

**BOARD OF SELECTMEN  
TOWN OF HAMPTON FALLS**

**NOVEMBER 02, 2022 – 6:00 PM  
TOWN HALL**

*FINAL*

**PRESENT:** M. R. Lane, Chairman; E. B. Beattie, Vice Chairman  
K. Anderson, Town Administrator; R. D. Webb, Assistant Administrator  
**ABSENT:** L. Gargiulo, Selectman

Chairman M. Lane called the meeting of the Board of Selectmen to order at 6:03 PM.

**Non-Public Session:** E. Beattie made the request to enter into Non-Public Session with the Board of Selectmen and Police Chief Ryan Venio and Police Lieutenant Justin Ranauro to discuss (b) Hiring of a public employee, specifically as per RSA 91-A:3 Personnel.

**MOTION:** To enter into Non-Public Session, for reasons of RSA 91-A:3 Personnel, at 6:05 PM.

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**Roll Call**

Ed Beattie-----YES

Mark Lane -----YES

**UNANIMOUS**

**Return to Public Session:**

**MOTION:** To close the Non-Public Session, and to return to the Public Session at 6:30 PM.

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**UNANIMOUS**

**OLD BUSINESS**

**CONSENT AGENDA: Monthly Financial Reports of Bookkeeper, Treasurer, Tax Collector:**

**Financial Reports: General Fund Balance: \$753,967.63** K. Anderson reported the General Fund Balance and stated that the Trustees of the Trust Funds sent a \$211,000 deposit to the Town based upon recent spending, primarily Highway, so the General Fund Balance is at “borderline low” and the Town will not be sending the School their payment next week, and will hold it until the Town receives their tax rate. K. Anderson stated that the Town is ready to receive their tax rate, but have not yet been notified by DRA. She checked this morning, and there are thirty-three (33) towns that have already received their tax rates. She is anticipating a call any day, from DRA, to review the revenues, and then subsequently will receive a proposed tax rate, the Selectmen will meet to discuss fund balance and what the rate is and how it can be adjusted, and then it will be signed by the Selectmen.

**Executive: Payroll Warrant, Accounts Payable, Escrow Warrant:**

K. Anderson presented the Payroll Warrant #586 dated October 26, 2022, in the amount of \$28,009.68; Accounts Payable Warrant #825 dated October 26, 2022, in the amount of \$168,981.35; and Escrow Account Warrant #19 dated October 26, 2022, in the amount of \$ 311.02

**MOTION:** To approve Payroll Warrant #586 dated October 26, 2022, in the amount of \$28,009.68; Accounts Payable Warrant #825 dated October 26, 2022, in the amount of \$168,981.35; and Escrow Account Warrant #19 dated October 26, 2022, in the amount of \$ 311.02

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**UNANIMOUS**

*FINAL*

**Executive: Elections:** Reminder that the State Election is on Tuesday, November 8<sup>th</sup>.

Elderly/Handicapped parking has been arranged to make it easier for some of Hampton Falls' elderly residents, and there will be signage to direct Elderly/Handicapped to parking closer to the gym entrance. Polls are open from 8:00 AM to 8:00 PM. Wheelchair access will still have to be through the main entrance, as there is a small curb/step at the gym entrance. Chairman Lane surmised that this change should cut the walking travel distance by approximately one third.

**Government Buildings: Replacement of Town Hall A/C Condenser – Waive Bidding**

**Requirement:** K. Anderson reported that potential replacement of the Town Hall A/C Condenser was something that Selectman Gargiulo asked her to look into at the last Selectmen's meeting, as the result of him seeing the severe rusted appearance. The Town Hall Condenser for the air conditioning system was examined at last week, and it was clear that there was a rust issue. Palmer HVAC originally installed the system and came out to inspect it and determined that it needs replacement. With the replacement of the older unit [it is fourteen-years (14-yrs) old], new coolant lines need to be installed due to the change in type of refrigerant (as per EPA). The cost to replace, other than the electrical expense (approx. \$250, that the Building Inspector, Mark Sikorski said that he could take care of, for the Town) is \$6,850. There are funds available in the Municipal Government Buildings CRF (current balance is \$53,000). K. Anderson requested the Selectmen waive the Purchasing Policy to purchase the equipment through Palmer HVAC, who does the current maintenance and service on the system. This way the Town keeps it all within the same company, and with approval, Palmer thought that they could get it done within a couple of weeks.

