

**BOARD OF SELECTMEN  
TOWN OF HAMPTON FALLS**

**DECEMBER 06, 2023 – 6:00 PM  
TOWN HALL**

**FINAL**

**PRESENT:** Ed B. Beattie, Chairman; Lou Gargiulo, Vice Chairman; Mark R. Lane, Selectman; Karen Anderson, Town Administrator; Rachel D. Webb, Assistant Administrator  
**GUESTS:** Carol Schutte, Hampton Falls Electricity Aggregation Committee; Lisa Sweet, Rye Energy Committee and CPCNH Board of Directors and Chair of the Member Outreach and Engagement Committee; Barbara Goodman, School Board member

Chairman Beattie called the Board of Selectmen's meeting to order at 6:00 PM.

**PUBLIC HEARING:** Chairman Beattie opened the Public Hearing, to take comments from the public in regard to the acceptance of the Supplemental Highway Block Grant Funds in the amount of \$19,664.01. K. Anderson stated that this was part of a bill that was added onto the budget at the State at the end of the year. She stated that the funds can be used to supplement the Highway Block Grant Funds.

**Public Comment:**

- 1) Michael LaBarre, Taylor River Road, asked if this money is going to be allocated for something specifically, or is it to go towards general maintenance. K. Anderson said that the Town is proposing a \$330,000 Warrant Article for Highway Maintenance that is offset annually with approximately \$70,000 Highway Block Grant, so that will be amended to be \$89,000. M. LaBarre asked if that is for repaving and culvert work, and L. Anderson agreed and stated that the major project planned for next year is Crank Road. Chairman Beattie added that the list of projects for 2024 will be included in the Warrant.

There was no other public comment. Chairman Beattie closed the Public Comment.

**MOTION:** To accept the Supplemental Highway Block Grant Funds as unanticipated revenue in the amount of \$19,664.01.

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**PUBLIC HEARING:** Chairman Beattie opened the Public Hearing, to take comments from the public in regard to the Hampton Falls Community Power Electric Aggregation Plan. Carol Schutte, Hampton Falls Electricity Aggregation Committee and Lisa Sweet, Rye Energy Committee and CPCNH Board of Directors and Chair of the Member Outreach and Engagement Committee presented a plan for Hampton Falls residents to be able to reduce their electric bills. L. Sweet stated that Rye was one of the first ten (10) towns to launch this program in Spring 2023, and she brought that perspective to share. This is the first of two required Public Hearings before the voters act on the Warrant Article. Carol Schutte explained that there is an opportunity to join purchasing power through a community power mechanism and reduce the costs of electricity. She referenced State law RSA 53-E that enables towns to purchase electricity collectively to reduce the cost of the supplied electricity. The way it would work is that the Town would purchase electricity collectively at a much lower rate, that would be supplied by Unitil who would still do the distribution, but there would be a different supplier. Unitil would still be responsible for infrastructure such as wires, transformers, and repairs. C. Schutte explained that not only will the electricity costs be lower for supply but there will be four (4) choices of cleaner electricity at the customer level. C. Schutte explained that there are two (2) parts of the electricity bill, namely, the supply and the delivery, so it is the supply side where the cost will be lowered. L. Sweet explained that everyone will still be a customer of Unitil, and the only change to the bill

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will say “electricity supplied by Hampton Falls Community Power”. C. Schutte stated that most Hampton Falls residents would automatically become enrolled if they currently have Unitil as their default supplier. If a household or a business had a third-party supplier, they would not automatically be enrolled, but would have the opportunity to opt in.

C. Schutte stated that a goal of the presentation tonight is to release the *Draft Energy Aggregation Plan*, as required by State law 53-E, which needs to be presented at two (2) public hearings, so tonight is the first one, and the second one will be December 20<sup>th</sup> at the next Selectmen’s meeting at 8:00 AM. She stated that copies were available at the meeting tonight, and posted on the Town’s website under Electricity Aggregation Committee. Additionally, a link is posted in the slides and on the tri-fold flyer/handout.

To date, the Board of Selectmen previously approved the formation of, and appointed, the Electric Aggregation Committee and embraced the Joint Powers Agreement with Community Power Coalition of NH. The mission of the Aggregation Committee is to draft the aggregation plan for the town, and that has been done. Today they are informing the public and opening it up for comments and questions for feedback to align with the interests of residents. After the second Public Hearing, the Aggregation Committee will finalize the plan, submit it to the Selectmen, and the Selectmen will decide whether to accept it or not, and if accepted then it would be sent to Deliberative Session and then as a Warrant Article for the voters’ consideration on March 12<sup>th</sup>. At this point there is no financial commitment necessary by the Town.

