

DRAFT

PRESENT: L. M. Smith, E. B. Beattie, Lou Gargiulo, L. A. Ruest, Town Administrator, H. Fazzino, Secretary.

L. M. Smith called the meeting to order.

SECTION 1 – PUBLIC COMMENT

Not called.

L. M. Smith welcomed Lou Gargiulo, Selectman. This is the first meeting to be videotaped. Videos are available through the Town website, Meeting Videos (left side of the Home Page), to a link to Town Hall Streams.

REORGANIZATION OF THE BOARD OF SELECTMEN / COMMITTEE ASSIGNMENTS

NOMINATION AND ELECTION OF CHAIRMAN:

MOTION: TO NOMINATE AND ELECT L. M. SMITH AS CHAIRMAN

MOTION: L. GARGIULO

SECOND: L. M. SMITH

TWO IN FAVOR, 1 OPPOSED PASSED

MOTION: TO NOMINATE AND ELECT E. B. BEATTIE AS VICE CHAIRMAN

MOTION: L. M. SMITH

SECOND: L. GARGIULO

UNANIMOUS

COMMITTEE ASSIGNMENTS

Selectman Chairman	L. M. Smith
Selectman Vice Chair	E. B. Beattie
Selectman	L. Gargiulo
Library Trustee	L. M. Smith
Planning Board	E. B. Beattie
School Board	E. B. Beattie
Energy Committee	Inactive Committee
Heritage Commission	L. Gargiulo
Conservation	L. Gargiulo
Town Improvement Committee	Inactive Committee
Parks and Recreation	L. M. Smith

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Chairman Smith provided the following goals and guidelines: all boards, staff and Town Administrator shall be treated with professionalism and courtesy, and treat all residents with respect, and his goal is to shorten the length of the meetings.

**BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER –
MONTHLY REPORT**

No questions on the Report. M. Sikorski will be meeting with the wetlands commission about a spring that has developed in Map 8 Lot 23.

WINTER ROAD MAINTENANCE SERVICES 2018-2019

On behalf of ELM, J. Ziolkowski reported that there isn't much activity. Total snowfall for the year is 47.3". Policy requires removal of equipment by April 15th. He will try to remove by April 1st. L. M. Smith would like to review the Reports of Concerns next meeting, for any outstanding Concerns. The ELM invoice was received.

ROAD AGENT – MONTHLY REPORT (CORE SERVICES)/INVOICE

Russ Hilliard, Road Agent, reviewed the core services description for February.

MOTION: To pay the February Road Agent invoices as presented.

**MOTION: E. B. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

BIDS FOR THE CULVERT: The Town Administrator opened the Drinkwater Road Culvert Bids. A work session will be set to review the bids on Wednesday, March 27, 2019 at 10:00 a.m. with the Road Agent and former Road Agent Dick Robinson and Jones & Beach Engineers. Bids included:
T. Buck Construction Inc. \$134,200.
Jamco Excavators LLC \$137,895.
North Atlantic Excavation \$153,817.

NON-EMERGENCY HIGHWAY DEPARTMENT TREE WORK worksheets were tabled until the work session on March 27, 2019.

STATUS OF FROST BAN

The Road Agent reports that frost ban signs have been posted.

**ROAD CONDITIONS ASSESSMENT SURVEY & BUDGET FORECAST
(Axiomatic)**

MOTION: To contract with Axiomatic again this year, to provide an updated assessment of all road conditions.

MOTION: L. M. SMITH

DRAFT

DISCUSSION: E. B. Beattie reports that Surrey Lane is one to include for work in 2019.

L. M. Smith likes a 10 year review and plan for repairs. However, there is no funding in the current budget for road work.

**SECOND: L. GARGIUSO
2 IN FAVOR, ONE OPPOSED PASS**

2019 ROAD WORK – SCHEDULE WORK SESSION / PREPARE RFP FOR PAVING

This item will be held until after the updated Axiomatic Report is available.

