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PRESENT: R. P. McDermott, Chairman; M. Kasprzak, Vice Chairwoman; C. P. Graham, Selectmen; E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

TOWN IMPROVEMENT COMMITTEE – PROPOSAL TO BEGIN TOWN HALL

IMPROVEMENTS: Committee members P. Robart, L. Smith, T. Tocci and D. Robinson were present. P. Robart provided the Board with a listing of matters needing repair and the costs associated with each category. He reported that the Committee has been working on obtaining information to address these projects since the \$20,000 warrant article for this purpose passed in March. The listing outlines a plan to address maintenance needs to include addressing energy efficiency.

He reviewed the needs with regard to replacement of siding on the Town Hall, closing the Grange kitchen for the winter months, insulating the basement, repair to windows and pillars at the front of Town Hall and reinforcement of the Town Hall roof. The total amount of the work listed is \$27,567. It was explained that there are other encumbered warrant articles that can be used to assist with the cost of the projects or the difference of \$7,567.

P. Robart stated that the work could start immediately which would include a four-week time period for ordering and receiving the windows. He added that all will be valuable improvements to the Town Hall.

C. P. Graham expressed concern with using a portion of the warrant article for slate roof repairs for this project given that there may be a need to repair the roof. K. Kelley reported that repairs were made to the slate roof of the Town Hall and Old Library following the February/March 2010 storms. C. P. Graham was assured that the slate roof warrant article money could be used to assist with the projects proposed by the Committee. E. N. Small suggested using the money in the warrant article for painting of Town Hall and leaving a balance in the slate roof warrant article for future needs.

B. Mutrie, Brown Road, expressed concern of shutting down the use of the kitchen as the Historical Society cooks meals for the election workers in this kitchen. P. Robart stated that the kitchen could be addressed for the one day of need of heat and water. She also expressed concern with peeling of paint on cement board products in wet areas of the Library building. T. Tocci shared his experience with the product and stated that efforts will be made to keep water (to include the irrigation system) away from the building.

MOTION: To approve the report from the Town Improvement Committee, including the financial aspects thereof, and authorize the expenditure from funds set forth in said project.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
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R. P. McDermott stated that as Department Heads are brought before the Board, the public is welcome to ask questions after each Department Head report for this meeting.

ROAD AGENT - MONTHLY REPORT: Referring to the Road Agent's monthly report, E. N. Small stated that the items pertaining to Solid Waste will be applied to the Solid Waste budget separately from the Highway budget items.

RSMS AND HIGHWAY BUDGET: R. P. McDermott reported he met with representatives of RSMS and D. Robinson on October 13. He stated that a listing of roads to be repaired and when as well as priorities, footage and repair categories was reviewed. Another list was prepared prioritizing six roads as a guide to take care of priorities. RSMS has prepared a budget for all roads totaling \$259,000 for the first year. A listing of the lowest cost to highest cost items was requested. All roads have been mapped out for needs (i.e., crack sealing, shoulders, gutters, etc.) over a ten year plan. The initial cost of the work for this project (\$2,700) has been waived. R. P. McDermott stated the Board is hoping to address road needs through warrant article as done for the past two years. E. N. Small asked to meet with R. P. McDermott to get an understanding of this information as he was not involved in the meeting referenced.

BRUSH CUTTING: R. P. McDermott inquired as to the status of brush cutting. D. Robinson stated that this work has not yet started. R. P. McDermott suggested stopping the work for this year given the late date and also suggested that next year the Town rent equipment for use of the Road Agent to get both the mowing and brush cutting work done.

C. P. Graham inquired as to whether there is an amount due to the contractor for any possible portion of the brush cutting work. R. P. McDermott stated that written notice should be provided to the contractor to not start the brush cutting work. C. P. Graham asked for assurance that the contractor has not started the work. D. Robinson stated he has spoken with the contractor a number of times and that there has been no activity. R. P. McDermott read a memo from Ken Carpenter dated October 2 outlining the equipment to be used and the work to be done. E. N. Small noted there may be a problem if the contractor has invested in equipment and added that the Town would not be expending \$5,000+/- for brush cutting.

