL – MUTRIE MULTI-FAMILY:** A letter from the Planning Board dated May 2, 2006 approving a one-year extension of this plan was provided to the Board.

**PLAN FOR PLANTING AROUND THE ENTRANCE TO THE TOWN OFFICES:** Jack Fernery has prepared a planting plan for the exterior of the Town Hall addition. He is willing to donate time and plantings and requests that some existing plants be relocated and that the soil be prepared properly. E. N. Small will talk with R. B. Merrill for assistance.

**TOWN HALL BUILDING AND GROUNDS MAINTENANCE CHART:** E. N. Small prepared a spreadsheet of items to be addressed on a regular basis.

**MRI ANALYSIS BUILDING INSPECTOR-CODE ENFORCEMENT OFFICER-HEALTH OFFICER POSITION:** E. N. Small will be meeting with Bill Cody to review his analysis.

**BUILDING INSPECTION FORMS – ELECTRICAL/PLUMBING PERMIT/ INSPECTION REPORT:** Forms, as prepared, have been sent to the printer.

**SPRING CLEANUP ON JUNE 3, 7 AM – 2 PM – SUMMARY SPREADSHEET:** E. N. Small prepared information for contact and set up of clean up days. An additional container will be placed this year for the collection of electronics. A listing of acceptable items to be placed in this container will be prepared for the Selectmen as well as for posting at the dump. Discussion took place with respect to the fee to be charged to dispose of electronic items. The Board agreed to a price of \$5. Also, the price for the disposal of tires needs to be changed to \$3 per tire.

**MOTION:** To change the tire disposal fee to \$3 per tire.

**MOTION:** F. J. FERREIRA, JR.  
**SECOND:** T. C. TOCCI  
**UNANIMOUS**

**GREAT BAY ESTUARY COMMISSION – REGIONAL SOLUTIONS FOR WASTEWATER TREATMENT:** This meeting is scheduled for May 19, 8:30 am at the DES office, Pease International Tradeport.

- **NEW BUSINESS**

**SUMMER SCHEDULE - SELECTMEN’S MEETINGS 1<sup>ST</sup>/ 3RD WED, 7:30 AM:** The Board agreed with this schedule.

**THANK YOU TO TIM SAMWAY FOR DONATING BUSHES AND LABOR AT PUBLIC SAFETY BUILDING:** A note of thanks will be prepared for signature of the Board.

**COMCAST – MONTHLY BILLING:** A notice of changes dated May 8, 2006 was provided to the Board.

**PROPERTY TRANSFERS FOR APRIL 2006:** An updated listing of transfers for 2006 was provided to the Board.

**STATE OF NEW HAMPSHIRE HOUSING CONFERENCE – MAY 31:** Information on this conference was provided to the Board members.

**SCHOOL INSPECTION:** An inspection of the school is required to take place every five years. Given that this position is currently vacant, it is suggested to appoint E. N. Small as interim health officer.

**APPOINTMENT OF A HEALTH OFFICER AND ASSISTANT HEALTH OFFICER:** An appointment for E. N. Small as interim health officer was signed by the Board. Once a health officer is hired, that person will need to be appointed.

**MEMORIAL DAY SERVICES AT THE HF TOWN COMMON, MAY 29, 9 AM:** Hamptons Post No. 35 invites the Board to attend these services.

**OTHER:**

**Hampton Union:** E. N. Small reported that he has called the Hampton Union to discuss obtaining coverage of meetings. It was suggested that he contact the Atlantic News as well.

**Road Committee:** Marietta Garavaglia has started work with road committee matters. She and E. N. Small met this morning to discuss the items she will be taking over.

**Municipal Resources, Inc.:** A bill from MRI has been received in the amount of \$5,600. This covers time through the end of April.

**Linden Road:** A bill for an inspection of Linden Road was signed by the Chairman.

**MOTION:** To authorize the Chairman to sign approval of payment of a Jones and Beach bill for Linden Road.

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

**Letters of Appreciation:** The Board requested letters of appreciation be prepared for the Police, Fire and Highway Departments.

**NEXT SELECTMEN'S MEETING – WEDNESDAY, JUNE 7, 2006, 7:30 A.M., TOWN HALL**

**MOTION TO ADJOURN THE MEETING AT 9:38 PM**

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