Chairman Lane said that he thought it was going to cost more than the price quoted, and K. Anderson agreed. E. Beattie said kudos to L. Gargiulo for noticing that the condenser may need replacement.

**MOTION: To waive the Purchasing Policy, and authorize the purchase from the Government Buildings CRF in the amount of \$6,850, for the replacement of the A/C Compressor due to using the same vendor that installs and maintains the existing system.**

**MOTION: E. BEATTIE**

**Discussion:** Chairman Lane asked K. Anderson if it made any sense to hold-off until the Spring for this replacement/repair, and the response was no, that it was better to get an A/C system repair done in the off-season.

**SECOND: M. LANE**

**UNANIMOUS**

**Solid Waste: Brush Dump Permit:** K. Anderson reported that the Town received the permit to operate a limited transfer station at the Brush Dump from the Department of Environmental Services. The Town needs to write an Operations Plan and Closure Plan along with filing an Intent to Operate Notice before the Town can hold a Household Waste Day in the Spring. K. Anderson stated that she will prepare and file these documents with DES, prior to Spring 2023.

Chairman Lane inquired if there were any complaints from residents about not having the Waste Day this Fall, and K. Anderson responded that there were probably a dozen inquiries as to when it was scheduled, but that when explained that the Town is in a permitting process, and that the Town did not realize that they had to have a permit, resident's questions were answered.

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**Planning: Capital Improvement Plan – Approve Amendment:** The Planning Board reviewed the proposed CIP at their October 2022 meeting and requested that an amendment be made to the document – adding a notation after the Winnacunnet High School projects that *Hampton Falls is responsible for approximately 5.8% of the costs*. The Planning Board’s approval was made *contingent on the Board of Selectmen accepting this amendment*. E. Beattie said that it was his understanding that he thought the Town had to legally list the full cost of the project in the CIP, not the Town’s percentage obligation. K. Anderson added that the Town of Hampton Falls’ percentage obligation of the Winnacunnet CIP projects varies each year dependent on the number of students from Hampton Falls enrolled annually on October 15<sup>th</sup>.

**MOTION:** To affirm the acceptance of the 2023-2029 Capital Improvement Plan, as amended at Planning Board 10/25/2022.

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**UNANIMOUS**

**Library: HVAC Replacement:** As an update, the Library replacement of the HVAC systems has begun and the first progress payment has been made from the second tranche of the ARPA Funds received in August 2022. The Library Director reports that the company has been working on it daily and all is going well.

Chairman Lane asked what is the balance of the ARPA fund after the Library project, and K. Anderson responded approximately \$14,000. Chairman Lane asked how long the Town has to spend the funds from receipt, and K. Anderson responded five-years (5-yr). She continued that the Library project is \$136,000 and it is going to use all but approximately \$14,000.

**Other Selectmen’s Old Business:** There was no Other Selectmen’s Old Business.

**OLD BUSINESS PUBLIC COMMENT:** There was no Old Business Public Comment.

**NEW BUSINESS: Highways: Request for Double-Yellow Lines and/or Fog Lines – Nason Road:**

K. Anderson reported that a resident of Nason Road came to Town Hall to request that double yellow lines be added to the center of Nason Road. Reasons for this request were due to the poor visibility at night on that road, with the tree canopy, and leaves on the road it is difficult to navigate. This time of year, it is particularly difficult. K. Anderson said that double-yellow lines are not something that is typically done in Hampton Falls, except for a few years ago; and from what she read in the Minutes, it did not go over well in town, and there were lots of complaints. An alternative could be to add delineators to the sides of the road, particularly on curves, that would be reflective. Chairman Lane clarified that fog lines are along the sides of the road, and double-yellow lines are down the center of the road.

E. Beattie said that he is well aware of the safety aspects, and that the Town has to have safe roads, but the number of complaints of painting yellow lines on country roads here is extensive, as he remembers it. He hoped that the Road Agent, Russ Hilliard, would have an answer that would not result in changing a country road. E. Beattie was skeptical that anything could be done this time of year anyway, given the season. E. Beattie requested R. Hilliard’s input on this issue for the next Selectmen’s meeting, when L. Gargiulo will be back as well. Chairman Lane agreed that R. Hilliard’s opinion will be significant.