Once launched, customers are notified thirty (30) days in advance of enrollment. If you have a third-party supplier then you have the choice of whether to enroll or not.

M. Lane asked if it automatically enrolls people if the rate is better, then does it automatically revert to Unitil if Unitil’s rate is better? And L. Sweet replied no, and said that when rates change there will always be thirty (30) days of notice. M. Lane asked what L. Sweet meant when she stated earlier that customers would have choices, and she described there are various levels of clean energy that customers can choose from.

Chairman Beattie asked if when this goes to vote does it require a simple majority, or does it need a 3/4ths vote, and K. Anderson responded a simple majority. L. Sweet clarified that there are no tax dollars involved.

C. Schutte stated that the current Unitil rates are at 13.257 cents per KW HR and the Granite Basic rate by comparison is 10.9 cents per KW HR.

L. Sweet described the CPCNH governing structure and Rye’s experience as one of the initial 14 founding member towns. She stated that as of November 30, 2023 there are currently fifty (50) member communities, with 16 of those operating programs (serving 80,000 customers), and 20-30 preparing to launch. L. Sweet said that no towns have disapproved the proposal yet.

Public Comment:

- 1) Susan Porcelli, Taylor River Road, asked how can CPCNH have such low rates, and asked if the rates were subsidized at all. She also asked how consumers can pick and

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choose their supplier, and how can CPCNH guarantee their rates are lower than Unitil's rate?

L. Sweet responded saying that Unitil is regulated in how they buy their power twice annually in six-month chunks. By contrast CPCNH has a portfolio of power supply that is managed professionally by a service provider, and they are able to make energy purchases using the reserve fund that is built up, and manage a portfolio that keeps the energy prices lower. She continued that the CPCNH is also aggregating eventually 50 communities so they get a "better bang for their buck" purchasing electricity. She stated that CPCNH believes that they will be able to manage their portfolio to always be lower than the utilities.

M. Lane asked how often is CPCNH changing their rates, and L. Swett responded every six-months to remain flexible and respond to the changes in the market.

- 2) Michael LaBarre, Taylor River Road, asked about the Board of Directors of CPCNH and whether they were paid positions, and L. Sweet responded that the Board of Directors are all Volunteer, as it is a non-profit power agency. The rates support the four (4) staff and the service providers. There is a CEO who was hired (formerly with NH Electric Co-op), a Director of Member Services, a Director of Regulatory and Legislative Affairs, and an Administrative Director. M. LaBarre asked if L. Sweet anticipates rates decreasing as more communities opt in? L. Sweet responded that it would be in line with the energy markets, and CPCNH is confident that they can beat the investor-owned utility markets. M. LaBarre asked if each community has some representation on the governance of the Board of Directors, and C. Schutte indicated that both K. Anderson and herself would be the representatives for Hampton Falls. C. Schutte stated that because CPCNH is a non-profit, they share the profits and each town has a reserve fund, and one of the purposes of the reserve fund is to mitigate wild fluctuations in energy cost. So some funds might come from a reserve fund to keep the rates down so that the residents don't have the full burden because of the "cushion" in the reserve fund. She stated that it takes a while to build-up a reserve fund, but it is completely transparent. M. LaBarre asked if it functions like a savings account, and C. Schutte responded yes, it is there for fluctuations, and after it builds sufficiently then additional funds could be available for joint energy projects between towns.

L. Sweet stated that every member community has a member representative, and there are membership meetings at least twice annually.

There was no other public comment. Chairman Beattie closed the Public Comment. K. Anderson stated that there was going to be a second Public Hearing December 20<sup>th</sup> so the Selectmen did not need to take any action on this tonight.

Bridge Aid:

K. Anderson stated that she received notice today from the State that the Town will be receiving \$11,000 for Bridge Aid for the town's one bridge, that is a pedestrian bridge, and the funds cannot be allocated for any other roadway other than the bridge. When those funds are received, the Selectmen will need to hold a Public Hearing to accept those funds, because the amount is over \$5,000.

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**OLD BUSINESS**

**Financial Reports: General Fund Balance: \$2,159,351.81.** K. Anderson stated that the Tax Collector reported to her earlier today that the current real estate taxes are approximately 89% collected. It was a very busy day at the Tax Collector's office so she anticipated that at the end of the day they exceeded 90% of real estate taxes collected.

