

BOARD OF SELECTMEN	NOVEMBER 19, 2018 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

PRESENT: J. E. Ziolkowski, Chairman, L. M. Smith, Vice Chairman, E. B. Beattie, Selectman, R. A. Ruest, Town Administrator, H. Fazzino, Secretary.

CALL TO ORDER: The meeting was called to order at 6:30 p.m.

SECTION 1 – PUBLIC COMMENT- NONE

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT

The Selectmen acknowledged the Monthly Report of Building Inspector M. Sikorski. There is one parking lot violation under investigation. He is reviewing reports on the LAS Addition. Time for review of LAS related inspections is tracked at this time.

ROAD AGENT – MONTHLY REPORT

The Board acknowledged the October Road Agent Report from Dick Robinson. R. Hilliard was not present. No comments.

ANNUAL REVIEW OF WINTER ROAD MAINTENANCE AGREEMENT TERMS & ROAD SALT USAGE

The Selectmen acknowledged the Annual Winter Road Maintenance Agreement and Road Salt Usage for 2014 – 2019 Agreement Specifications- Scope of Work. This item will be placed on the December 19, 2018 agenda.

WINTER MAINTENANCE OF SIDEWALK

The Selectmen acknowledged the Winter Maintenance of Sidewalk Agreement. This item will be placed on the December 19, 2018 agenda.

WINTER ROAD MAINTENANCE MEMO TO WEB SITE

The Selectmen acknowledged the Winter Road Maintenance Memo and approved posting to the Website.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT

The Board acknowledged the Fire Department Monthly Report from Chief Lord for October.

Ambulance Write-Off Policy- Chief Lord discussed the ambulance write-off policy. Accounts are usually paid within three months. Only a couple of accounts were written off this year. L. Ruest reported that the Auditors recommended a written policy. Comstar collects payments from the insurance carriers of patients. Three bills are sent over a period of nine months, then options are collections, write-off, or other information that may be relevant. Comstar receives 5% of collections. Chief Lord does not recommend further collections. The EMS billing expert from Londonderry reported that no collections were realized in his experience. \$20,000 to \$25,000 in losses are represented this year. L. M. Smith recommending the patient signing a form to redirect the Health Insurance Carrier to pay the Hampton Falls Fire Department directly.

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Chief Lord plans to bring the listing of the delinquent accounts to the Selectmen’s attention. L. A. Ruest will draft a policy for consideration of the Board.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT

The Selectmen acknowledged the Police Department’s Monthly Report from Chief Dirsa for October.

RAIL FENCING

Chief Dirsa provided estimates for rail fencing along the public safety building, and recommended Central Fence based on price and location in Hampton Falls.

MOTION: To authorize Chief Dirsa to install a black fence rail in the amount of \$1,485.00, to be paid from the Multi-Bay Garage Capital Reserve Fund.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

Chief Dirsa verified that the procedure for calling out the snow plow contractor will be the same as last year.

Chief Dirsa reported that the Hampton Falls Police Association has been discussing the second story of the garage, and making it a useable space. Chief requested permission to renovate the second floor, using funds from the Police Association. L. M. Smith confirmed the intent for the space, storage of gear, car parts, etc. L. M. Smith is in favor.

The Board concurred.

SECTION 2 – PUBLIC COMMENT

Bev Mutrie, Brown Road, requests to take the matter regarding the Museum out of order.

- **OLD BUSINESS**

CONSENT AGENDA

1. Monthly Financial Reports of Bookkeeper, Treasurer, Tax Collector
2. Rockingham County Tax Warrant \$470,844

No comments from the Board.

FINANCIAL REPORTS

GENERAL FUND BALANCE The Treasurer’s information was not available due to a change of meeting date.

**ACCOUNTS PAYABLE/PAYROLL/TREASURER/TRUSTEES OF TRUST FUNDS
WARRANT(S)**

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Accounts Payable	Warrant #640	\$664,442.04
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MOTION: To approve Warrant 640 as presented by the Bookkeeper.

