

***FINAL***

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

**TOWN CLERK - FEES FOR STATE STICKERS - TOWN RECORDS RESTORED:** This matter is continued to the Board's October 15 meeting.

**OLD BUSINESS**

**ACTION ITEMS:** An updated action listing was provided to Board members.

**WORK SESSION TO REVIEW BUDGET PROPOSALS:** The Board scheduled Tuesday, October 14 and Monday, October 27, 6:30 p.m. to 8:30 p.m. as work session dates to review budget proposals. E. N. Small will provide worksheets in advance of these sessions.

**OPINION RE PARKING AND ELECTIONEERING RULES:** With regard to the Moderator's suggestion to institute rules for election days, Attorney Bart Mayer provided opinion that the Board does not have the authority to regulate and manage Town property. The Moderator has the responsibility for ensuring the purity of the election and therefore, may act as necessary. M. J. Farinola stated he feels authority stops at property lines and suggested that guidance be provided to the Moderator. Board members requested that the Road Agent be asked to provide cones to mark the electioneering area instead of the roping that was used last election.

**HEATING OIL:** S. C. Hanson reported that the Town will not be able to participate in fuel purchase with the School District. He provided the Board with a spreadsheet of prices obtained from a number of vendors. Following discussion of proposed pricing and programs, the Board made the following motion.

**MOTION:** To lock in with Atlantic Fuel at \$3.599 per gallon for 3,500 gallons for the 08/09 winter season.

**MOTION:** T. C. TOCCI  
**SECOND:** S. C. HANSON  
**2 IN FAVOR, 1 OPPOSED, PASSES**

**AWARD THE BID FOR AMBULANCE SERVICES FOR 2009:** T. C. Tocci reviewed the discussion held at past meetings regarding the proposals submitted for ambulance services.

<b>Bidder</b>	<b>Annual Cost/Current Contract</b>	<b>24 hour/7 day Cost</b>
American Medical Response	\$42,250	\$175,900
Hampton Falls Fire Department	No Bid	\$50,000
Care Plus	\$40,000/\$35,000/\$30,000 First/Second/Third Year	\$85,000/\$85,000/\$85,000 First/Second/Third Year

He asked whether Board members had additional comments or questions. S. C. Hanson stated that he appreciates the bid from the Fire Department, however, indicated that before considering a change from the current service, he would like to see a long range plan in order to gain a better understanding of

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history of the department and where the town will be in five years. He added that he would like the plan to be presented to the voters for input.

**MOTION:** To defer decision until a public hearing is held.

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

M. J. Farinola stated his preference is Careplus on a 24 hour basis. He stated that he doesn't feel the Fire Department ambulance service was approved by taxpayers other than by the budget. He stated he would like to see 24 hour coverage restored. He added that tonight's meeting does not give the public adequate notice to provide input and noted that the current contract does not expire until December. T. C. Tocci stated he has similar issues to S. C. Hanson's and indicated that implications and impact to the town need to be looked at in depth with regard to vehicles, equipment, staffing for 24 hour service and salaries. He agreed that it is important to have public input. A public hearing was scheduled for Wednesday, October 15.

**VOTE: UNANIMOUS**

**AWARD THE ROADSIDE BRUSH CUTTING BID:**

**ROADSIDE MOWING/BRUSH REMOVAL:** R. B. Merrill, Jr. reported that the areas needing brush removal have not been marked. E. N. Small suggested that the critical areas requiring brush removal be done this year. T. C. Tocci asked R. B. Merrill, Jr. to identify and list the areas needing brush removal for review at the Board's October 15 meeting. Otherwise, this work will be put off until spring.

<b>\$4,402</b>	<b>John McEachern, Hampton Falls, NH</b>
<b>\$8,600</b>	<b>Russ Hilliard, Hampton Falls, NH</b>
<b>\$21,000</b>	<b>Coastal Landscaping, Hampton Falls, NH</b>
<b>\$3,900/1,500 per day</b>	<b>B&amp;S Disposal, Seabrook, NH</b>
<b>\$29,015</b>	<b>Jeff Ham Construction, Hampton Falls, NH</b>

Mowing is to start the end of the week, or first of next week, depending on the weather. Tree work has been scheduled. E. N. Small stated that the workers plan to start brush removal one day and continue another.

**NORTHSIDE CARTING - CALLS FROM RESIDENTS:** T. C. Tocci stated that Northside Carting reported incidents where residents are putting out items such as construction materials at curbside. Per the contract, these materials are not collectable at the curb. T. C. Tocci suggested that information be placed in the next newsletter reminding residents of restrictions to general collection. It was noted that white goods collection days are available to residents and held twice a year for disposal of these types of materials. S. C. Hanson stated he was in favor of including a reminder in the newsletter.