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

**MOTION:** To approve Payroll Warrant #616 dated November 22, 2023, in the amount of \$39,809.42; Accounts Payable Warrant #853 dated November 22, 2023, in the amount of \$1,349,224.88; and Escrow Warrant #42 dated November 22, 2023, in the amount of \$401.78. K. Anderson stated that the Town payments are all caught up with both schools.

**MOTION:** L. GARGIULO

**SECOND:** M. LANE

**UNANIMOUS**

**Executive: Update on Seabrook's Groundwater Withdrawal Application:**

K. Anderson stated that the Town was notified on November 22, 2023 by DES that they (DES) have approved, with conditions, the Preliminary Application for Seabrook to move forward with the groundwater withdrawal process on Weare Road. She stated that this is not the final approval. DES has to be notified two weeks prior to the testing for a site visit. Seabrook has to provide DES with a final private well monitoring network, and have legal control over the sanitary protection area (all in Seabrook). She stated that the Town does not know when the testing is going to be, but will have a two-week notice, and will notify residents so residents will know that the testing is happening, so that if they notice any changes in their water pressure or any conditions in their water change to let the Town know. It does not appear that additional notifications are being required at this time. This is not the approval for the wells – it is the approval for the testing process to move forward.

Chairman Beattie asked if there is any indication of whose wells will be selected, and K. Anderson said that she is not aware of any wells that have been selected yet. She said that she thought there had been a preliminary list that they sent preliminary notices to, but there were problems with people receiving the notices, so Seabrook had to correct those addresses and resend. So, hopefully those residents' wells that are selected will opt in to be tested, and DES will require a certain number within their radius.

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

**OLD BUSINESS PUBLIC COMMENT:**

- 1) Susan Porcelli, Taylor River Road, commented about the Groundwater Withdrawal Application and stated that there will be another opportunity for a Public Hearing in the process. She said that she submitted a Bill so that future Groundwater Withdrawal Applications will require the applicant to pay for the notification process for impacted residents within a two-hundred-foot (200-ft.) radius, so that the Town is not financially responsible for the notification. K. Anderson clarified S. Porcelli's proposed Bill is that the applicant will need to send out the notice to the current owners, as the way the current rules are written they pull the date from NH's One-Stop website that contains the

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contractor who installed the well, or the builder's name who built the house. S. Porcelli stated that there is a very stringent process for residents to go through if their well is impacted, and she will make that information available.

**NEW BUSINESS**

**Executive: Appointment and Confirmation of Treasurer and Deputy Treasurer:**

K. Anderson stated that M & T Bank has increased the interest rates for the Town's escrow accounts. Liz Riordan, Town Treasurer has looked at interest rates and has determined that it is in the Town's best interest to move an amount of money, approximately equal to the undesignated fund balance, over to the NH Public Deposit Investment Pool. The return rate changes on a daily basis, and is currently approximately 5%. To do so, the Board needs to reaffirm Liz Riordan as the Town Treasurer.

At the same time, Lacey Kelly, who had been the Deputy Treasurer, has resigned and no longer works for the Town and Joanna Meighan, Library Director has indicated her willingness to serve in that role.

**MOTION: Affirm Elizabeth Riordan as Town Treasurer and Joanna Meighan as Deputy Town Treasurer.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**Executive: Holiday Assistance Program – Authority to Proceed:**

Each year for the past two, the Selectmen have reached out to the residents of Hampton Falls requesting assistance to help town residents who are elderly, or otherwise in need of a little help during the holidays. Residents have been generous with gift cards for groceries, gas and other places like Walmart. The Town Administrator requested permission to proceed with the program again this year. No vote was needed; however, a consensus was obtained.

**MOTION: To authorize the Town Administrator to proceed with the annual Holiday Assistance Program.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**Financial: IT Services Proposals:**

K. Anderson summarized that the Selectmen, at their last meeting, narrowed the candidates to two firms, for IT Services proposals for the Town. Two residents, Steve Carlson and Steve Wright, have reviewed the IT Services proposals, and Steve Carlson submitted an email to the Selectmen outlining his thoughts regarding the top two vendors. K. Anderson stated that the top two companies are RMON and Eagle, and Eagle is present tonight. She stated that the two proposals are very similar, and reviewed the specifics comparing the two proposals.

L. Gargiulo asked if either company would do remote agent monitoring of terminals, and K. Anderson invited the representatives from Eagle to respond to questions.

