

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

**KAREN AYERS – TONRY CONSERVATION EASEMENT, MARSH LANE
EXTENSION EASEMENT HOLDER, SURVEY AND POSSIBLE ENCROACHMENT:**

K. Ayers reported that the Tonry Conservation Easement should be concluded July 19 and recorded at the Registry. An invoice is forthcoming for the Town's share. A sample of proposed signs was provided to the Board for review and still needs to be presented to the Seacoast Land Trust for approval. Two signs are planned for the Tonry Conservation Easement, one on each side of Route 88. A celebration of this easement is tentatively planned for mid-August. The Board congratulated the Commission on this effort.

K. Ayers informed the Board of issues relating to the Marsh Lane Conservation Extension (Map 9, Lot 9). She noted that the easement holder is also the Seacoast Land Trust who has informed that this matter cannot be concluded until the outstanding issues are taken care of. There is encroachment on the part of the neighbor who has placed a brush and debris pile over the property line. K. Ayers requested approval of a survey of Map 9, Lot 9 to clearly mark property lines. She noted that there is a plan on file; however, it has only topographical information, not survey information. It was also reported that the legal access to Map 9, Lot 9 is overgrown and there is a need to inform the neighboring property owners of the right to access Map 9, Lot 9 over their property. K. Ayers reviewed the timing and cost to conduct a survey by a recommended surveyor. Some Conservation Commission members felt it would be appropriate to obtain bids for the survey work, however, this would require a request for an extension of the grant. Concern was raised with the amount of time it would take to prepare bids, seek bids and review and accept bids.

MOTION: To allow the Conservation Commission to have Map 9, Lot 9 surveyed and properly taken care of by Brouillette Survey.

MOTION: T. C. TOCCI

Following further discussion of time constraints, consequences of requesting another extension and the costs to prepare bids specifications, the Board requested K. Ayers obtain two more estimates, surveyors of her choice, in the same manner as the Brouillette estimate. No action was taken on the motion.

PRIME WETLANDS: K. Ayers reported that the Conservation Commission has created a Prime Wetlands Subcommittee consisting of two Conservation Commission members, one Planning Board member and Mark West, Expert Subcontractor, of West Environmental.

POLICE CHIEF

MONTHLY REPORT: R. Dirsa referred the Board to the Police Department report for June noting statistics and incidents.

TOWN OF HAMPTON FALLS

APPOINTMENTS: An appointment form for R. Dirsa as member of the Compensation Review Committee was signed by the Board.

SELECTMEN'S MEETING WITH THE POLICE DEPARTMENT – WEDNESDAY, AUG 1, 4 PM AT PSB: The Board requested R. Dirsa check his schedule to see if he can meet with the Board when it meets with the Fire Chief on July 31 at 5:30 p.m.

EXISTING DOG ORDINANCE – ADOPTED 2-26-96: R. Dirsa referred the Board to a copy of the Dog Control Law (RSA 466:30-a) adopted by the Town in 1996. This is enforced by the Animal Control Officer and Police Department.

ROAD AGENT

DATE TO REVIEW WHITE GOODS DAY: T. C. Tocci is preparing information for review.

BIDS FOR THE BROWN ROAD CULVERT – BRAD JONES: Bid specs have not been prepared for Brown Road yet.

BID DOCUMENTS FOR PAVING OF MEADOW LANE & TAYLOR RIVER ROAD – BRAD JONES: E. N. Small referred the Board to a July 16 Jones and Beach Engineers letter outlining paving bid proposals for Taylor River Road and Meadow Lane. The Board approved. Bids will be sent out to obtain pricing.

NASON AND RT 88 – IMPROVE DRAINAGE, RELOCATE STOP BARS, FILL POT HOLE, STAKES--DOUG DEPORTER: E. N. Small reported that he, T. C. Tocci and R. B. Merrill, Jr. met with D. Deporter at this location and suggestions were made to paint lines, move the stop bar and fill the pot hole and improve drainage. The work by the DOT has been completed.

SHAWN'S STUDY OF EQUIPMENT RENTAL RATES IN AREA TOWNS: S. C. Hanson reported that he has obtained information from other Town's for review of the Board at a later date.

STATE REPORT ON THE INSPECTION OF OLD STAGE ROAD BRIDGE & SANBORN ROAD BRIDGE: A report on the inspection of these bridges is available for review.

