

BOARD OF SELECTMEN	FEBRUARY 7, 2024 6:00 P.M.
TOWN OF HAMPTON FALLS	TOWN HALL

FINAL

PRESENT: Ed Beattie, Chairman; Lou Gargiulo, Vice-Chairman;
Mark R. Lane, Selectman; Karen Anderson, Town Administrator;
Rachel D. Webb, Assistant Administrator

GUESTS: Carol Schutte, William Perkins - Electric Aggregation Committee; Stella Bianco,
310 Exeter Road.

PUBLIC HEARING: Discretionary Barn Preservation Easement

Chairman Beattie opened the public hearing at 6:00 PM. K. Anderson explained that RSA 79-D:7 allows local governing bodies to authorize discretionary preservation easements on historic barn structures. The assessment is set between 25% and 75% of the full value assessment, depending on what the public benefit of the structure may be. The assessment is not changed based on improvements that the owner may do in order to preserve the structure. The town holds the preservation easement for a minimum of 10 years. Costs to record the easement are paid by the applicant.

The property owner of 310 Exeter Road has applied for a Discretionary Preservation Easement. The barn is currently assessed at \$49,043. The preservation easement, if granted, would freeze the value for 10 years. The Board has been provided with value options for consideration. The Assessor has completed a matrix and recommends the preservation easement be granted at 62.5%. The intent of the easement is to provide the opportunity for the property owner to make repairs and to preserve the structure without incurring increased property taxes while at the same time limiting the use of the structure as a barn. The property owners intend to use it as an apiary, stables and for storing farm equipment.

L. Gargiulo spoke in favor of the preservation easement noting that he supports anything that can be done to help preserve the quality of the barn structure. M. Lane agreed and asked if there were certain standards that needed to be met to retain the easement. K. Anderson said that the easement freezes the value however it does not require that improvements be made.

M. LaBarre, Taylor River Road, asked where the barn is located and was told 310 Exeter Road.

There were no other public comments and the Public Hearing was closed.

MOTION: To approve the Discretionary Preservation Easement for the barn at 310 Exeter Road for 10 years at 62.5% freezing the value at \$30,652.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

E. Beattie commended the applicant of the quality of the application packet and said that he looks forward to watching the progress of the improvements. The Board was invited to stop by anytime to see it.

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OLD BUSINESS

Financial Reports: General Fund Balance: \$ 3,220,518.43

Of that balance, \$400,000 is on deposit with the NH Public Deposit Investment Pool for maximum interest.

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

MOTION: To approve Payroll Warrant # 620 dated January 19, 2024, in the amount of \$29,470.77 and Payroll Warrant # 621 dated February 1, 2024, in the amount of \$36,088.60; Accounts Payable Warrant #858 dated January 19, 2024 in the amount of \$822,349.10 and Accounts Payable Warrant # 859 dated February 1, 2024, in the amount of \$139,428.43; Escrow Warrant #47 dated January 19, 2024 in the amount of \$234.10.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

DELIBERATIVE SESSION REVIEW

The Board has the opportunity to change any of their recommendations for warrant articles based on discussions at the Deliberative Session.

L. Gargiulo stated that he stands by his vote for Article 22, HVAC for the Public Safety Building because there are a lot of expenses associated with the Fire Department this year and he believes it is in the taxpayers' best interest to delay this expense until another year.

M. Lane spoke about Article 21 for the Fire Department radios and asked if Comcast money can be used to offset some of that cost. K. Anderson said that it would qualify and the current balance in the Communication Fund is approximately \$31,000. There has been some discussion about using some of that fund for Voting Poll Books. L. Gargiulo asked if the radios would qualify for Frying Pan Lane Funds. K. Anderson said that she did not think that Public Safety fell into the qualifications for that fund.

M. Lane asked what would happen if the article failed. K. Anderson said that the radios could not be purchased in 2024, The municipal budget law stipulates that "*No*" means "*No*" even if the funds could be found from other sources.