Kaleb and Amy Jacob of Eagle Network Solutions, responded yes.

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There was significant technical discussion of services provided, in addition to Eagle's description of why they are interested in working with Hampton Falls. They mentioned that they have offices in both Scarborough, ME and in Bedford, NH.

K. Anderson requested elaboration on the training offered. A. Jacob stated that they provide Security Awareness Training that is issued in short video modules once or twice per month on topics that are security oriented, such as what constitutes a safe password, how to protect your data, etc. K. Jacob said that insurance companies may be requiring this training in the future.

**MOTION: To authorize the Town Administrator to proceed with the award of the IT Services contract to Eagle.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**Financial: BUDGET REVIEW:**

K. Anderson provided the Selectmen with a copy of the Default Budget and a printout of where the Budget stands today. Assuming a three-percent (3%) COLA (cost-of-living-adjustment), subject to change by the Selectmen, the proposed Budget is currently \$3,611,388 that is \$270,170 increase from last year. The Default Budget is currently \$3,483,572 and that represents a difference between the Proposed Budget and the Default Budget of \$127,000. K. Anderson stated that a Proposed Budget number is needed to post in the Legal Ad for the Public Hearing, but the budget number can be changed twice more: 1) after the Public Hearing and, 2) at the Deliberative Session.

K. Anderson reviewed some of the adjustments that have been made since the prior Selectmen's meeting.

- The Fire Department reduced their budget both in Fire and in Ambulance, so that their increase is not quite as substantial as it was formerly.
- The Police budget has been reduced. K. Anderson explained that previously the Fire, Police, and Town Hall each had separate line items for IT Contracts, and those have been merged into one line item.
- Financial Admin is up \$23,000, but that represents the new IT contract, plus moving the other two departments' IT budgets, and eliminating the cost of the (one-time) Revaluation.

M. Lane clarified that the 8.09% overall increase of the Budget from last year, already includes the 3% COLA, and K. Anderson confirmed.

Chairman Beattie stated that the bulk of the Budget increase is in employee benefits, as the budget is relatively flat. K. Anderson stated that Health Insurance for 2024 was a 15% increase. Additionally, the demographics of employees have changed with additional family plans. If new hires take the "Buy out" option, that is less financially impactful to the town, but the current open positions are being budgeted for the maximum family plans, until those positions are filled, and if there is the opportunity to adjust later, that can be done.

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L. Gargiulo asked if the Police Officer position was budgeted for a full-year, and K. Anderson responded that she included 11-months of health insurance, and invited Police Chief Veno to respond. Police Chief Veno stated that he has an interview scheduled this coming Wednesday with a Police Officer who is certified in another town, and if all goes well, that position could be filled as soon as February 2024. M. Lane commented that he would know by Deliberative Session February 06, 2024 if the position was filled, and the Selectmen could make budget adjustments at that time.

M. Lane stated that the annual increase of 8% is high, and risks going to the Default Budget. He said that if the Police Officer candidate does not come through, then the budget could be reduced accordingly.

M. Lane asked if there was a co-operative Health Insurance group, analogous to the CPCNH for energy costs, and K. Anderson said that is what the Town currently has with Health Trust. He asked if Health Trust was the only choice, and K. Anderson responded no, there is NH Interlocal that uses Cigna, whereas Health Trust uses Anthem, and she stated that they are fairly similar. M. Lane said that perhaps the problem is that there are too few insurance companies to choose from in NH. K. Anderson attended a meeting on the health insurance increase, and explained that two years ago there was an 8% decrease, compared to a 15% increase this year. She stated further, that the way they are set up in a pool with the State, they are required by State law that whatever revenue they receive that exceeds the amount of their claims plus what their actuarial dictates their required reserves for their account should be, is the amount that gets returned to the towns. K. Anderson stated that prior to last year, every year the Town generally received money back from Health Trust, and during COVID the Town received quite a bit of money back. Then all medical procedures that had been discretionary or put off during COVID, resumed and the reserves were depleted. This year the Actuary said that the reserves needed to be restored to pre-COVID levels, so that is why there was the significant increase in the rate this year.

Chairman Beattie stated that he has been frustrated because there is no guaranteed maximum rate, like there is with the School, because that is a huge help when trying to trim budgets. K. Anderson stated that the Town is only ten or eleven employees who are on the Health Insurance, so the Town is rated with all towns under fifty (50) employees, that means that a small town with a high experience rating does not feel the impact as much because the towns are pooled together. She said that towns over fifty (50) employees are rated individually so their rates fluctuate based on their experience.