TOWN COMMON SIDEWALK PARALLEL TO ROUTE 1: T. C. Tocci reported that a meeting with Doug Deporter took place at the Town Common with regard to the sidewalk along Route 1. The Town Common Improvement Committee has recommended removal as it is in disrepair. Suggestion has also been made to improve the edge of road along the southerly side of Route 88. D. Deporter has informed that the State will not get involved as the area is not State land. The Committee will be preparing and presenting a proposal to the Board to place a curb and pavement to eliminate wearing and pot holes. B. Jones will be asked to prepare costs for the work.

BUILDING INSPECTOR

TOWN OF HAMPTON FALLS

MONTHLY REPORT: K. C. Kelley referred the Board to the June statistical report.

APPOINTMENT OF THE BUILDING INSPECTOR / EVALUATION COMPLETED:

MOTION: To appoint Kevin C. Kelley as permanent full-time Building Inspector/Code Enforcement Officer/Health Officer/Planning and Zoning Assistant.

MOTION: S. C. VOLPONE, JR.

SECOND: T. C. TOCCI

UNANIMOUS

VOTING BOOTHS- JULY – TIME TO DETERMINE IMPROVEMENTS?: Discussion took place with regard to setting up the voting booths for the special election. Concern has been raised with regard to safety and needed repairs. S. C. Hanson volunteered to set up the booths Sunday, July 29, 10:15 a.m.

CODE ENFORCEMENT

MONTHLY REPORT: K. C. Kelley reviewed a number of complaints both active and closed with the Board. He reviewed the history of the Seacoast Academy project (Map 6, Lot 22) noting concern with the fact that proper information has not yet been received in order to issue a building permit. He reported that he has been working with many representatives of Seacoast Academy. K. C. Kelley requires professional stamped plans/drawings. A copy of the letter of deficiencies dated July 9 will also be provided the school director and property owner. A demolition permit has been issued to start exterior work for a second means of egress. An inspection on July 13 found a sprinkler line installed without permit or inspection and framed walls inside. The Fire Chief and State Fire Marshall's office are assisting with inspections. K. C. Kelley has stopped work and informed of what's needed for a permit. The Board supported K. C. Kelley's position to require compliance with codes.

WETLANDS RESTORATION PLAN, 6 LAFAYETTE ROAD – Compliance File #2006-03246: A copy of the NH DES letter approving the restoration plan, with conditions, has been received.

60 BROWN ROAD IN COMPLIANCE WITH WETLANDS RESTORATION AREA – Complaint File #2003-1565: A copy of the NH DES letter determining that deficiencies have been corrected and no further monitoring is required has been received.

K. C. Kelley reported that he is finding numerous wetland violations throughout Town. He has been working with property owners to obtain compliance and correction, however, some cases require State Wetland Bureau attention. Suggestion was made to get information to residents in order to educate them on the Town's ordinances specific to wetlands and wetland buffers.

OTHER: T. C. Tocci requested K. C. Kelley make arrangements for the Board to tour the storage facility (Map 8, Lot 56) as it appears to be near completion. He also inquired as to the dilapidated building on Lafayette Road (Map 7, Lot 56). K. C. Kelley stated he would add this

TOWN OF HAMPTON FALLS

matter to his list of complaints. K. C. Kelley inquired as to whether the Board would have objection to a restaurant that allows patrons to bring their own bottle of alcohol. Following discussion, the Board questioned whether the State has control with regard to the licensing.

HEALTH

MOSQUITO CONTROL ORDINANCE: A copy of a proposed ordinance was provided to the Board for review. The Board agreed not to act on an ordinance at this time and to consider this subject again in the future.

FIRE CHIEF

MONTHLY REPORT: J. M. Lord referred the Board to the Fire Department report for June and reported on statistics and incidents. He also reported that the Mass Casualty Drill went very well. He reviewed Comstar ambulance billing information with the Board. J. M. Lord stated he will be submitting a similar report that relates to AMR ambulance runs and asked the Board to review the information with regard to whether the contract is being met. E. N. Small suggested that he and J. M. Lord meet with AMR to discuss the contract.

SELECTMEN'S MEETING WITH THE FIRE DEPARTMENT – TUESDAY, JULY 31, 7 PM AT PSB

HAZARDOUS MITIGATION PLAN: J. M. Lord reported that the Town of Hampton Falls' plan has now been approved by the State of NH and FEMA. This will be part of the Town's Emergency Operations Procedures.