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Chairman Lane said that he has never been a fan of yellow lines on a country road, but that does not mean that there isn't a solution, like perhaps the fog lines on the sides or reflectors. He suggested getting Police Chief Veno's input as well, regarding the laws for addressing this issue.

E. Beattie said that the Town just completed installing "Scenic Road" signs in Town, and he did not think that the proposal for double-yellow lines was compatible with Scenic Roads. He said that the Scenic Road signs look great.

**Update on road flooding at King Street and Drinkwater Rd:** K. Anderson updated the Selectmen on some road flooding at King Street and Drinkwater Road where there are three (3) pipes that are clogged by beavers again. R. Hilliard is well aware of the issue and he is currently working further up on Curtis Road at the Barry Flood property clearing that area first, so that when he clears the blockage at King Street, the water will have somewhere to go, downstream.

**Financial Administration: Budget Review/Default Budget/ COLA Discussion:** K. Anderson stated that she has calculated the Default Budget based on RSA 40:131 IX (b). The Default Budget is the same budget as approved the prior year, reduced and increased, as the case may be by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget. The adjustments made to the 2022 Budget, for the 2023 Default Budget, starts with the 2022 Operating Budget of \$3,011,022. The following increases and decreases are itemized:

<b><u>Line Item Description</u></b>	<b><u>+ or -</u></b>	<b><u>\$ Amount</u></b>
Elected Officials (1 election)	decrease	(-200)
Election Services (1 election)	decrease	(-4,574)
Assessing – Revaluation	increase	41,792
Auditing – Contractual	increase	3,000
Health/Dental Rate	increase	56,080
Property Liability Insurance	increase	3,240
Hampton Dispatch Contract	increase	200
Winter Road Maintenance	increase	139,015
Cardboard Recycling	increase	1,200
Health Insurance– Library	increase	23,154
Debt Service Interest	decrease	(-5,160)
<b>TOTAL</b>	<b>Increase</b>	<b>257,747</b>

The 2023 Default Budget is \$3,268,769 (3,011,022 + 257,747) and the 2023 Proposed Budget (on which the Selectmen are still working) is \$3,311,619, that is a variance of \$42,850 between the two. K.

Anderson described that the Selectmen do not want a large difference between the two numbers because it shows that the Operating Budget as proposed is very good, and it is frugal, there are not huge changes, and everything is either mandated by law or contracted.

Chairman Lane said that there still are changes that have not yet been decided by the Selectmen for the 2023 Budget. And E. Beattie said that the Selectmen still have not yet discussed nor decided on COLA. There was a discussion on the timing of decisions, and whether to wait to receive the Town's tax rate to ascertain the impact to taxpayers, and then address the remaining issues within that context. K.

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Anderson anticipates receiving the Town's tax rate within a week, at least that is the hope for when DRA will call her to request their appointment.

E. Beattie asked if there was another scheduled Selectmen's work session to discuss these budget issues, and K. Anderson responded that she was looking at potentially scheduling an additional Selectmen's meeting. After some discussion, those present decided to move the next Selectmen's meeting from its regularly scheduled date of Wednesday Nov 16<sup>th</sup> to one day earlier on Tuesday November 15<sup>th</sup> at 8:00 AM, pending confirmation with Lou Gargiulo (who subsequently agreed). R. Webb will re-post the meeting and notify Department Heads of the change in Selectmen's meeting to 11/15/2022 at 8am. Following that regular meeting of the Selectmen, budgetary discussions will be held to address the tax rate, COLA, the Default Budget, and other remaining budget decisions.