Chairman Beattie said that, in his experience, the only reason there are not more health insurance companies in NH is because they cannot beat Health Trust over a five-year period where Health Trust has 100 towns and school districts across the State. He said that it is important to understand because it is a benefit offered by the Town for employees. He said that the Selectmen have discussed how difficult it may be to maintain employees in positions because they may not be highly paid, but an advantage may be due to the health benefits offered, both for existing employees and potential new hires.

K. Anderson stated that the Selectmen need to decide whether to move the Budget to a Public Hearing in January, and then at the Public Hearing the Selectmen can go through each

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department and make any changes again. By that date in January Police Chief Veno should know if the Police Officer candidate will be moving forward, and also the outcome of the Police Department's Administrative Assistant position hire. Chairman Beattie said that Police Chief Veno's budget is at 2% so there is not a lot of room there, but he will have more details to share in January, if not before then at the next Selectmen's meeting December 20<sup>th</sup>. K. Anderson stated that if the Selectmen are comfortable with the budget number assuming a 3% COLA, then they can move that number to Public Hearing in January.

**MOTION: To move the proposed budget to Public Hearing on January 03<sup>rd</sup>, 2024.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**DISCUSSION:** K. Anderson said that at the Public Hearing the Selectmen can re-examine the budget by Department (and have all Departments represented) to see if there are any additional changes that can be made. Chairman Beattie said that it is very important this year for the public to see how flat the budget is, to look at each department and see that there are some things that are outside of the control of the Town that increased. K. Anderson stated that Election/Registration is up 12%, but there are four (4) elections in 2024, compared with only one (1) election in 2023, and that is the cause of that \$14,000 increase. K. Anderson reviewed the deadlines for Warrant Articles.

**UNANIMOUS**

**Financial: Potential Warrant Article – School Resource Officer:**

The School Board is considering a warrant article for a School Resource Officer. Their budget review was held last night, December 5<sup>th</sup>. Chairman Beattie said that he asked K. Anderson to run a couple of hypothetical scenarios showing the Police Department's 5<sup>th</sup> officer not being hired for a three-month and also for a six-month period, to see what that potential budget impact would be. L. Gargiulo stated that the similar scenario could occur if the School Resource Officer (SRO) Warrant Article passes to approve an SRO, then the Town and School needs to fill that position that may take some time and the position will be funded without a person filling it right away. Chairman Beattie stated that Police Chief Veno and he attended a meeting with the Chairman of the School Board on the subject of hiring an SRO. Police Chief Veno stated that the SRO would be a part-time position, and there are challenges hiring Police Officers part-time. L. Gargiulo responded that the Warrant Article should clearly note that it may be challenging to find the right candidate to fill the position, and he wants the expectation to be managed that just because an SRO may be approved by voters in March does not guarantee that the position will be filled by September 2024.

M. Lane stated that an SRO for a K-8 school needs different skills than an SRO for a High School. Chairman Beattie stated that the Selectmen need to be transparent at the Deliberative Session about the likelihood of filling the position. He stated that it has taken six-years to fill a fifth full-time officer position. L. Gargiulo wondered if someone who is ex-military could be put through the Police Academy to be trained to do it. Police Chief Veno responded that he will do some research to determine the process other towns utilized to see how they have hired that SRO position. He stated that many of the SROs in neighboring communities are full-time positions, so it will not be comparable.



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M. LaBarre, Taylor River Road, asked if it was a requirement that the SRO be a Police Officer, and L. Gargiulo responded yes, and that he was suggesting that someone who might be ex-military go through the Police Academy to be trained for the SRO position. M. LaBarre stated that that would expand the Town's search criteria and provide more opportunities to find a candidate. M. LaBarre asked if the Town was doing anything to "harden" the school to limit encroachment and unauthorized access? Or is the SRO the only option for safety there? M. Lane stated that there have been efforts made to secure the building, and Police Chief Venio stated that there have been a number of improvements made, and he is not itemizing them in a public forum. Chairman Beattie stated that the doors are locked and there is a procedure when you arrive at the front door, that is standard now.

L. Gargiulo asked if the Selectmen knew what is being brought forward as a Warrant Article for the SRO position? Barbara Goodman, School Board member, stated that the School Board is under the impression that the School Board will bring the Warrant Article.