REIMBURSEMENT FROM APRIL FLOOD DAMAGE \$3,116.65: Grant funds have been received for Disaster FEMA-1695-DR-NH declared on April 27, 2007.

EMERGENCY LANE – EAST ROAD – SET A HEARING DATE – 8-1-07, 8 AM: The Board signed a public hearing notice to receive comment on establishing a portion of East Road, a Class VI highway, as an emergency lane. Copies of the hearing notice will be sent to abutting property owners.

EMERGENCY MANAGEMENT

I-95 DOT TAYLOR RIVER PROJECT – UPDATE: E. N. Small provided the Board with an update on the status of this project. A test will be conducted to see if sediment has created a human health issue. Public informational meetings will be held to review results and progress of the project.

- **OLD BUSINESS**

REVIEW AND APPROVAL OF PREVIOUS MINUTES (MAY 24, MAY 30, JUNE 11, JUNE 13)

TOWN OF HAMPTON FALLS

MOTION: To approve the minutes of the May 24, May 30, June 11 and June 13 meetings as written.

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

FINANCIAL REPORTS-GENERAL FUND BALANCE

CASH FLOW – JAN – MAY 2007: An updated cash flow spreadsheet was provided to the Board.

GENERAL FUND - 2,524,000
RECEIPTS – PREVIOUS MONTH - 2,062,000
TOWN CLERK – RECEIPTS - 35,900
EXPENDITURES – PREVIOUS MONTH - (373,000)
TAX COLLECTOR – RECEIPTS - 2,047,200
CURRENT USE – PREVIOUS MONTH - 0

HAMPTON FALLS' WEB SITE HITS: 5,066 – 6-6-06, 4:30 PM 7-17-07 16,700

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

HISTORIC DISTRICT AD HOC COMMITTEE- DISCONTINUANCE: S. C. Volpone, Jr. explained that the Historic District Ad Hoc Committee has been discontinued and that a new committee is recommended.

MOTION: To discontinue the Historic District Ad Hoc Committee.

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

S. C. Volpone, Jr. reported that appointment of new committee members is needed for the next meeting. He reviewed proposed names for the new committee and the Board agreed on “PERRC – Promotion of Economic Redevelopment and Rural Character.” Meetings are planned to be held the first Thursday of each month at the Public Safety Building, 6:30 p.m.

REVIEW OF PHONE AND INTERNET SERVICES – WAYS TO CUT COSTS AND IMPROVE SERVICE: S. C. Hanson reported that he is reviewing the telephone systems at the Town Hall and Public Safety Building to identify current services. He has spoken with employees and contractors to determine what’s in place and what could be done to consolidate services and conserve funds without interrupting day-to-day business. Some suggestions include additional start up costs and some would result in some savings per month. A discussion of the Nextel phones took place. It was determined that the phones are necessary and that redistribution might be warranted.

MEETING WITH DOUG DEPORTER

TOWN OF HAMPTON FALLS

RAILS AT END OF DEPOT ROAD: Inquiries have been received from citizens looking to remove the rails from the Depot. The rails are not located on Town property and D. Deporter will look into this matter.

SEACOAST ACADEMY - SPEED LIMIT ON RT 88.- DOUG DEPORTER TO TALK WITH SUPERIORS: D. Deporter was hesitant to reduce the speed limit to 30 mph and stated he would review the matter with his office for recommendation, possibly to 35 mph.

DOT TO CUT BRUSH ALONG RT 88 ACROSS FROM THE ACADEMY: D. Deporter indicated that the State could cut back the brush in this area. T. C. Tocci stated he spoke with Seacoast Academy Director S. Votey and asked him to contact the land owner for resolution.

PERAMBULATING TOWN LINES – 8-11-07 UNH WORKSHOP: E. N. Small informed the Board of this upcoming workshop.

HF WEB SITE AND ALL TOWN RELATED MINUTES: L. A. Ruest reported that she has made arrangements to revise the web site to include a web page of Departments with links to meeting minutes. The Assistant Town Clerk will begin posting all committee and board minutes to the web site once filed with the Town Clerk's office.

POLICY FOR INQUIRIES FOR RESEARCH FROM THE PUBLIC: At the Board's June 11 meeting, it was determined to seek advice of counsel. An opinion has been received from Attorney Bart Mayer.