TREE WORK/REMOVAL OF BRUSH FROM ROADSIDES RESULTING FROM STORM(S)

This topic will be addressed at the work session on March 27, 2019.

REMOVAL OF BRUSH PILE FROM BRUSH DUMP QUOTES

ProBark \$6,500

Harvey Trees \$12,000.

The Dirt Doctors \$8,900.

This item will be addressed at the work session on March 27, 2019.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT

No questions were raised.

ARTICLE 17/2019 PURCHASE AND EQUIP NEW FIRE TRUCK

Chief Lord expressed thanks to the voters for voting for the Fire Truck. Chief Lord discussed the process of ordering the Fire Truck. The Town Administrator reports that a sample contract for the purchase and bonding has been received.

MOTION: To authorize the processing of the check with the final price, send the Fire Truck contract and Performance Bond document to Town Counsel for review, and for the Chairman to sign the Fire Truck contract and Performance Bond document when it has been approved by Town Counsel.

**MOTION: E. B. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT

No questions were raised on the February Report.

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SECTION 2 – PUBLIC COMMENT

Stephen Volpone, Jr., Batchelder Road, requested that his presentation below be inserted into the record.

“At the deliberative session the proposed budget was amended by a \$37,000 increase, resulting in a default budget \$25,971 less than the amended proposed budget. Following this amendment, 2 of 3 selectmen recommended against the amended proposed budget, in effect recommending the default budget. Article 10 was voted to go to the ballot with no further changes.

Several days before the election, a resident noticed that the sample ballot showed that the default budget had increased by \$30,008 over what had been voted at the deliberative session, resulting in a default budget that was now \$4,217 more than the amended proposed budget. This change pretty much guaranteed that the amended proposed budget would pass. When asked how this could have occurred, the Town Administrator had no explanation. Too late to correct this error, the Town Moderator allowed the election to proceed.

It is clear that the voters were misled and thereby deprived of a chance to vote for a default budget that was \$25,971 less than the budget that passed. In the interests of complete transparency, voters are allowed an explanation and a discussion of what remedies are available to them.”

L. Ruest discussed the process of the deliberative session and the funds added to the default budget. E. B. Beattie reported that those that attended the deliberative session were interested in increasing the budget by \$37,000. He reports that the law prevents changing the default budget after the deliberative session. L. Gargiulo suggested referral to Town Counsel for a suggestion for remedy.

Tony Franciosa, Old Stage Road. clarified that the Town Administrator believed the number was correct. He recommends that the Selectman and the Town Moderator, and Town Clerk meet to review the accuracy of the ballot. He also discussed the Article for the second white goods day, which he feels has a tax impact and the Fire Truck purchase is misleading to say that there is no tax impact.

Todd Santora, Linden Road. the voters were deprived of information prior to voting. The default budget shall not be amended by the legislative body. Was an amended default budget sent to the DRA? L. M. Smith says it was not done. The \$37,000 was added back in. L.A. Ruest offered to review the reporting with T. Santora in her office. He declined.

DRAFT

Mark Lane, Blakes Lane, requests a change in order of public comment on the agenda. Discussion, public comment, then votes at the end of the meeting. L. M. Smith acknowledged. It was confirmed that \$67,000 is available for roads this year.

S. Volpone confirmed that L. A. Ruest reaches out to Town Counsel.

T. Franciosa, Old Stage Road. He states that the Axiomatic Report is not used to select the roads to be paved and believes it is a waste of money.

E. B. Beattie recommends review of the ballot before it goes to print; maybe the Wednesday following the Deliberative Session.

Greg Parish, Towle Farm Road, he requests a vote on sending the budget questions to Town Counsel.

MOTION: To send the questions on the budget to Town Counsel.