Police Chief Venio stated that if the SRO position is approved by the voters in March 2024, that he will do everything in his power to make sure the position is filled. Additionally, he stated that he would love to have a SRO. L. Gargiulo stated that he strongly supports the idea of an SRO, and wants everyone to understand the reality of getting the right person to fit the position, someone who can be a role model. Police Chief Venio agreed saying that it will be challenging to fill the position and that both the Police Department and the School Board needs to be confident with the candidate selection.

**Authorize increase in grant acceptance for Police Highway Safety Grant funds \$9,600 to \$29,991.97:** K. Anderson stated that the Selectmen need to amend their acceptance of the Police Highway Safety Grant from the prior amount of \$9,600 to \$29,991.97 because Police Chief Venio received additional grant monies for laptops, operating systems and docking stations for equipment within the cruisers.

**MOTION: To amend the acceptance of Police Highway Safety Grant from the prior amount of \$9,600 to \$29,991.97.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**Zoning Board: Filling of Zoning Board Member and Alternate Vacancies:**

There are two (2) vacancies on the Zoning Board of Adjustment (ZBA), both for a Member and an Alternate as a result of the recent resignation of Alex Dittami, in addition to a previous member moving out of town. The Board of Selectmen, as the original appointing authority are responsible to fill those positions. K. Anderson stated that the Selectmen received an application from Michael LaBarre.

L. Gargiulo asked if M. LaBarre was interested in the Member or Alternate position, and M. LaBarre responded Member.

**MOTION: To appoint Michael LaBarre as a Member of the Zoning Board of Adjustment, to a term expiring in 2026.**

**MOTION: L. GARGIULO**

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**SECOND: M. LANE**

**DISCUSSION:** L. Gargiulo asked M. LaBarre to come forward and state what his perspective is regarding the ZBA. M. LaBarre introduced himself, stating that he completed the Volunteer Application for the ZBA because he wants to help out the community. He stated that he has been in NH since 1976 with the Air Force. He said that he has been in Hampton Falls since 1987, and he appreciates the small-town charm of the community. He said that he wants to help direct the Town forward to retain the small-town charm and to benefit the Town and the residents as best he can. L. Gargiulo commented that he liked what M. LaBarre said about maintaining the small-town charm, that is going to require the people on the ZBA to make sure that the rules and the regulations set forth in the Zoning are enforced. He asked M. LaBarre if he can take a hard line with his peers on issues? M. LaBarre stated that he believed that he could, and stated that first he needs to complete the training and learn about the Zoning regulations and figure out what is going on. He stated that he would look at each proposal on its merits and see how it would affect the environment and the people around it. L. Gargiulo stated that it is also ensuring that what has been approved is enforced with the zoning. He continued that what it means is that if you see something that you know was approved, and looks different, that you identify that potential zoning violation for the Code Enforcement Officer, Mark Sikorski, to follow-up.

Chairman Beattie stated that from the Planning Board perspective, that the ZBA has given leeway to parcels that has made it difficult for the Planning Board to hold to their guidelines. M. LaBarre stated that his background is that he was in the military, and he was a Nurse, so he had to follow certain regulations and procedures to make sure that the mission went forward, and that nobody died on the operating table, so he understands policies and procedures, and he said that he is willing to step up and say something if it needs to be said.

M. Lane said that he equally sees that it is important to recognize opportunities to improve the Town even though there are regulations that may need to be considered to determine if they make sense. M. LaBarre stated that it is a case-by-case basis, take each one on its merits, what they propose and how it is going to affect the community, whether it is within the guidelines and go from there.

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L. Gargiulo asked how can the Selectmen get an Alternate appointed to the ZBA and Stephen MacLeod said that he would do it. Stephen MacLeod, Exeter Road, stated that he has been a Hampton Falls resident for 2-1/2 years and that this is his forever home. He stated that he spent 28 years active duty in the military, and 19 years after that writing test policy for the AirForce and the Pentagon. He said that he is very familiar with policy writing, rules, and regulations, and enforcement. He described that when he first moved to town that he put up some shed buildings and worked with the Building Inspector, to get his permits. He said that he read through the Zoning Ordinance and found it fairly clear, although he said that it skipped around in a few places. He stated that it irks him when someone does not follow procedure and begs forgiveness afterwards. He addressed Selectman Gargiulo and stated that he is going to be a “hard line”, unless there is a compelling need to deviate. S. MacLeod said that he sees the Code Enforcement Officer needing more “teeth” to be able to enforce the Zoning and he stated that it is up to the Selectmen to provide those “teeth”.

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**MOTION:** To appoint Stephen MacLeod as an Alternate on the Zoning Board of Adjustment, to a term expiring in 2026.