MOTION: Based upon the delay in performance of, and nonperformance of the contract, to cancel the remainder of the brush cutting contract.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

CRACK SEALING – BROWN ROAD: D. Robinson reported on the current condition of cracking on Brown Road and recommended getting this work done now.

T. Samway, Old Stage Road, inquired as to the problem of water running onto the road at two driveway locations for building lots created by Applecrest Farm Orchards. R. P. McDermott

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asked E. N. Small to contact the property owner to seek information as to correcting this problem. B. Mutrie, Brown Road, asked whether the crack on Marthas Court has been repaired. D. Robinson stated it has not yet been done.

BUILDING INSPECTOR, CODE ENFORCEMENT, HEALTH - MONTHLY REPORT:

Referring to the Building Inspector's report for September, R. P. McDermott asked if gas companies inform the Town when they replace tanks. K. Kelley stated that not all do and that he has some gas providers doing work without permits. He has notified the State. R. P. McDermott also inquired as to a landlord/tenant matter that has been going on for months. K. Kelley stated that he has received an application for witness of test pits today regarding this matter. R. P. McDermott asked if there is anything the Board can do to assist him with taking care of matters such as this sooner than later. K. Kelley reviewed concerns with issues at the State level (reduction in force of employees at State level). He added that he is working with a State agency in regard to a wetland restoration plan at property on Brown Road and is awaiting a call back.

K. Kelley is to meet with Town Administrator E. N. Small to review code enforcement issues existing in town and prepare and prioritize a plan to get them addressed. Once identified, the Board will give approval to take action on violations; if other violations are identified that information should be provided to Town Administrator E. N. Small.

K. Kelley reviewed the status of a 2010 violation on Route 84 and the discussions with the property owner to include deadlines for work to be done. The work has not yet been done and K. Kelley needs to meet with the owner again. He noted that he has not requested any enforcement action during the time he has worked for the Town.

C. P. Graham asked if there are areas where the Department of Environmental (DES) services has preemptory authority that exceeds that of the Building Inspector. K. Kelley provided information relating to failed septic systems and the required course of action. C. P. Graham asked for a sense of K. Kelley's impression of authority and expressed concern with K. Kelley stating he is not getting help from DES. He added that question remains as to what is hindering him from acting on a violation if he is not getting cooperation from a landowner. C. P. Graham asked K. Kelley if he understood he can act in certain regards. K. Kelley stated he understood. R. P. McDermott asked when the Building Inspector needs the permission of the Board of Selectmen to act. K. Kelley stated he has a duty to act and that he doesn't need permission of the Board of Selectmen in most regards.

C. Brown, Exeter Road, expressed concern with the lack of attention from the DES with regard to the matter on Brown Road and that she has been in touch with the Building Inspector for four months in this regard. She added that the Conservation Commission, Planning Board and Selectman have expressed concern. C. P. Graham stated that the Town Administrator will be sitting with the Building Inspector to list and identify current violations. It is requested that those involving the DES be highlighted so that, if needed, the Board of Selectmen can write the Executive Counsel to request activity.

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K. Kelley stated that the Brown Road matter is minor compared to other aspects of his job. He noted that he has not had to do legal enforcement over time as he receives cooperation from landowners. He stated that information will be forthcoming to the Board with regard to enforcement action for the dumping violation on Route 84.

E. N. Small asked if the Board wants the Building Inspector to obtain permission from them to take action on violations. K. Kelley stated that he understands that he only needs permission from the Board of Selectmen for cease and desist matters in order to issue a summons, otherwise, he can issue a letter giving an individual a reasonable amount of time to correct and fines can be assessed.

FIRE CHIEF, EMERGENCY MANAGEMENT - MONTHLY REPORT: The Board acknowledged the Fire Department report for September and reviewed statistics and incidents. R. P. McDermott asked the Fire Chief to provide information from the statistical reports that distinguishes medical calls separate from other calls. J. M. Lord explained that the information provided is produced from a software program and that he would provide information as requested. C. P. Graham inquired as to whether the information for ambulance calls could be prepared in a different spreadsheet in order to yield or differentiate a separate track of calls.

