

FINAL

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

ROAD AGENT - MONTHLY REPORT: R. B. Merrill, Jr. was present, but no report was requested.

“WINTER BAN ON OVERNIGHT STREET PARKING” – CHANGE FROM DEC 1 TO DEC 15: The effective date of this ban has been revised as requested by M. J. Farinola to December 15. The Board signed the posting notice.

OPENING PROPOSALS FOR REPAIR A POT HOLE ON THE CURTIS ROAD

CULVERT: Three proposals have been received. E. N. Small opened the proposals and S. C. Hanson read them into the record as follows:

D. P. Melican, Seabrook	\$10,664
Robinson Enterprises, Hampton Falls	\$3,600
Chris Merrill, Hampton Falls	\$1,090

After listening to the other proposals, Chris Merrill offered a correction to his proposal stating his price did not include headwalls. S. C. Hanson suggested the Board take these proposals under advisement to allow time for review of the Board. This matter will be added to the Board’s November 24 meeting agenda. E. N. Small will prepare copies and include the engineering specifications.

BROWN ROAD RETAINING WALL – ATTORNEY RECOMMENDATION: E. N. Small will provide documentation to Board members for review and discussion at the November 24 meeting.

WINTER ROAD MAINTENANCE AGREEMENT – DAN MELICAN: E. N. Small reported that town counsel reviewed the proposed agreement and found it satisfactory. M. J. Farinola identified two concerns with wording. These sections were hand-marked with revisions and initialed by all. M. J. Farinola inquired as to separate rates for other road work not listed in the original schedule. E. N. Small referred the Board to Exhibit B. Two copies were presented to the Board for signature (one for the Town and one for D. Melican). The Board and D. Melican signed the contract copies as amended.

BUILDING INSPECTOR / CODE ENFORCEMENT / HEALTH - MONTHLY REPORT:

K. C. Kelley referred the Board to his Department report for October. He reported that residents are calling exploring ways to save energy and also provided status on the projects at 82 Lafayette Road and 49 Lafayette Road. T. C. Tocci inquired as to whether the new Coastal Living Hardware Store will be selling propane. K. C. Kelley indicated that there is plan to do so and that arrangements are being made to submit an application to the Planning Board for site plan amendment.

K. C. Kelley reported on the status of obtaining prices to address various issues at the Town Hall to include replacement of the water tank, more energy efficient lighting and replacement windows for the Town Hall (excluding the addition). K. C. Kelley stated photos of the

FINAL

basement, foundations issues, roofing, siding and drainage issues have been taken to assist the Board. S. C. Hanson reported that the Energy Committee plans to conduct a walk through audit.

M. J. Farinola inquired as to why the Building Inspector is doing this work. E. N. Small stated he asked K. C. Kelley to check the building to see if anything needed to be improved in conjunction with proposing a budget for Government Buildings. T. C. Tocci stated it is important to assess the needs for the Board and the Town to understand and also to identify opportunities to save money. S. C. Hanson noted that it is good to look at the issue and that quotes are good to obtain to determine the best action. M. J. Farinola stated he would like to study the matter and put a plan together. T. C. Tocci asked if the Board wished to establish a study committee. No decision was made.

In response to T. C. Tocci, K. C. Kelley reviewed the status of the new use at 71 Lafayette Road. He reported that a fire protection engineer has contacted the Fire Chief indicating that work is being done to classify the building and make it code compliant. M. J. Farinola inquired as to why this is necessary. K. C. Kelley stated that the 100+/- year old building needs to meet NH State Fire Codes noting that some items will need to be done immediately and others will be given time to comply. He added that it is important to have a safe building given its age and occupancy. The former and current owner of this property appeared before the Planning Board on a preliminary consultation basis and were provided with direction to submit a site plan. The new owners will now need to do so.

AMBULANCE / FIRE CHIEF / EMERGENCY MANAGEMENT - MONTHLY

REPORT: J. M. Lord referred the Board to the Department report for October noting incidents and statistics. He reported that the second drill did not go well and that there were a number of communication issues. The graded exercise in November went well; the report is forthcoming. J. M. Lord reported that the sirens test for the nuclear power plant was heard by some and not by others. There are four sirens in Hampton Falls.

STATE ALLOCATION OF FUNDS FOR THE RADIOLOGICAL EMERGENCY

RESPONSE PLAN (RERP): J. M. Lord explained the process in which the State allocates funds for training, drills, etc. He noted that the expenses incurred from drills can be submitted to the State for reimbursement. The Town has to provide a budget to pay from and then request reimbursement. The budget fluctuates depending on the schedule of drills. T. C. Tocci congratulated the participants in the last drill stating all did a great job. He also reported that he met the Somersworth Fire Chief at the annual municipal conference who commended J. M. Lord for his efforts in coordinating all Seacoast area fire departments with regard to ground and aerial ladder testing.

RFP PROCESS FOR AMBULANCE SERVICES – RESULTS OF THE NOVEMBER 14

PRE-PROPOSAL CONFERENCE: T. C. Tocci reported that the Board held a public hearing and resent out 18 requests for proposals. A pre-proposal conference was held November 14 with four companies attending (AMR, CarePlus, Hampton Falls Fire Department and Rockingham Regional). The Board answered questions raised.