**MOTION:** L. GARGIULO

**SECOND:** M. LANE

**DISCUSSION:** M. Lane said that any board in any town needs to work within the regulations, but also to listen to opportunities. He said that he struggles with any board that is unwilling to listen to opportunity, when they may apply too stringent of a process and “cut off the nose to spite the face”. He said that listening is important.

**UNANIMOUS**

**Energy Committee: Appointment of Committee Member:** K. Anderson stated that the Selectmen received a Volunteer Application from Alan Ganz.

**MOTION:** To appoint Alan Ganz to the Energy Committee.

**MOTION:** L. GARGIULO

**SECOND:** M. LANE

**UNANIMOUS**

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

**NEW BUSINESS PUBLIC COMMENT:**

**Monthly Reports: Selectmen Representative Reports:**

**Library Trustees:** Chairman Beattie reported that he did not attend the most recent Library Trustees meeting, but he worked with Laura Pouliot to clean-up some brush on Library property. He stated that the Library is going to have some chips brought in from the transfer station to create some walking trails along the side of the Library, after the Bittersweet is removed. Additionally, Chairman Beattie reported that there are many holiday programs on the Library’s calendar this month.

**Planning Board:** Chairman Beattie reported that, as usual, the Planning Board is busy, and there are a number of possible changes with regards to building and projects. Most of the November meeting was a discussion about compliance with development and build-out of Site Plans by utilizing the NH State RSAs for violations of recorded Site Plans. He described that there is a checklist of steps applicants take prior to obtaining a Certificate of Occupancy (CO) that may be reviewed by the Town Engineer (depending on the type of application) on the front-end, and some of those steps may be itemized on the approved Site Plan mylar recorded at the Registry. Then, there are various Inspections completed by the Building Inspector prior to issuance of a CO. He stated that the Selectmen increased the Building Inspector’s hours a few years ago because of the work volume, and Chairman Beattie stated that he was glad that they did. Violations are something that the Building Inspector/Code Enforcement Officer handles, and often are signage issues. He stated that the Sign Ordinance is less than appropriate in terms of enforcement, and there are some proposed Sign Ordinance changes coming forward in 2024.

Chairman Beattie reported that there is a \$275 per day violation fine enabled by the NH RSA 676:17 that increases to \$550 for subsequent offenses, and the Planning Board is happy with that; M. Sikorski is already moving forward implementing the enforcement procedure penalty process

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in one case. He stated that the Selectmen should be pleased that the Code Enforcement Officer has some enforcement “teeth” to proceed toward addressing violations in Town.

M. LaBarre asked if anything was happening with the Faro proposal, at 12 Lafayette Road, and R. Webb responded that she heard from their Engineer today that the applicant plans to return to the ZBA’s January 25<sup>th</sup>, 2024 meeting.

**Recreation Commission:** M. Lane reported that the Recreation Commission would like to have a representative on the Committee that is to be formed for Governor Weare Park (GWP) to study the drainage problem. K. Anderson stated that she is waiting to hear back from Millennium Engineering, as they were going to look at the drainage problem at GWP to let the Town know what may need to be done to correct it. M. Lane confirmed that the Town is awaiting the engineering report. He stated that he has the names of some people, that he would give to K. Anderson, who are active at GWP who may be interested in serving on a committee.

M. Lane reported that there are 45 Volunteers for the Wreaths Across America event scheduled for Saturday December 16<sup>th</sup>, 2023 at 12:00 noon at the Hampton Falls Town Common.

**Sale of the Police Cruiser:** K. Anderson stated that the online auction just closed regarding the sale of the Police Cruiser, and the offered highest bid was \$1,625, if the Selectmen accept it, then the vehicle will be sold. L. Gargiulo asked if we knew who the bidder was, and she stated that she thought the bid was from Illinois.

**MOTION: To accept the bid of \$1,625 for the purchase of the Police Cruiser.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**LAS (Lincoln Akerman School):** M. Lane reported that he knows that the School Board has worked hard to keep the proposed School Budget reasonable. Some of the subjects being discussed are cutting a couple of teacher positions, and trying to keep those positions in place because they are part-time reading and math positions and the success of the school is dependent upon teaching so it is a tough place to cut. The School Board did ask the Administration to look at more cut potentials outside of teacher positions. The goal is to try to keep the overall increase to a maximum of 5%, but, like the Town, the challenge was the Health Insurance which increased for the School 28% (which is the GMR rate, so some of that may potentially come back to the Town).