**MOTION: L. M. SMITH
SECOND: L. GARGIULO
UNANIMOUS**

OLD BUSINESS

Consent Agenda

1. Monthly Financial Reports of Bookkeeper, Treasurer, Tax Collector
2. NH-DOT Interim Inspection Reports of Municipally Owned Bridges
3. 2018 Annual Report on Brimmer Lane Well Field (Seabrook Station)
4. Annual Roadside Clean-up, Saturday, April 13-14 (Conservation Commission)

No comments or questions heard.

FINANCIAL REPORTS

General Fund Balance \$1,347,170.

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

Accounts Payable Warrant	#654	\$812,931.26
Accounts Payable Warrant	#656	\$ 5,472.13
Payroll Warrant	#457	\$ 19,796.27
Treasurer's Warrant	2019-3	\$ 8,144.70

MOTION: To approve Warrants #654, #656, #457 and 2019-3 as written.

**MOTION: E. B. BEATTIE
SECOND: L. GARGIULO**

DRAFT

UNANIMOUS

ANNUAL REVIEW OF TOWN POLICIES (MARCH 6, 2019 REVIEW)

Date Last Adopted	Name of Policy	Outcome
7/20/2016	Meeting Minutes Policy	MOTION: To approve the policy as written. MOTION: L. M. SMITH SECOND: E. B. BEATTIE APPROVED: 3
7/20/2016	Web Site Policy	MOTION: To approve the policy as written. MOTION: L. M. SMITH SECOND: E. B. BEATTIE APPROVED: 3
3/5/2014	Driveway Culvert Policy	No action taken.
7/15/2015	Social Media Policy	MOTION: To approve the social medial policy as amended to include that the Library and School District are not covered by this policy. MOTION: L. M. SMITH SECOND: E. B. BEATTIE APPROVED: 3
3/2015	Policy Concerning the Use of the Meeting Room at the Hampton Falls Town Hall	MOTION: To approve the Policy Concerning the Use of the Meeting Room at the Hampton Falls Town Hall MOTION: L.M. SMITH SECOND: L. GARGIULO APPROVED: 3

**MOWING AGREEMENTS – BID SPECIFICATIONS/ISSUANCE OF RFP
(Government Buildings, Parks & Recreation)**

L. M. Smith reports that the Recreation Commission is not authorized to enter into contracts. He requested that clippings only be bagged from the Town Commons, but not from the other Town mowing areas.

MOTION: Submit a request for bids as amended.

**MOTION: L. M. SMITH
SECOND: L. GARGIULO**

DRAFT

UNANIMOUS

APPLICATION FOR ELDERLY EXEMPTION

MOTION: To approve Map 4 Lot 12 for the Permanent Elderly Exemption.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

APPLICATION FOR CURRENT USE (MAP 6, LOT 19)

MOTION: To approve the current use application for Map 6 Lot 19, subject to the 10 acre minimum.

MOTION: L. M. SMITH

E. B. Beattie would like to review the tax map. L. Gargiulo requests a copy of the deed. The application was tabled.

LETTERS OF THANKS

L. M. Smith read the letter of thanks to Hampton Falls Elected Officials and Ballot Clerks and James Ziolkowski to thank him for his many good works for the Town.

POLICY ON VIDEO RECORDING OF MUNICIPAL BOARDS, COMMITTEES AND COMMISSIONS MEETINGS

After a discussion, the Board recommended to change paragraph 4 (in bold below):

Video recordings are to be maintained in accordance with New Hampshire Municipal Records Board (NHMRB) rules established under RSA 33-A:3a, ***except that the video recording link shall be available for live and streaming*** on demand playback via the internet on the town website (www.hamptonfalls.org) to access the Town Hall Streams d/b/a Share In My Day, LLC website for five years per agreement.

MOTION: To approve the Policy on Video Recording as amended.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

Discussion: L. M. Smith suggests the first two meetings for Committees could be taped but not live, for the Committee to review. L. A. Ruest stated that Town Hall Streams made it easy for the Town to use the equipment.

Tracy Beattie, Drinkwater Road, the Cemetery Trustees is concerned about the sensitive discussions that occur, and not wanting them in the public view.