MOTION: L. M. SMITH
SECOND: E. B. BEATTIE
UNANIMOUS

CITIZEN’S REQUEST TO PURCHASE MAP 6, LOT 68

The Board reviewed information on the parcel deed and determined that the Town cannot sell the property as it is a condition of the deed that the parcel be used for Town recreational or conservation purposes.

MOTION: To deny the citizen’s request to purchase Map 6, Lot 68.

MOTION: L. M. SMITH
SECOND: E. B. BEATTIE
UNANIMOUS

HISTORICAL SOCIETY MUSEUM LEASE/INSURANCE

Given the insurance terms and the terms of the 5 year lease of the building to the Historical Society, and consultation with Town Counsel, the Board can consider requests for use of the building on a case by case basis.

MOTION: To confirm that the historical Society Museum at 45 Exeter Road is to be used by the Historical Society, per lease terms, with requests for use by others to be presented by the Hampton Falls Historical Society to the Board of Selectmen for consideration on a case by case basis, and contingent upon TULIP if coverage is needed for an event.

MOTION: L. M. SMITH
SECOND: E. B. BEATTIE

T. Beattie, Drinkwater Road, is concerned about artifacts being damaged by visitors.

L. A. Ruest discussed the procedure for the use of alcohol at events.

L. M. Smith offered a revision to the Motion.

UNANIMOUS

B. Mutrie, Brown Road, announced that T. Beattie is the new President of the Hampton Falls Historical Society.

OTHER

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ARTICLE 12/2018 (TOWN HALL GENERATOR)

T. Samway, Old Stage Road, requested reconsideration of the Board’s vote regarding Article 12.

T. Samway stated that the article was voted and passed last year. This was a vote of the people.

J. E. Ziolkowski stated that he reached out to the NH Municipal Association. The NHMA stated that the Article was misleading to the voters. They recommended using an Expendable Trust.

L. A. Ruest confirmed that all Warrant Articles are reviewed by Town Counsel and the Department of Revenue Administration (DRA) in advance of printing the ballot and voting.

L. M. Smith expressed his frustration with appropriating funds to the Capital Reserve Fund, then not being able to utilize the funds to complete the project.

T. Franciosa, Wadleigh Lane, a member of Capital Improvements Committee (CIP), reports that the CIP voted against the generator, five votes for premature, one vote for deferral, and that total project cost of \$10,000 was to be raised by tax dollars. A company quoted \$10,000 for the generator, and an additional amount for hook up.

E. B. Beattie said that what is improper is that the figures do not match. He would like to end the issue.

T. Samway noted several opportunities to amend the Article. He provided an example of an approved Warrant Article for \$20,000 for a police car. Every voter knew that a police car could not be purchased for \$20,000.

T. Franciosa stated he feels the plan to power the Town Hall needs to be investigated. He reiterated the CIP process. The company quoted \$10,000 for the generator and hook up.

J. E. Ziolkowski said that he felt it should have been a Special Article, to enable an overage in a quote to be paid. He was not sure what the original \$6,000 in the fund was earmarked for.

A. Chiaramida, Hampton Union, wondered if there was ever an article passed but not acted on.

L. M. Smith confirmed that an Expendable Trust will allow for more flexibility, but the Board should act on the majority vote of the town.

T. Beattie, Drinkwater Road, requested that the Board move on.

SECTION 3 – PUBLIC COMMENT

• NEW BUSINESS

Executive

GOV. POWELL DRIVE – LETTER OF ROAD NAME CORRECTION TO POSTMASTER

A letter to the Hampton Falls Postmaster, instructing the correction to a road called “Gov. Powell Road” to its correct name of Gov. Powell Drive was signed by Selectmen.