FINAL

AMBULANCE PROPOSALS ARE DUE AND WILL BE OPENED ON NOVEMBER 24, 9 AM: Proposals are due November 24 and will be opened at that time. Review and evaluation will take place on December 3 and a provider will be selected on December 8.

POLICE CHIEF - MONTHLY REPORT: R. Dirsa referred the Board to his Department report for October noting incidents and statistics. Illegal dumping was reported and photos were provided to the Board for review.

CLEANING OF POLICE CRUISER: R. Dirsa referred to M. J. Farinola's concern of spending money to clean a cruiser as outlined in an email dated November 10. He reported that vomit was cleaned from the cruiser as a result of a drunken driver arrest. He reported that OSHA standards require disinfecting in these situations and that arrangement was made with a janitorial company to clean the cruiser. R. Dirsa reported that there has been a second incident involving the same. M. J. Farinola stated that the question was that the budget is set at \$125 and this cost exceeded the line item. He suggested the line item include allocation for one cleaning such as this. M. J. Farinola also stated that the invoice he reviewed was different from the one being discussed. E. N. Small took issue with this statement noting that it was made in the email as well. He stated that the indication that a bill was changed and one thrown away cannot be done and questioned what bill M. J. Farinola saw. R. Dirsa confirmed his signature on the invoice. E. N. Small cautioned the use of email in this manner.

R. Dirsa reported that Jeremy Tetreault has resigned as part-time Police Officer and that he is looking for a replacement for this position. He added that full-time Police Officer Peter Fowler will be attending the Academy in January and that he will need to fill that vacancy as well. Part-time Officer David Hersey has been hired by the Town of Seabrook.

R. Dirsa provided the Board with a proposal for consideration with regard to Holiday pay for certain police personnel.

R. Dirsa expressed concern with information included in the Selectmen's minutes of November 14. At that meeting, M. J. Farinola suggested that only a police department or animal control officer could pursue animal cruelty investigations. R. Dirsa distributed a State Statute that indicates otherwise. R. Dirsa requested to go on record to issue a formal protest to M. J. Farinola's statements. He opposed the indication that the Police Department has done or will be doing something wrong. He also took exception to comments made referring to a previous case where conviction was made as well as the indication that it was political. M. J. Farinola stated that he did not feel it was R. Dirsa or the Hampton Falls Police Department but that he was speaking in an overall sense.

TOWN MODERATOR – ALEX DITTAMI – PRESIDENTIAL ELECTION: A. Dittami was not present.

• **OLD BUSINESS**

FINANCIAL REPORTS – GENERAL FUND BALANCE: \$90,400: E. N. Small has asked the Treasurer to research interest rates for investment of taxes. She has also been asked to obtain call reports from the banks used by the Town.

FINAL

**TOWN CLERK – RECEIPTS \$33,541
MISCELLANEOUS RECEIPTS \$4,359
TAX COLLECTOR – RECEIPTS \$21,696**

SELECTMEN’S ACTION ITEMS FROM PREVIOUS MEETING: An updated listing of action items was provided to the Board.

COST OF REMOVAL OF DEBRIS: E. N. Small referred to an email from M. J. Farinola dated November 10 with regard to a request from Chris Merrill where it was indicated that a bill was paid different from what he approved. E. N. Small reported that he asked an employee to pick up debris along roadsides; work the employee has been doing for 20+ years. T. C. Tocci and S. C. Hanson had requested E. N. Small to make arrangements for this clean up. M. J. Farinola stated he is questioning the rates as the Board has established rates for the Road Agent and no others. E. N. Small inquired as to how the Board expects this type of work to be done. M. J. Farinola stated that he felt past discussion with regard to rates eliminated all Highway Department employees other than the Road Agent.

LAND USE CHANGE TAX \$22,500: Signed by the Board.

2008 TAX COMMITMENT VERIFICATION RSA 76:10, II: M. Hill referred the Board to the 2008 Tax Commitment Verification indicating the Town met the requirement of balancing within a one-half percentage point of the commitment amount.

DEPUTY TAX COLLECTOR: M. Hill reported that A. Tonry has completed a six-month probationary period and recommends permanent appointment. She added that A. Tonry has been an asset to the Department in that she is a self-starter, has organized documentation in the office and is very personable.

T. C. Tocci inquired as to the status of foreclosed properties in Town. M. Hill reported that there are few (2 in 2008, 2 in 2007) noting that mortgage companies keep the taxes paid in order to recoup most of their money. She noted that the Town is first in line in collecting from bankruptcies.

MOTION: To appoint Deputy Tax Collector Abigail Tonry to permanent status.