**OTHER: OTHER SELECTMEN'S NEW BUSINESS:** There was no Other Selectmen's New Business.

**NEW BUSINESS PUBLIC COMMENT:** There was no New Business Public Comment.

**MONTHLY REPORTS: SELECTMEN'S REPRESENTATIVE REPORTS:**

**Planning Board, Library Trustees:** E. Beattie reported that the Planning Board has a couple of projects queued up for its meetings in November and December. The Zoning Board of Adjustment (ZBA) recently had a proposal, at 1 Lafayette Road, for a Gaming Facility with Restaurant and Sports Bar. The applicant wanted to do Charitable Gaming there, but needed to get a Use Variance from the ZBA because the former non-conforming use (Poker Room) had lost its non-conforming use, grandfathered rights; and, the Town had changed the zoning to prohibit the use except for four (4) events annually. The applicant had started at the Planning Board with a Preliminary Concept application a few months ago, to discuss the idea very generally. The Town's Land Use attorney was consulted and determined that the timing had lapsed so that any non-conforming use, grandfathered rights had expired, and the applicant would need to go to ZBA for a Use Variance, before potentially returning to Planning Board for Site Plan review, (if, the Use Variance was approved at ZBA). It was E. Beattie's opinion that he thought the Planning Board was generally in support of the proposed concept because the use generated so much funding for local charities that it was a good thing. He said that he read the ZBA Minutes that the application for a Use Variance at 1 Lafayette Road, the former Poker Room, was denied unanimously by the ZBA at their recent meeting.

Planning Board is anticipating a second, revised plan for Design Review regarding 12 Lafayette Road, owned by Joe Faro, to be discussed at Planning Board November 15, 2022, that is a continued hearing from their September meeting.

Another application with Planning Board continued from a prior meeting is 5 Kensington Road, that abuts the LAS school property in the back. It is a proposed three-lot subdivision that has a potential appeal of the Building Inspector's administrative decision regarding the interpretation of a wellhead as a structure to the ZBA December 15<sup>th</sup>, followed by a potential request for a Variance at that same ZBA meeting, followed by a potential continuation at the Planning Board meeting of their original subdivision request December 20<sup>th</sup>, (if approvals granted at ZBA).

The Library Trustees meeting E. Beattie did not attend, so there was nothing to report.

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Recreation Commission, LAS: Chairman Lane said that he did not have a lot to report about the Recreation Commission, other than their meeting is coming up on the third Monday. There are several programs the Commission is working on like the Scarecrows on the Common for the Fall, and planning for the Christmas Tree Lighting project. There is excitement among and about the new Recreation Commission members for the future.

Chairman Lane reported that he was contacted by Jason Farias of the LAS Lincoln Akerman School Board to meet with him on Thursday this week to discuss the subjects of: (1) coordinating the Deliberative and Budget Sessions, and (2) the School Resource Officer.

Chairman Lane was contacted by another member of the LAS Board saying that they (LAS) wanted to contact the Conservation Commission regarding a survey of the land behind the school that may have been done. There is a lot of speculation about why they (the Conservation Commission) were looking at that land. Chairman Lane said that he thought it may have been because LAS wanted to do some paths, like the way Dick Sanborn used to do. LAS wanted to talk with the Conservation Commission about the viability and whether there are wetlands and those type of discussions. Chairman Lane thought it may be an interesting potential use for that land.

Heritage Commission, Conservation Commission: L. Gargiulo was not present to provide a report. E. Beattie said that people walking their dogs at the Raspberry Farm need to have their dogs tethered close and wear Orange because of the amount of hunting that is happening on the property.

K. Anderson reported that there was a call from a resident regarding Town-owned land adjacent to Parsonage Road, where someone had installed a hunting stand and had cordoned off an area on Town land; so, she asked R. Hilliard to dismantle the installation. E. Beattie said that if it is on Town land that it is not appropriate.

**OTHER: OTHER SELECTMEN'S NEW BUSINESS:** There was no Other Selectmen's New Business.

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: October 19, 2022**

**MOTION:** To approve the minutes of October 19, 2022, as written.

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**UNANIMOUS**

**PUBLIC COMMENT:** There was no Public Comment.

Next Selectmen's Meeting is Tuesday, November 15, 2022 8:00 AM

**ADJOURNMENT:**

**MOTION:** To adjourn the meeting at 7:05 PM.

**MOTION:** E. BEATTIE

**SECOND:** M. LANE

**UNANIMOUS**

*Mark R. Lane, Chairman – Edward B. Beattie, Vice Chairman – Lou Gargiulo, Selectman*

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Board of Selectmen's Meeting Minutes prepared by Rachel D. Webb, Assistant Administrator.