**CHANGE TO EVERY OTHER WEEK RECYCLING, BEGINS ON OCT. 10:** It was suggested to remind residents of the "every other week" recycling that starts October 10. M. J. Farinola inquired as to whether stickers are available to residents to place on containers. E. N. Small stated Northside will place stickers on barrels containing recycling.

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**TIMBERLAND PROJECT – MARSH LANE:** T. C. Tocci recommended, and the Board agreed, to send a letter of appreciation and thanks to Timberland for the efforts to improve the extension to the Marsh Lane Conservation area. He reported that Timberland volunteers built trails, cleaned up the area, created a parking area and made the area accessible to town residents for walking, hiking, etc. Thanks were also extended to the Conservation Commission for arranging for this service.

**PUBLIC COMMENT:**

Beverly Mutrie, Brown Road, stated she continually has construction material to dispose given the repairs made to her home and asked that the Selectmen consider additional white goods collection days or provide a way for residents to dispose of those materials not collected at the curb. S. C. Hanson informed of the ability to dispose of items at the transfer station in Raymond. T. C. Tocci asked that this matter be considered at the next contract review (2013). E. N. Small will talk with Northside Carting to see if there are options for the future and the costs associated.

Tim Samway, Old Stage Road, reported that the law allows for a warrant article to be presented to voters to have the recommendation of a warrant article be shown as a numeric tally rather than the term “recommended by the Board of Selectmen” as is done now. He asked that the Board place a warrant article on the upcoming ballot to seek voter decision on making this change. The Board thanked him for this suggestion.

**MOTION:** To take action on this recommendation with regard to warrant articles (ref. RSA 32:5,b-1 and RSA 40:13, b-a).

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

• **NEW BUSINESS**

**INQUIRY ABOUT THE USE OF THE TOWN COMMON FOR AN ARTS & CRAFTS FAIR – FALL 2009:** The Board acknowledged receipt of a letter from Castleberry Fairs and Festivals inquiring as to the use of the Town Common in September or October 2009. It was suggested to check with public safety officials and obtain input from departments. This inquiry will be forwarded to the Recreation Commission as well

**67<sup>TH</sup> ANNUAL CONFERENCE – NEW HAMPSHIRE LOCAL GOVERNMENT CENTER:** Information was provided to the Board on this year’s LGC conference and the sessions that will be held. T. C. Tocci stated the sessions are worthwhile and encouraged Board members to attend.

**TOWN HALL WELL PUMP:** S. C. Hanson reported on a recent problem associated with the well pump at the Town Hall noting repairs and recommendations have been made by Epping Well & Pump Company. He added that there is a significant issue with the water at the Town Hall and suggested considering a water filter system with the recommendation for repairs. S. C. Hanson suggested having the water tested by the State. E. N. Small noted that K. C. Kelley is obtaining additional estimates. M.

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M. J. Farinola asked that this matter be included as part of budget review and suggested waiting on a water test at this time.

**VNA FLU CLINIC OCTOBER 16, 1-3 PM, HAMPTON FALLS SAFETY COMPLEX**

**FUEL ASSISTANCE:** T. C. Tocci reported that a state sponsored energy assistance program is available to town residents. Information is available at [www.staywarm.org](http://www.staywarm.org)

**DES MUNICIPAL ECOLINK:** T. C. Tocci reported that the Department of Environmental Services has requested that information be provided with regard to its e-bulletin, The Municipal EcoLink. Information was provided as to acceptance of grant proposals, regulating outdoor wood fired boilers, EPA community energy challenge and a new look for its website. Information can be obtained through the DES website at [www.des.nh.gov](http://www.des.nh.gov).

**REPORTS OF THE SELECTMEN'S REPRESENTATIVE ON THE:**

**CONSERVATION COMMISSION:** T. C. Tocci reported that the Conservation Commission published an article in the newsletter regarding proper disposal of dangerous waste. The Commission worked on the Marsh Lane Conservation Easement improvements with Timberland and will be holding a joint work shop with the Planning Board with regard to Conservation Subdivisions.

**FIRE DEPARTMENT:** M. J. Farinola reported he did not attend last month's meeting.

**ENERGY COMMITTEE:** S. C. Hanson reported that this committee plans to conduct a "walk thru" of the elementary school to identify ways to save energy. The committee has started to provide information to an energy star website that allows for establishment of a benchmark of current electric use of buildings. The Energy Committee has applied for a grant to help better prepare the committee to conduct audits and establish benchmarks. This grant is offered by a New Hampshire foundation through the Rockingham Planning Commission.

**HERITAGE COMMISSION:** T. C. Tocci reported this committee is discussing its mission, the possible saving of the Merrill house (Lafayette Road) as well as ways to improve community spirit. The responsibilities and obligations of the committee are being prepared in preparation for town budget requirements.