E. Beattie said that he found it interesting that the hours of voting resulted in a significant discussion while the operating budget had no comments. K. Anderson noted that the attendance was excellent and the joint meeting held at Town Hall seemed to be successful for both the school and the town.

Electric Aggregation Committee

Carol Schutte and William Perkins were present to explain the draft cost share agreement and service bundle agreement for electric aggregation. C. Schutte explained that the committee recommends that the Selectmen approve the cost share agreement and the Complete Service Agreement conditional on a positive vote on March 12th. In the cost share agreement Karen Anderson has been named as the authorized agent and delegating the ability to delay

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commencing procurement if the rate is not lower than Unitil; to specify default and optional products and set Discretionary Reserves.

E. Beattie asked if the Town Administrator position were to change to another person, could this delegation be changed. W. Perkins said that it could.

MOTION: That the Hampton Falls Board of Selectmen hereby authorizes the Town Administrator to enter into the Cost Sharing Agreement and Member Services Contract for the Complete Serviced Bundle with the Community Power Coalition of New Hampshire (CPCNH) with Karen Anderson as the Authorized Officer and with elections in Exhibit C Article VIII Section 2 of the Agreement being a) “Yes”, b) “Yes”, and c) “Yes”; and BE IT FURTHER MOVED, that the Hampton Falls Board of Selectmen hereby approves CPCNH’s Data Security and Privacy, Energy Portfolio Risk Management, Rates, and Financial Reserves Policies.

MOTION: E. BEATTIE

SECOND: L. GARGIULO

VOTE: UNANIMOUS

NEW BUSINESS:

Hawkers & Peddlers Application: An application has been received from Lindsey Belo, Edward Jones Financial to solicit door-to-door in Hampton Falls. M. Lane stated that the Board of Selectmen have been consistent in not wanting door to door salesmen in town.

MOTION: To deny the Hawkers & Peddlers Permit application.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

Intent to Cut: An application has been received from Tonry Christmas Tree Farm, Map 6 Lots 34 & 36-4 for a timber cut of +/- 50 acres of a 185-acre parcel.

MOTION: To sign the Intent to Cut application for Map 6 Lots 34 & 36-4.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

M. Labarre, Taylor Rover Road, asked what the purpose of the timber cut was and if there is a requirement to replant the area. K. Anderson explained that there is never an obligation to replant and often the cuts are for forest management or clearing an area for a building. The State issues the actual permit after being notified of the application by the town. E. Beattie said that he has talked with State Forest Service officials that recommend cutting for forest management. K. Anderson said that the area is in Current Use with a management plan.

Abatements: Three abatements have been processed by the Assessor; two are due to corrections in the data and one is for a property the Baptist Church owns that was not being used as a parsonage and did not qualify as tax exempt. There is at least one more abatement application (Seacoast Power Sports) that has not been acted on as yet.

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MOTION: To approve abatement #808 for Map 2 / Lot 4-31 to abate \$45 + interest to correct the number of fireplaces.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

MOTION: To approve abatement #809 for Map 5 / Lot 31 to abate \$286 +interest to correct an unfinished basement to a slab.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

The First Baptist Church has applied for an abatement for a residential property they own at 14 Oak Drive. In the past, the property has been used to house a pastor and was tax exempt as a parsonage. The property was vacant for a couple years while they sought a new pastor, and was left as tax exempt. In 2022 the property was occupied by a family that was not employed by the church and thus became taxable. On April 1st, 2023 it continued to be occupied and was not being used as a parsonage. The church has applied for an abatement of the taxes based on the fact that in May they did hire a pastor and the property is now being used as a parsonage. The Assessor recommends denying the abatement in accordance with RSA 72:23 III. The Board of Selectmen have the authority to approve the abatement regardless of the state statute “for just cause”. If approved, the abatement amount would be for the full amount of \$7,292 + interest.

MOTION: To deny abatement #810 for Map 2 / Lot 46.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

NEW BUSINESS PUBLIC COMMENT

Representative Susan Porcelli thanked the Board for denying the solicitation permit for financial services. As State Representative she has been contacted by some residents concerned about speeding on Route 84 and asked who has jurisdiction to move the current electronic speed sign to a different location. E. Beattie explained that the town worked with the State on the specific location of that sign due to speeding concerns. He agreed that speeding on Route 84 is an issue. Rep. Porcelli asked if an additional sign could be purchased, and she noted that she has asked the State Police to do some speed enforcement in the area. E. Beattie said that the signs are solar powered and the location needs to have adequate sunshine.

L. Gargiulo said that after a while people don’t respond to the signage and additional patrols do work. M. Lane said that the town’s Police Department is now fully staffed and speed enforcement may be able to be done more frequently. In addition, Rt. 84, Brown Road, Nason Road, and Exeter Road are areas that see excessive speeding. Police Chief Venio will be informed of the concerns.

E. Beattie said that there is current legislation proposed that would provide a 10 mile-per-hour over the speed limit cushion before a vehicle could be pulled over for speeding. S. Porcelli said that Bill has not come to the House Floor yet.

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E. Beattie asked if there is any legislation pending to do away with the Housing Appeals Board, which takes local control away from the town's land use boards. Rep. Porcelli said that local control is a bipartisan issue at the House and there have been many Bills looking at infrastructure to support housing proposals.

Monthly Reports: Selectmen's Representative Reports:

Planning Board, Library Trustees

E. Beattie

E. Beattie said that the Library Trustees are focused on the consultant for the strategic plan and its importance for them to determine the direction of the library and programs. He said that this is a good use of their donation funds.

The Planning Board has put forward zoning articles that are proactive in determining what Lafayette Road may look like in the future. He said that he is favor of the proposal by Faro and hopes the proposal can move forward and set the tone of development along Lafayette Road. L. Gargiulo asked if there was any progress on the sewer extension from Seabrook. E. Beattie said that it was his understanding that two of the Seabrook Selectmen are in favor of it moving forward and the one that is not is currently up for re-election.

Recreation Commission, LAS

M. Lane

M. Lane said that the LAS Deliberative Session showed how hard the School Board worked to present a good budget while they faced some of the same cost increases that the town had to deal with. The school's default budget is higher than the proposed budget.

The Recreation Commission continues to do great things with new programs. They have rented Puddleduck at Strawberry Bank for an upcoming community skating event; they have teen yoga, adult chair yoga, paint nights and they are working with the library to collaborate on events. K. Anderson told the Board that they are working with Avesta to get a grant that will provide attendance fees for Avesta residents and through Linda Savoy, Jersey Mikes will be having a fund-raiser for the Wreaths Across America program.

Heritage Commission, Conservation Commission

L. Gargiulo

L. Gargiulo had nothing to report.

Other Selectmen's New Business

Frying Pan Lane Fund

K. Anderson told the Board that they have been notified by NH Charitable Trust that the amount for 2024 will be slightly lower than 2023. It is generally received in early March. Notifications will be going out to the appropriate departments and committees for any specific requests that they have for 2024 funds. There is one payment obligated for the completion of the window restoration in the Town Hall and the remaining will be available.

Poll Books

M. Lane noted that the discussion at the Deliberative Session showed how long it takes to tally votes at the conclusion of the elections. He would like to revisit the purchase of the poll books so that could be done faster. M. Lane confirmed with the Town Administrator that the

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Communication Fund could be used for that purchase. K. Anderson also reported that the State recently passed legislation that takes effect in March that will provide grants to towns for 50% of the cost of the equipment. The consensus of the Board was to move forward with the purchase of the poll books for the September election because it will be more efficient.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: January 17, 2024

MOTION: To approve the minutes of January 17, 2024 as written.

MOTION: L. GARGIULO

SECOND: M. LANE

VOTE: UNANIMOUS

ADJOURNMENT:

MOTION: To adjourn the meeting at 7:15 P.M.

MOTION: L. GARGIULO

SECOND: M. LANE

UNANIMOUS

Next Selectmen's Meeting is Wednesday, February 21, 2024, at 8:00 AM.

These Minutes prepared by Karen Anderson, Town Administrator