The School Administration is trying to cut wherever they can in order to get the support staff agreement passed, and they may consider not doing the planned asbestos project. B. Goodman provided an update on the proposed asbestos project and stated that it is still under discussion. She stated that the School Board did not finalize its budget yesterday and plan to finalize it next Tuesday, but it is under consideration to not go forward with the asbestos project, however, the decision has not yet been finalized.

**FINAL**

The Tiger Trot was a couple weeks ago and successfully raised over \$28,000. He described a woman who did the race using a walker, and several students walked the last 2/10s of the race with her to conclude the event.

M. Lane confirmed that the Joint Deliberative Session will be held on February 06<sup>th</sup>, 2024 at Town Hall in this meeting room. K. Anderson stated that the School will start at 6:00 PM, followed by the Town portion to start no earlier than 7:00 PM. She described that the room can be arranged with benches lengthwise (as was done for the Public Hearing on the proposed wells) to accommodate many more people, and the meeting will be Live-Streamed on [www.TownHallStreams.com](http://www.TownHallStreams.com) so people can watch it that night, or re-watch it afterwards, on demand.

M. Lane reported that he has heard that the Town of Seabrook is considering withdrawing from SAU21, which would be interesting and he is not sure that would be a good thing for the school district.

B. Goodman stated that the School Board is doing what they can to reduce the proposed budget because of the large health insurance rate increase this year, however they do have a very flat budget even though costs are going up, they have been reducing where they can. She said that they may get to a 5.5% increase, but it may not be feasible.

B. Goodman presented test results of Hampton Falls students from the Spring 2023 *NH Statewide Assessment*, that reflects upon the staff and teaching grades 3 through 8, in Hampton Falls. Reading and Writing scores were at 80% proficient, and Math scores were at 67% proficient.

**Heritage Commission:** L. Gargiulo reported that the Heritage Commission has not been active recently.

**Conservation Commission:** L. Gargiulo reported that the Conservation Commission has been talking about the Depot and about the Rail Trail. Additionally, he stated that there are some parcels of land that are being donated to the Town, which need to have new deeds written for those property transfers. He asked K. Anderson if anyone had been identified yet to write those new deeds, and she responded no, but she met with the Conservation Commission Chair, MaryAnn Hill to identify the process. She described that once the Town knows the specific parcels, the Selectmen need to request the Planning Board to review it, and give it to the Conservation Commission to get their recommendation on whether to accept the parcels, and then the Town holds two (2) Public Hearings and then the Selectmen vote to accept the parcels. K. Anderson stated that the process is laid out in NH RSA 41:13 that was put in place a few years ago, and the Town adopted it. The RSA's significance is to ensure that Towns are very careful not to accept properties that may become a tax burden, or that have contamination, so it is a three-step process. Chairman Beattie asked if the properties are marshland, and L. Gargiulo confirmed. K. Anderson stated that the properties are not mapped. L. Gargiulo said that he asked how did people own the properties, and the response was that they were farmed for Salt Hay. Chairman Beattie explained that what originally happened in town was that farmers were granted sections of the marsh to farm for Salt Hay for their animals. Chairman Beattie stated that when

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TOWN OF HAMPTON FALLS**

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**FINAL**

the church clock was installed that the clock hands on the East side were made larger so that the farmers could see the clock from the marsh for tide purposes. K. Anderson stated that the properties were turned over to the Rockingham County Conservation District (RCCD), and now RCCD wants to turn them over to the Town.

L. Gargiulo reported that the Conservation Commission was talking about hiring Summer Interns for 2024 to work on Invasive Species. Additionally, he added that the Conservation Commission would like to have more members, so if anyone is interested, please complete a Volunteer Application form found on the Town's website, and/or attend the next meeting.

**Other Selectmen's New Business:**

Chairman Beattie announced that he plans to run for re-election in March 2024, which was received with a round of applause. L. Gargiulo stated that he was happy to hear that Chairman Beattie plans to run for election again.

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: November 15, 2023**

**MOTION: To approve the minutes of November 15, 2023 as written.**

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

**ADJOURNMENT:**

**MOTION: To adjourn the Selectmen's Meeting at 8:20 pm.**

**MOTION: L. GARGIULO**

**SECOND: E. BEATTIE**

**UNANIMOUS**

Next Selectmen's Meeting is Wednesday, December 20, 2023 8:00 AM

These Minutes prepared by Rachel D. Webb, Assistant Administrator