DRAFT

Todd Santora, Linden Road, would like to speak to the Planning Board before implementing the policy. He wondered if the Selectboard has jurisdiction over another elected body.

Town Counsel will be consulted and the matter was tabled.

George Koch, Drinkwater Road, stated recording is in the interest of transparency.

Beverly Mutrie, Brown Road, wondered if heat and air conditioning will be available in this room. L. M. Smith stated yes.

SECTION 3 – PUBLIC COMMENT

No public comment.

NEW BUSINESS

Karen Hopwood, Brown Road, congratulated Lou Gargiulo, and thanked Jim Ziolkowski, who served in the best interest of the town.

Memorandum of Agreement - Welfare Agent (4/1/19 – 3/31/20)

MOTION: To approve the agreement as presented.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

REPORT OF APPROPRIATIONS ACTUALLY VOTED (MS-232)

The Board acknowledged the MS-232.

Abatement-Refunds #679, Map 01, Lot 47-1 in the amount of \$145, #680, Map 02, Lot 1-1 in the amount of \$1,747, #681, Map 05, Lot 8 in the amount of \$2,981 and #682 Map 04, Lot 47-05 in the amount of 93.63.

MOTION: To approve the one refund and three abatement refunds as indicated above.

MOTION: L.M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

EMPLOYEE BENEFITS

2019 Salary Pay Plan

MOTION: To approve the 2019 Pay Plan as presented.

MOTION: E. B. BEATTIE

DRAFT

**SECOND: L. GARGIULO
UNANIMOUS**

PAYROLL WARRANT

Payroll Warrant	#456	\$ 3,073.35
Accounts Payable Warrant	#655	\$ 407.70

MOTION: To approve Warrants #456 and #655.

**MOTION: E. B. BEATTIE
SECOND: L. GARGIULO
UNANIMOUS**

**VOLUNTEER SERVICE STATEMENT & AGREEMENT – MOWING OF
RASPBERRY FARM HAYFIELD**

MOTION: To acknowledge and sign the volunteer statement.

**MOTION: L. M. SMITH
SECOND: E. B. BEATTIE**
DISCUSSION: L. Gargiulo inquired as to coverage through the town for workers compensation.
UNANIMOUS

SCHEDULE OF MEETINGS

L. M. Smith suggests moving the third Wednesday Selectmen’s meeting to 4:00 p.m. and the Board agreed. This will begin at 4:00 p.m. on the third Wednesday in April. L. M. Smith requests a News and Announcements be posted to the website.

MOTION: To have the Chair sign the contracts with Epping Well & Pump for Governor Weare Park and Town Common.

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

Beverly Mutrie, Brown Road, wondered whether there would be a policy and a committee for the new Expendable Trust. She seeks parameters. L. M. Smith stated the terms will need to be worked out.

Tony Franciosa, Old Stage Road, recommends a cap on the amount of money in the Expendable Trust. E. B. Beattie will take a look at other Towns that have established Expendable Trusts.

DRAFT

Todd Santora, Linden Road, inquired as to the purpose. L. M. Smith states that the purpose of the fund is for general maintenance of all Town buildings. T. Santora wondered if the CIP process is bypassed. L. M. Smith does not anticipate any problem. More research will be needed.

G. Parish, Towle Farm Road, wondered if there was going to have a public hearing prior to the spending of these funds.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: March 6, 2019

MOTION: To approve the minutes of March 6, 2019 as written.

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

PUBLIC COMMENT
None at this time.

MOTION: To go into Non-public session at 8:25 p.m. under RSA 91-A:3 II (c):

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

Public session reconvened at 8:38 p.m.

MOTION: To adjourn the meeting.
**MOTION: B. BEATTIE
SECOND: L. M. SMITH
UNANIMOUS**

Next Selectmen's Meeting – Wednesday, April 3, 2019, 6:30 p.m., Town Hall