**PLANNING BOARD:** S. C. Hanson reported that the Planning Board held hearings for two site plan applications; one for a seafood restaurant/office (115 Lafayette) and another to amend the use of auto sales and auto service (49 Lafayette) to include hardware distribution retail sales. The application for seafood restaurant/office has been continued to allow time to answer outstanding questions and seek relief from the Zoning Board of Adjustment. The site plan for 49 Lafayette was approved with conditions. The Planning Board also reviewed a draft copy of a Wind Turbine ordinance. The Board is looking to include information on the upcoming ballot with regard to this ordinance.

**ZONING BOARD OF ADJUSTMENT:** M. J. Farinola reported that there was no meeting of the ZBA in September.

**REVIEW AND APPROVAL OF PREVIOUS MINUTES SEPTEMBER 3, 4, 8, 17, 22:**

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**September 3, 2008:** S. C. Hanson noted one grammatical change of “interesting” to “interested.”

**MOTION:** To approve the minutes of the September 3 meeting as amended.

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

**September 4, 2008:**

A number of grammatical changes were identified.

**MOTION:** To approve the minutes of the September 4 meeting as amended.

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

**September 8, 2008:**

**MOTION:** To approve the minutes of the September 8 meeting as written.

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

**September 17, 2008:**

M. J. Farinola made the following change to Page 2, first sentence

*J. Farinola stated he felt the budget amount would be less than \$89,000 the current amount but that this would be addressed at budget review.*

**MOTION:** To approve the minutes of the September 17 meeting as amended.

**MOTION:** T. C. TOCCI  
**SECOND:** M. J. FARINOLA  
**UNANIMOUS**

**September 22, 2008:**

S. C. Hanson revised page 1, Careplus paragraph to read “...*The age of ambulances is less than five years. In response to M. J. Farinola, it was stated that it is ~~felt~~ necessary to continue to deploy town emergency vehicles in addition to the ambulance; the fastest to respond to provide care is important.*”

**MOTION:** To approve the minutes of the September 22 meeting as amended.

**MOTION:** S. C. HANSON

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**SECOND: M. J. FARINOLA**  
**UNANIMOUS**

**PUBLIC COMMENT**

**FIRE DEPARTMENT OPEN HOUSE:** J. M. Lord informed those in attendance of the open house to be held at the Public Safety Building on Saturday, October 4, from 10 a.m. to 2 p.m.

Charlyn Brown, Exeter Road, asked the Board to test for radon when conducting the water test at Town Hall.

Tim Samway, Old Stage Road, asked that thanks be extended to Timberland by way of the newsletter as well as letter from the Board. T. C. Tocci stated he would pass this request on to the Conservation Commission. T. Samway also noted that the Moderator, an elected official, does not report to the Board of Selectmen and that the Moderator is chief election official of the town on election day. He added that the Moderator shouldn't be looking to the Selectmen for guidance.

Beverly Mutrie, Brown Road, informed the Board of grant money available from the Rye Garden Club and suggested application be made to help with the front of the Town Hall. The Board thanked her for this suggestion.

**OTHER:**

**Electric Service:** S. C. Hanson reported that he is exploring pricing out electric service to a company called Competitive Energy Services. Signatures are needed in order for this company to obtain statistics with regard to usage from Unitil. The company representative would then shop out this information with up to 11 energy companies. He reviewed the difference in pricing of approximate 9.8 cents per kilowatt hour versus 12 cents. T. C. Tocci and M. J. Farinola indicated they were okay with this effort. Forms will be provided for signature at the Board's next meeting. B. Mutrie asked that the Library be included.

**Tax Rate:** E. N. Small reported that the tentative date of Monday, October 6, cannot be met by the Department of Revenue Administration. E. N. Small anticipates a date within a week's time of October 6.

**Perambulation of Bounds:** E. N. Small reported that representatives from the town of Hampton are not available October 6, but can meet November 3, at Town Hall, 9 a.m.

**Ambulance:** E. N. Small referred to the discussion of ambulance service and stated that there is a belief that the results of a public hearing held by the Board of Selectmen in the past is something that needs to be continued. He stated that this is not so and that each Board can change what a previous Board has done unless it's contractual. E. N. Small suggested the Board obtain legal input in this regard. The Board agreed to discuss this matter with counsel.

**NEXT SELECTMEN'S MEETING – WEDNESDAY, OCTOBER 15, 2008, 6:30 P.M., TOWN HALL**

**BOARD OF SELECTMEN  
TOWN OF HAMPTON FALLS**

**OCTOBER 1, 2008  
TOWN HALL**

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**MOTION TO GO INTO NONPUBLIC SESSION  
IN ACCORDANCE WITH RSA 91-a II (e) TO  
DISCUSS POTENTIAL LITIGATION**

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

**MOTION TO GO OUT OF NONPUBLIC  
SESSION AT 8:12 PM AND ADJOURN**

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

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