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PROPERTY TAX REFUNDS (#667, 668, 669, 670)

#667	0 Exeter Road, Map 6 Lot 19	Refund amount of \$12.00
#668	27 Brown Road, Map 5 Lot 57	Refund amount \$5,843.00
#669	227 Exeter Road, Map 6 Lot 60-01	Refund amount \$13.62
#670	49 Linden Road, Map 6 Lot 64-15	Refund amount \$50.00
#671	2 Sanborn Road, Map 4 Lot 33-1	Refund amount \$3,981.00

MOTION: To approve the refunds as stated above.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

E. B. Beattie wondered why the refunds were happening. L. A. Ruest confirmed the individual matters.

UNANIMOUS

COMCAST FRANCHISE FEE \$8,169.76 (JULY – SEPT. 2018)

MOTION: To accept payment in the amount of \$8,169.76 representing the 2018 third quarter franchise fee payment from Comcast for deposit into the Town Communications Fund.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

NH DEPT. OF TRANSPORTATION – ELIMINATION OF CROSSWALK FROM TOWN HALL TO MUSEUM

J. E. Ziolkowski agreed with the assessment by the NH Department of Transportation of the elimination of a crosswalk. It is safer for pedestrians to wait for an appropriate gap in traffic before they cross, than it is to use this crosswalk assuming it is safe when the NH Department of Transportation safety criteria are not met. B. Mutrie asked questions about the location, and how it could be made a safe crosswalk.

OTHER

L. A. Ruest discussed a Veteran Credit abatement.

MOTION: To approve an abatement of \$500 to 166 Kensington Road, Map 1 Lot 44-1.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

REVIEW AND APPROVAL OF PREVIOUS MINUTES: October 30, 2018

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Corrections to the October 30, 2018 meeting minutes:

Page 2, Section 7

L. A. Ruest discussed her method of incorporating Chairman Ziolkowski’s requests relating to dissolving Capital Reserve Funds into the draft warrant. The Board reviewed the list of Capital Reserve Funds on the MS-9. J. E. Ziolkowski estimated that there are \$113,000 in inactive funds, 21 cents on the tax rate. He would like the warrant article wording to be more broad in scope. The Historical Society Museum has many needs, and needs more funds. This will be addressed at the November 7, 2018, meeting. E. B. Beattie discussed how members of the community are reaching out to him on a frequent basis. The Library reached out to E. B. Beattie and expressed its concern about two thirds of the air conditioning systems going down. J. E. Ziolkowski wants to improve the flexibility of spending funds. L. M. Smith confirmed that the Board is trying to do the right thing but is not in favor of dissolving these funds. They were approved by the Town Legislative Body for the purposes designated and should be used for those purposes.

Page 3 sixth paragraph

L.M. Smith spoke with attorney Margaret Burns, New Hampshire Municipal Association. She recommended that in the interest of transparency the three-year extension of the winter road maintenance contract go out to bid in accordance with state statute 95:1 due to J. Ziolkowski’s position as a public official. Attorney Steve Buckley, NHMA also recommended, in the interest of transparency, putting the contract with the public official out to bid. The budget line for winter road maintenance service is to remain as is.

Page 4 last paragraph

The Board reviewed the recalculated unofficial preliminary 2018 tax rate information from the Department of Revenue Administration with regard to applying an amount of the Fund Balance, as well as applying an overlay amount, to set the tax rate. A tax rate of \$19.90 was recommended, a reduction of \$1.20 from the previous tax rate. L. Smith objected to taking 75% of the rainy day fund to reduce taxes this year. This will reduce the Board’s flexibility next year when the full impact of the School Bond will be felt by taxpayers and reduces this fund to a dangerous level should the Town experience an emergency.

Corrections to the November 7, 2018 meeting minutes:

Page 2- Citizen’s Request

L. M. Smith disclosed that the senior partner at his firm is his accountant

Page 3- Brush dump

L. M. Smith reports that the brush dump at the request of a resident

MOTION: To approve the minutes of October 30, 2018 & November 7, 2018, as amended.

MOTION: J. E. ZIOLKOWSKI

SECOND: E. B. BEATTIE

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PUBLIC COMMENT

T. Beattie, Drinkwater Road, is concerned about the Hampton Union Reporter gathering information and participating in a debate in the hall.

MOTION: To adjourn the meeting at 8:00 p.m.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

Next Selectmen's Meeting – Wednesday, December 5, 2018, 6:30 p.m., Town Hall