Discussion took place with regard to the request for video equipment on the outside of the Public Safety Building. There are no cameras at present and this suggestion would assist with security when the building is unoccupied to include security of equipment/vehicles. The \$1,500 request is a starting point of obtaining basic equipment utilizing a volunteer to install it.

J. M. Lord informed the Board of a haunted house to be held at the Public Safety Building on October 29, 6 to 9 p.m.

OPEN BIDS – SALE OF FIRE TRUCK: Ten bids were received, opened and read into the record as follows:

BIDDER	AMOUNT
Covanta Energy, Ken Nydam, Hampton Falls	\$7,200
James W. Jackson, North Hampton	\$2,850
Timothy Plouffe	\$975
Wayne P. Gould, Hooksett	\$3,222.22
Mark A. Thompson, Hampton Falls	\$505
Wells Garage, North Hampton	\$2,500
Jere Myette, Stratham	\$877
Kendall Construction Corp., Groveland, MA	\$3,200
Charles Mabardy, Kensington	\$1,380
C. Stephen Deorocki, Hampton	\$1,686.85

MOTION: To accept the bid of Covanta Energy for the 1979 fire engine of \$7,200, “as is, with all faults.”

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**MOTION: M. KASPRZAK
SECOND: C. P. GRAHAM
UNANIMOUS**

POLICE CHIEF - MONTHLY REPORT: The Board acknowledged the Police Department report for September and reviewed statistics and incidents. R. P. McDermott inquired as to the status of nasty reply emails he received regarding trick or treating as scheduled for October 31. R. Dirsra stated that he responded to all but one.

R. Dirsra reported that the State of NH has begun to allow defense attorneys to attend hearings in Concord via web cam. Hampton Falls can participate and this will save time, payroll, gas and wear and tear on the vehicles.

• **OLD BUSINESS**

SELECTMEN'S ACTION ITEMS: The Board inquired as to the Treasurer's efforts regarding reconciliation and the acceptance of credit card transactions by the Town Clerk's office. E. N. Small reported that the Town Clerk is trying to rectify the problem. C. P. Graham noted that at the meeting with the Town Clerk, it was determined that credit cards would no longer be allowed until further notice, however, information on acceptance of credit cards is part of the Town Clerk's section of the newsletter. E. N. Small suggested the Board seek input from the Town Clerk as to the status of accepting credit cards.

E. N. Small reported he received a cash flow projection from the SAU Business Administrator. This information will be used to determine if there is a need to borrow money this fall. He added that he will be meeting with the Hampton Falls School District Treasurer K. Ayers to determine actual available funds so that he has proper information to research tax anticipation notes and the need for bond counsel. R. P. McDermott asked that the schools provide a cash flow projection report from this point going forward.

E. N. Small stated that he will be revising the action items listing to include other matters discussed by the Board.

R. P. McDermott stated he spoke with M. Linnehan with regard to the demolition work planned on the Carney land behind the Town Hall. M. Linnehan is to contact Mr. Carney. E. N. Small noted that this information is needed by the Capital Improvement Committee as soon as possible.

C. P. Graham stated he will be working next on an employee recognition plan. He also inquired as to the status of the deed for Map 7, Lot 50, Faro Gardens. Tax Collector M. Hill reported that there has been no further contact from the property owner and no money received. She provided information she obtained from a Tax Collectors' conference she attended. The Board set a date of October 21, 10 a.m., to meet with the Tax Collector to review this information.

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SETTING OF THE TAX RATE: E. N. Small distributed “unofficial” numbers received from the Department of Revenue Administration with regard to the next tax rate. He explained the manner in which undesignated funds were applied to result in a reduced tax rate of \$19. This includes an effort to build up the fund balance. Discussion took place with regard to the session held in the past with a DRA Representative and full Board of Selectmen to determine the tax rate and the change at the State level to no longer meet in this manner. C. P. Graham stated that he had information that would apply funds in different amounts than that presented. He stated that he agrees with the idea of increasing the undesignated fund balance (surplus), but that he would prefer to see more help for the taxpayers. He offered an example of a “rainy day” amount of \$200,000 this year and \$230,000 next year, then \$260,000, etc. R. P. McDermott and M. Kasprzak agreed to amend amounts to retain \$200,000 (from \$215,000) in the undesignated fund balance. E. N. Small amended the forms for signature of the Board Chairman. In response to C. Brown, Exeter Road, the Board reported that the DRA recommends \$443,000 be retained.