**MOTION: S. C. HANSON
SECOND: T. C. TOCCI
1 ABSTENTION, PASSES**

RECYCLING AND SOLID WASTE COMMITTEE – RECOMMENDATION TO SEEK NEW MEMBERS-- VOLUNTEER APPLICATION FORMS / NOTICES IN NEWSPAPERS, WEBSITE, LIBRARY NEWSLETTER: Recycling and Solid Waste Committee Member Tom Cass has submitted suggestions to re-staff this committee. He offered to assist with re-staffing then plans to retire from the group. The Board requested that volunteers be sought through the newsletter and website. Discussion of the membership of this committee took place as well as concerns and opportunities for the Town with regard to recycling.

FINAL

T. C. Tocci reported that he received an email from citizens concerned with every other week recycling. He stated he had no problem with a group having a concern but took exception with the group utilizing the Town Hall for contact; adding that the staff has plenty to do. He acknowledged that E. N. Small represents the Board of Selectmen, but noted that the Board of Selectmen has nothing to do with this document. T. C. Tocci reported that the Town conducted a survey with regard to this matter, decision was made within the best interest of the Town and that a minimum amount of complaints have been received. He further stated that although the group has the right to raise concerns that he feels the matter could have come to the Board and that it would have been addressed.

S. C. Hanson acknowledged that concern with recyclables being placed in the trash was raised when it was decided to go with the every other week recyclables collection. He stated he would be willing to change this if it is found to be the case and suggested that ideas of how to assist residents with missed collections should be considered.

PUBLIC COMMENT: No public comment was heard at this time.

• **NEW BUSINESS**

COMCAST – LETTER OF 10-30-08 – COMMENCEMENT OF RENEWAL PROCESS:

E. N. Small referred the Board to a letter received from Comcast informing the Town of future contact from a representative to arrange a meeting to discuss informally negotiating a renewal franchise. S. C. Hanson stated he would like to obtain understanding as to why there is only one vendor in Town as he has heard concerns with Comcast. He also suggested that a public access channel be part of any negotiation in order to have an avenue to post informational notices; he noted that televising meetings is costly. M. J. Farinola asked whether effort should be made to identify other vendors. T. C. Tocci stated the Board can consider other options as well as take input from residents. S. C. Hanson volunteered to call Verizon. E. N. Small suggested forming a committee to study options. He will provide copies of the expiring contract to the Board and this matter will be added to a January meeting agenda.

MARCH TOWN MEETING – SB2 TIME LINE: A listing of dates was provided to the Board. T. C. Tocci asked members to mark their calendars.

NEW STATE FORMS–PROPERTY TAX APPRAISAL OATH & TAX RATE

ACCEPTANCE: E. N. Small reported that this form is a new requirement from the State Department of Revenue Administration. It certifies the tax rates and is kept on file. M. J. Farinola requested time to review the RSA before signing. This matter will be added to the next agenda.

WORKER’S COMP. – 3 YR AGREEMENT / UNEMPLOYMENT COMPENSATION – 1

YR: E. N. Small reported that the existing multi-year contract for worker’s comp and unemployment comp insurances is expiring December 31, 2008. The proposal from the current insurance provider, PRIMEX, is \$22,443. E. N. Small obtained an additional price from the Local Government Center of \$14,117. This is a verbal price and written confirmation is

FINAL

forthcoming. M. J. Farinola inquired as to other providers. S. C. Hanson reported that these are two pooled groups that offer better rates. This matter will be added to the November 24 agenda.

CITIZEN SUGGESTION FOR DUMPSTER FOR NEWSPAPERS AND MAGAZINES ONLY: T. Samway of Old Stage Road has submitted an email suggesting the Town provide a container for collection of newspapers and magazines at the Brush Dump noting that this would eliminate these items from being placed in the trash on off recycling collection weeks. Two cardboard recycling containers are located at the Brush Dump at present. E. N. Small checked with Northside Carting and found that it is acceptable to mix newspapers and magazines with the cardboard in these containers and that Northside is willing to place a third container at no cost. R. Dirsa expressed concern with additional refuse being disposed in an already troubled area. Following discussion, the Board indicated this is a good idea. E. N. Small suggested getting information to the public by way of the newsletter, etc.

DISCOUNT CARD PROGRAM ASSIST RESIDENTS WITH HIGH PRICE OF PRESCRIPTION DRUGS: E. N. Small referred the Board to a letter from the Rockingham County Commissioners office announcing the launch of a discount card program to help residents with the high price of prescription drugs. This information will be made available to the public by way of the newsletter, etc.

OTHER

ENERGY COMMITTEE: T. C. Tocci acknowledged the awarding of a grant to support the work of the Hampton Falls Energy Committee with regard to audits, master plan or local ordinance amendments. He congratulated the Committee on its efforts.

PUBLIC COMMENT: No public comment was heard at this time.

**NEXT SELECTMEN'S MEETING
WEDNESDAY, DECEMBER 3, 2008, 6:30 P.M., TOWN HALL**

MOTION:	To go into nonpublic session at 8:18 p.m. in accordance with RSA 91-A:3 with regard to Section II. (a) Personnel and Section II. (e) Consideration or Negotiation of Pending Claims or Litigation	MOTION:	S. C. HANSON
		SECOND:	T. C. TOCCI
		UNANIMOUS	

L. A. Ruest was excused from the meeting at 8:56 p.m.