The Board determined that it is not required, nor is it in the best interest of the Town to respond to questions that require Town officials to retrieve and compile into a list, random information gathered from numerous documents, if a list of this information does not already exist. The Town honors all requests for copies of Town Records, which include a photocopy fee. The public has the right, under the Right-to-Know Law, to view Town Records during regular business hours.

MOTION: The Town will not provide research services to retrieve and compile into a list random information gathered from numerous documents, if a list of this information does not already exist.

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

S. C. Hanson reiterated support for the motion and noted that given the staff workload some requests will require time to make records available for review. E. N. Small stated Town employees will continue to address requests within the guidelines of the Right to Know Law.

VOTE: UNANIMOUS

APPOINTMENT OF A DEPUTY TREASURER: F. Wilde resigned from this position this year and Sharada L. Allen has agreed to accept the position.

TOWN OF HAMPTON FALLS

MOTION: To appoint Sharada L. Allen as Deputy Town Treasurer.

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

INTEREST RATES FOR 2007 PROPERTY TAX COLLECTIONS: The Treasurer has conducted a survey of interest rates and it has been determined to remain with Provident Bank to obtain the best rate.

COMPENSATION REVIEW COMMITTEE - APPOINTMENT OF SUSAN HEMLEPP: An appointment form was signed by the Board. S. C. Volpone, Jr. has asked E. N. Small to attend upcoming meetings of this Committee to assist with answering questions. It has also been suggested that this Committee meet with full-time employees.

AMERICAN FLAG FOR TOWN HALL MEETING ROOM: E. N. Small has located a flag for use in the Town Hall meeting room. A flag pole still needs to be obtained.

FUEL OIL FOR THE LIBRARY AND PUBLIC SAFETY BUILDING: L. A. Ruest has obtained prices from numerous fuel oil vendors. The median price is \$2.399 per gallon for 3,500 gallons to serve the Library and Public Safety Building. The Town's long-time provider, Lamprey Brothers, agreed to lower its price to the \$2.399 and it is recommended the Town continue business with them. The Board agreed to lock in this price with Lamprey.

RENEWAL OF THE TOWN'S PROPERTY LIABILITY INSURANCE has been received and is available for review.

MAY & JUNE REPORTS FROM DRAGON MOSQUITO CONTROL, INC. have been received and are available for review.

UPDATED SPREADSHEET FOR THE SPRING AND FALL CLEANUP "WHITE GOODS" DAYS: E. N. Small provided the Board with information relating to the June 9, 2007 clean up day. T. C. Tocci is working on additional information for review of the Board. Tires and gas tanks have been removed from the brush dump.

FISCAL YEAR CHANGE IN RATES FROM 53-B DISTRICT: New rate information was provided to the Board.

APPOINTMENT TO THE CONSERVATION COMMISSION: An additional member is needed for the Conservation Commission. The Board suggested that the Conservation Commission recommend a candidate for consideration.

EXTENSION OF A WETLANDS CROSSING PERMIT – TO EXPIRE ON 10-24-07 EXTEND 5 YEARS: A copy of an application of request for wetland crossing permit extension has been received. This relates to a Goodwin Road property (Map 1, Lot 98-3) where a building lot was approved but has not yet been built upon. This request for extension will preserve approval to place a driveway to access the upland area of the parcel.

TOWN OF HAMPTON FALLS

MEETING ON JULY 31, 7:30 AM, TOWN HALL - DISCUSS THE IMPACT FEE: E. N. Small reported that he reviewed the subject of impact fees with attorneys and learned that improvements need to have a direct connection with development. E. N. Small suggested that requests for impact fees for school projects be addressed on a case by case basis with direction from counsel. A meeting is scheduled with the local school board to review impact fees. The Board asked E. N. Small to find out what it will take to change the purpose and dedication of impact fees.

T. C. Tocci suggested the Board express the Town's needs for using the school for emergency purposes at this meeting.

- **NEW BUSINESS**

DEPARTMENT OF REVENUE ADMINISTRATION – WARRANT ARTICLE 2008 – DISCONTINUING CAPITAL RESERVE FUNDS – 1987 AND 1993: Notice has been received from the DRA of the need to discontinue certain funds. This matter will be addressed by a 2008 warrant article.

NH FISH AND GAME: Request is made to include public water access locations on a map being updated by this Department. The Board decided not to list the Depot Road access.

SPECIAL STATE PRIMARY ELECTION – JULY 31, 2007 –WHEN TO SET UP VOTING BOOTHS (July 29, 2007, 10:15 a.m.)

UNADJUSTED PAYMENTS TO WHS JULY 2007-MAY 2008 - \$1,434,377: Request has been received for monthly payments of \$135,000.

CORRECTION TO A LAND USE CHANGE TAX: The Board approved an adjustment to a past current use tax that was incorrectly submitted to the Registry as recommended by the Tax Collector.

APPLICATION FOR AN ABATEMENT- RECOMMENDED BY ASSESSING AGENT DIANA CALDER: This relates to a reduction in land value as recommended by the Assessor. The Board signed approval.

ABATEMENTS FOR TWO UTILITY PROPERTIES - CHARGED A STATE SCHOOL TAX in error. These forms, as prepared by the Tax Collector, were signed by the Board.

REPORT FROM DRA – ADOPTION AND MODIFICATION OF ELDERLY EXEMPTION. RSA 72:39-B: The Department of Revenue Administration has identified a typographical error as part of a recent warrant article (Article 7/07).

FIVE TAX REFUNDS: The Board signed approval of property tax refunds as recommended by the Tax Collector.

TOWN OF HAMPTON FALLS

PA-28 FORMS – INVENTORY OF TAXABLE PROPERTY: The Board signed approval of the order request for forms.

CLAIM FOR THE REPAIR TO GUARD RAIL AT DRINKWATER RD. AND KING STREET: L. A. Ruest has contacted the insurance company of the responsible party. Arrangements are being made to provide figures relating to the damages.

TOWN ENTRANCE SIGNS – SEABROOK/HAMPTON ENDS OF TOWN: Request has been made by a local business owner to maintain a “Welcome to Hampton Falls” sign with the condition of placing an advertising sign. Following discussion, the Board agreed to obtain prices to place signs. Further suggestion was made to seek input and assistance from businesses. S. C. Volpone, Jr. will bring this matter to the next PERRC – Promotion of Economic Redevelopment and Rural Character Committee meeting.

MEETING WITH TERRY KNOWLES OF THE DEPARTMENT OF JUSTICE – RE ORIGINAL LIBRARY TRUST - JOHN T. BROWN’S 1901 LETTER TO THE TOWN: T. C. Tocci provided the Board with background with respect to how the Library was established. He stated that the Library is not operating under its original agreement. Input was provided by Terry Knowles as to change the operation to be more in line with current times or leave as is. Certain steps will be needed to change to include filing a petition and dissolving the corporation in order to remove the original Brown Trust. T. C. Tocci reported that the Library Trustees made a motion to move ahead to correct. The Attorney General’s office will handle the matter. The Library Trustees plan to meet with the Selectmen to discuss this.

APPOINTMENT OF BETH R. FORGIONE AS MEMBER OF THE LIBRARY SALARY SCALE COMMITTEE:

MOTION: To appoint Beth R. Forgione as Member of the Library Salary Scale Committee.

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

CONSERVATION EASEMENT SUMMARY – APPLECREST FARM ORCHARDS -- ORGANIZE THE FILING SYSTEM FOR CONSERVATION AND ALL OTHER EASEMENTS: The annual review of this easement is complete and documentation is available for review. E. N. Small noted that there is a need to compile and organize easement documents.

WELCOME TO HAMPTON FALLS A STUDY OF OUR COMMUNITY: E. N. Small presented the Board with a booklet prepared by the first graders at Lincoln Akerman School. Each student visited a landmark in Town and wrote about what they observed to be shared with community members. The Board requested a letter of thanks be prepared.

OTHER

ANONYMOUS DONATION: E. N. Small reported that an anonymous donation is expected to assist with lighting improvements on the Town Common.

**BOARD OF SELECTMEN
JULY 18, 2007**

**7:30 AM
TOWN HALL**

TOWN OF HAMPTON FALLS

**NEXT SELECTMEN'S MEETING – WEDNESDAY, AUGUST 1, 2007, 7:30 A.M.,
TOWN HALL**

**MOTION TO GO INTO NONPUBLIC SESSION
AT 10:48 AM TO DISCUSS WELFARE, AND
ACQUISITION OF LAND**

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

**MOTION TO SEAL THE MINUTES, GO OUT OF
NON-PUBLIC SESSION AND RESUME AT 8:20 AM**

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

WELFARE SERVICES:

MOTION: To contract with Sue Benoit for welfare services \$2,000 annually.

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

MOTION TO ADJOURN AT 10:59 AM

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

071807.doc