MOTION: That the Board uses the sum of \$81,647 from the undesignated fund balance to set the tax rate and that the town retains the sum of \$200,000 in undesignated funds for the current tax year.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

VACANT POSITIONS: L. A. Ruest reported that she received two responses to her email requesting information as to vacancies on various boards and commissions. She added that the Planning Board has three vacant alternate member seats and that the Zoning Board has three vacant alternate member seats. R. P. McDermott asked L. A. Ruest to send him the email so that he can call those on the email distribution list directly.

TAX ANTICIPATION NOTES CASH FLOW – NEW LAS MONTHLY

EXPENDITURES: E. N. Small provided a spreadsheet of cash flow information to the Board in this regard

RIGHT TO KNOW LAW WORKSHOP, OCT 20, 6:30 PM, TOWN HALL: A copy of the posting notice for this workshop was provided to the Board.

NEXT BUDGET MEETING – OCTOBER 26, 9:30 AM

SURVEY OF THE OLD LIBRARY – ESTIMATED COST: An estimate of cost for these services was received from Jones and Beach Engineers in a letter dated October 6, 2011. E. N. Small reported that funds are not available in the 2011 budget. The Board requested that additional quotes be requested from Stockton Services and Altus Engineering.

WASTE V. RECYCLING: The Board reviewed statistical information with regard to waste versus recycling tonnage. It was noted that the results show little change in tonnage with every-

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other-week recycling collection. E. N. Small stated he would provide this information to the Recycling and Solid Waste Committee. R. P. McDermott noted that there are a couple more years on the contract and that there are no funds to return to weekly recycling collection.

WHITE GOODS DAY: R. P. McDermott provided a chart showing the revenues collected during the White Goods Day for 2008 through 2011. This listing does not include expenditures. He reported that the day went okay with 265 car trips participating. C. P. Graham asked J. M. Lord to extend thanks and appreciation for the help of volunteer firefighters. Discussion took place with providing compensation for persons assisting on White Goods day.

REMOVAL OF METALS, FREON, TIRES: E. N. Small reported that arrangements have been made for removal of these items from the Brush Dump.

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

- **NEW BUSINESS**

TOWN BOUND ON ROUTE ONE HAMPTON FALLS – SEABROOK: E. N. Small reported that he will be working with the Town of Seabrook in order to properly re-set a Seabrook/Hampton Falls bound.

NOV/DEC TOWN SECTION OF THE HAMPTON FALLS NEWSLETTER: The Board approved the newsletter as written; however, question was raised with regard to the Town Clerk's acceptance of credit cards. This is something that needs follow up as it will become very costly if the issues are not remedied immediately.

INTER-LIBRARY DELIVERY VANS: E. N. Small reported that a letter of support for Inter-Library delivery vans will be presented for consideration of signature.

VETERAN'S DAY CEREMONY, NOVEMBER 11, 9 AM, TOWN COMMON

OTHER

Budget Worksheets – Line 4155: E. N. Small provided the Board with updated worksheets as well as a listing of additional costs to employees for Retirement benefits as requested by C. P. Graham. E. N. Small stated he continues to await figures from HealthTrust.

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

REVIEW AND APPROVAL OF PREVIOUS MINUTES OCTOBER 3 AND 5: These two sets of minutes will be reviewed next meeting.

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**NEXT SELECTMEN'S MEETING – WEDNESDAY, NOVEMBER 2, 2011, 6:30 P.M.,
TOWN HALL**

MOTION: To go into nonpublic session in accordance with RSA 91-A:3 II. (c) Matters that adversely affect a person's reputation – extends to abatements – inability to pay at 9:06 p.m.

MOTION: M. KASPRZAK
SECOND: C. P. GRAHAM
UNANIMOUS

MOTION: To go out of nonpublic session at 9:29 p.m. and resume.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

Recycling and Solid Waste Budget – Part Time Positions 120: The Board requested that funds be made available for two persons to assist with White Goods Collection Days (two persons, six hours per collection, two collections).

MOTION: To adjourn the meeting at 9:40 p.m.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS