

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

PRESENT: James E. Ziolkowski, Chairman, Larry M. Smith, Vice Chairman, Edward B. Beattie, Selectman, Lori A. Ruest, Town Administrator, Holly Fazzino, Secretary.

PUBLIC HEARING: Drinkwater Road Culvert - Anticipated Emergency/Over Expenditure of the Town Budget

The Board of Selectmen will hold a public hearing on Wednesday, January 23, 2019 at 6:30 p.m., at the Town Hall to receive public comment on an emergency/over expenditure of the 2018 town operating budget relating to the culvert on Drinkwater Road. The Town requests that the Department of Revenue Administration approve an anticipated emergency/over expenditure in the amount of **\$100,000**.

Municipal Budget Law (RSA 32:11) requires the Governing Body (Board of Selectmen) to take certain action if it is anticipated that an over expenditure may occur in the Town’s appropriated budget.

Highway Department:

As a result of the significant rain events in 2018, the Highway Department identified a need to expend additional funds to make temporary improvements to the Drinkwater Road culvert and roadway. Due to resulting damages from an additional rain event, the Town anticipates an over expenditure of this budget for additional improvements and repairs to the infrastructure. These events do not qualify for FEMA grants.

Department	Anticipated Expense	Balance (Deficit)	Gross Revenue	BALANCE (DEFICIT)
Highway	\$100,000	(\$100,000)	0	(\$100,000)

Chairman Ziolkowski presented the history of concerns as well as the reasons for the public hearing regarding the Drinkwater Road (Kennedy) culvert. Brad Jones, Town Engineer, advised that they need to confirm the measurements of the culvert. Surveying was completed, and it was recommended that the culvert needed to be larger. Installation specifications will be provided for use in bidding out the work. Delivery is scheduled to occur next week (January 31). The culvert has been ordered from Contech.

J. Ziolkowski opened discussion to members of the Board of Selectmen. Hearing none, he opened discussion to members of the public.

Bev Mutrie, Brown Road, asked about installation of the culvert, no later than April 9. The Town needs to line up a contractor to install the culvert. Then the window of slow water flow needs to be identified. Drinkwater Road will be closed for a period of time during installation.

T. Santora, Linden Road, confirmed the anticipated cost of \$100,000 and thanked the Selectmen for putting in the time on the Drinkwater Road culvert repair.

Hearing no further comments or questions, J. Ziolkowski closed the public hearing.

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

The Board’s regular meeting was called to order at this time.

SECTION 1 – PUBLIC COMMENT

Bev Mutrie, Brown Road, asked for the location of the low shoulders on Brown Road. Road Agent R. Hilliard identified the two locations.

Building Inspector, Code Compliance, Health Officer – Monthly Report

L. M. Smith asked about the complaint of a junkyard on the property of 10 Crank Road. M. Sikorski provided the status.

Winter Road Maintenance Services 2018-2019 – Monthly Report

J. Ziolkowski recused himself and left the Selectman’s table. J. Ziolkowski reported on the status of Winter Road Maintenance Services. A pre-treatment of salt helped manage the cleanup of the most recent storm. Two full trailers of salt were used.

L. M. Smith asked if all the corners are pushed back, J. Ziolkowski said yes.

Beth Forgione, Exeter Road, confirmed that the contractor clears the exits of the public buildings, but does not dig to the oil tanks or other outdoor equipment.

J. Ziolkowski reports that the Route 1 walkways are a challenge. He stated he will need to seek an alternative in clearing the sidewalk snow. L. Ruest recommended speaking with the owner of Shoppers Village about placement of sidewalk snow.

E. Beattie asked if there was any issue with parking at the school. J. Ziolkowski confirmed he is plowing Gov. Weare Park voluntarily to allow parking at the ice rink, and is not an issue for school contractors to use it.

J. Ziolkowski returned to the Selectman’s table.

Road Agent – Monthly Report (Core Services)/Invoice

The Board wants to hold off on the authorization of all Road Agent shoulder work until Spring when conditions improve. The Road Agent will keep track of all of the recommended shoulder work. He also found a tree service from Eliot, Maine and is considering using them for a reasonable price. L. Ruest will contact one homeowner about a tree in their yard on Dodge Road.

R. Hilliard asked if the Town will be interested in a controlled burn of brush at the Brush Dump. Chief Lord recommended a burn in smaller sections at the brush dump, over a few days. (4-5 days) L. Smith requested an estimate. R. Hilliard estimates \$5,000 to do a controlled burn. J. E. Ziolkowski obtained two prices to grind and remove the chips. A chipper could complete the work over one day. The current brush pile has accumulated over the past two years. L. M. Smith was concerned about smoke.

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

Non-Emergency Highway Department Project Worksheets:

1. Brown Road – Low Shoulder (Two Locations)
2. Drinkwater Road – Blocked Culvert at #70
3. Nason Road – Low Shoulder

These items were not approved at this time.

Fire Chief, Ambulance, Emergency Management – Monthly Report

No questions on his report.

Police Chief, Animal Control – Monthly Report

L. M. Smith asked about mailbox information in the report. The Police Department identified vandals and were able to obtain restitution for residents.

Chief Dirsa reported that the last two cruisers that were sold were sold to a police department in Maine. They are interested in some of Hampton Falls’ older equipment including tasers. The Board authorized the Chief to sell at a reasonable price.

SECTION 2 – PUBLIC COMMENT

No comments.

OLD BUSINESS

General Fund Balance \$2,836,212.00

Executive

Accounts Payable/Payroll/Treasurer/Trustees of Trust Funds Warrant(s)

Payroll Warrant	#451	\$35,566.95
Accounts Payable Warrant	#648	\$40,423.73

MOTION: To approve Warrants 451 and 648 as presented.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

Town Moderator – Deliberative Session Preparation, Sat., Feb. 2

J. Pontibrand reviewed the warrant articles for the deliberative session, scheduled for February 2, 2019. He confirmed “No” means No” understanding with the Board.

2019 Town Warrant

The following articles were recommended for the Warrant.

Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, as written, and recommended for the Warrant.

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

Article 10 Budget \$2,690,050 as of January 23, 2019.

J. Ziolkowski discussed the remaining balance of the 2018 budget and that he felt it should be small. He stated that he felt departments were overbudgeting. L. M. Smith stated that Department Heads do their best with projections re: the information available to them in October the previous year. J. Ziolkowski discussed money remaining that was not spent in the following departments.

Solid Waste Collection \$13,993 balance was the December 2018 payment.

Solid Waste Disposal- the balance was discussed.

Fire Department- J. Ziolkowski sought to reduce the Fire Department Budget by \$1,650. Chief Lord said the funds will be taken from Emergency Management. Chief Lord requested better direction and guidance in the future to prevent redoing the budget several times.

Police Department- New information was distributed to Selectmen and Chief Dirsa. There is a remaining balance of approximately \$52,000 in 2017 and 2016. Chief Dirsa reports that he was down several staff in 2018 due to the inability to recruit part time officers. L. Smith expressed concern about the inability to hire part time officers. E. Beattie he would like budgeting to reflect the amount that is actually needed. Chief Dirsa presented a budget with a 5th full time officer to address needs, but it was not received favorably. Amy Magnarelli, Crank Road, asked the cost of a police officer. Chief Dirsa requested better guidance at the beginning of the budget process.

E. Beattie directed the Cemetery Trustees to reduce its budget. The Cemetery Trustees Chair will reduce their budget by \$3,000.

J. E. Ziolkowski recommends that the Budget should reflect a remaining balance no greater than 3%.

MOTION: To reduce the Police Department budget by \$37,442, representing 3% of the remaining balance.

MOTION: J. ZIOLKOWSKI

SECOND: E. BEATTIE

Chief Dirsa noted his objection to the reduction.

TWO IN FAVOR, ONE OPPOSED

PASSES

Article 11, 12, 13 (L. Ruest was asked to add NO TAX IMPACT), if appropriate, 14 (dissolving the purpose), 15 were recommended for the Warrant.

Article 16 Not recommended by the Selectmen. Beth Forgione, Exeter Road, expressed concern about not being able to use the Expendable Trust for the purposes for which they were intended. J. Ziolkowski stated that if the Expendable Trust passes, the Selectmen do not have the ability to

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

designate funds from the Expendable Trust. J. Ziolkowski removed Article 16, L. Smith voted to keep it in. E. Beattie discussed the plan for funds going into the Expendable Trust is the same as the funds coming out to the departments.

MOTION: To remove Article 16.

MOTION: J. E. ZIOLKOWSKI

SECOND: E. BEATTIE

TWO IN FAVOR, ONE OPPOSED

ARTICLE WAS REMOVED

Article 17 was recommended for the Warrant.

Article 18- Chief Lord estimates a cost up to \$564,172.00 for the fire truck, good through March 31, 2019, creating a savings of almost \$19,000.

A. Franciosa, CIP, stated that he did not receive three quotes for the truck. J. Ziolkowski stated that everyone is in agreement that the truck needs to be replaced. Chief Lord will provide the quotes that he obtained. E. Beattie confirmed that it takes 300 days to build the truck. T. Santora, CIP, asked for clarification of the need, since the group didn't meet to review the order. No further direction is needed.

Article 19(Change of purpose and intent), **20, 21, 22, 23** were recommended for the Warrant as written.

Article 23 & 24, which were sent to Town Counsel, can go forward.

Article 23- J. Ziolkowski votes no, L. M. Smith votes no and stated that \$2,500 is a better number than \$1,000, E. B. Beattie votes no. "Not Recommended by the Board of Selectmen." Petitioner Gaylee Robinson, Brown Road, had no further comments.

Article 24- Petitioner Lyn Stan submitted a Citizen's Petition for the reestablishment of twice annual White Goods Household Waste Collection Days, beginning in 2019 and annually thereafter.

MOTION: To recommend Article 24 for the Warrant.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

NO VOTES IN FAVOR, THREE VOTES OPPOSED

DOES NOT PASS

2019 MS-636 Budget of the Town of Hampton Falls

The Budget will be submitted to the DRA as soon as signatures are obtained and posted on January 28, 2019.

2019 MS-DT Default Budget of the Town of Hampton Falls

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

The Budget will be submitted to the DRA as soon as signatures are obtained and posted on January 28, 2019.

Town History Contract – Proposed Amendment

The first payment of \$15,000 is approved for payment. The Selectmen approved the change in the contract.

MOTION: To approve and sign the Town History Contract as amended.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

Other

No other matters were brought forward.

SECTION 3 – PUBLIC COMMENT

No public comments.

NEW BUSINESS

J. Ziolkowski discussed the Undesignated Fund Balance in conjunction with retaining funds, sometimes referred to as the “Rainy Day Fund.” The DRA recommends retaining an Undesignated Fund balance of between 5% - 17%.

APPOINTMENT TO TRICENTENNIAL COMMITTEE

MOTION: To appoint Glenn Johnson, Exeter Road, to the Tricentennial Committee.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

PROPERTY TAX REFUNDS (#674 and #675)

MOTION: To approve Tax Refund # 674 in the amount of \$66.90 and #675 in the amount of \$96.38 for overpayment of 2018 taxes.

MOTION: L. M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

108 KENSINGTON ROAD (MAP 2-1 AND MAP 2-1-1)

Confirmation of Separate Parcels

The Board confirmed that the lots above are all separate lots of record within the Town. The Selectmen signed a letter of confirmation in this regard.

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

DELEGATION OF DEPOSIT AUTHORITY (Town Clerk, Tax Collector, and Deputy Treasurer)

The Treasurer prepared a Delegation of Deposit Authority for the Board’s approval. The Board signed the document.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES:

MOTION: To approve the minutes of 12/19/18, 12/20/18, 1/9/19 as written.

MOTION: L.M. SMITH

SECOND: E. B. BEATTIE

UNANIMOUS

Other- No other matters.

PUBLIC COMMENT

No Comment.

Motion to enter Nonpublic Session made by L. M. Smith, seconded by E. B. Beattie.

Specific Statutory Reason cited as foundation for the nonpublic session:

X RSA 91-A-3, II (C) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

X RSA 91-A:3, II (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call vote to enter nonpublic session:

James E. Ziolkowski	Y
Larry M. Smith	Y
Edward B. Beattie	Y

Entered nonpublic session at 9:10 p.m.

Public session reconvened at 9:32 p.m.

The Board discussed a plan to add \$2,400 cover time for an anticipated leave of absence in 2019. *(It was later learned that additions to the proposed budget after the budget hearing is held must be done at the deliberative session.)*

MOTION: To adjourn at 9:35 p.m.

MOTION: J. ZIOLKOWSKI

BOARD OF SELECTMEN	JANUARY 23, 2019 – 6:30 PM
TOWN OF HAMPTON FALLS	TOWN HALL

DRAFT

SECOND: L. M SMITH
UNANIMOUS

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