

*DRAFT*

**PRESENT:** L. Smith, Chairman; E. Beattie, Vice Chairman; L. Gargiulo, Selectman;  
L. Ruest, Town Administrator

**SECTION 1: PUBLIC COMMENT:** No public comment was heard at this time.

**2019 AUDIT QUESTIONNAIRE:** The Board reviewed and responded to the 2019 audit questionnaire and authorized the Chairman to sign.

**WINTER ROAD MAINTENANCE SERVICES 2019-2020 – MONTHLY REPORT:** The Board acknowledged the invoices for December services as well as the total inches of snow to date for this winter season. Board members noted that the recent storms have been handled well and L. Smith again requested utilization of road salt only as needs dictate.

Following discussion, the Board decided to utilize the measurements provided by WeatherWorks only for payment to the contractor for 2019/2020 winter season. The averaging of inches with Precision is no longer required.

**ROAD AGENT – CORE SERVICES/INVOICE MONTHLY REPORT:** The Board acknowledged the December invoices from the Road Agent. Question was raised as to whether Driveway Permit Applications should be part of the core services of the Road Agent. It was agreed that this matter will be considered at appointment renewal. R. Hilliard reported that there is settling in the roadway at the area of the culvert at 41 Brown Road. He added that his inspection of the condition of the culverts finds them in good shape.

**FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT:** The Board acknowledged the December report and end of year statistics.

**MOTION:** To approve a Selectmen's Permit application for the American Red Cross blood drive of Saturday, February 8, 9 a.m. to 2 p.m., at the Town Hall.

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

**POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT:** The Board acknowledged the December report and statistics.

**BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT:** The Board acknowledged the December report of the Building Inspector. The Board thanked M. Sikorski for his efforts relating to the 84 and 86 Brown Road matter.

**TOWN MODERATOR:** The Board answered questions of the Moderator with regard to the warrant and advance preparation for the Deliberative Session on February 1. He requested the availability of a police officer at the Deliberative Session and February 11 voting day. J. P. Pontbriand will follow-up with the Town Clerk with regard to administrative items. Two non-substantive changes will be made to the warrant before posting as well as revision that may be in order relating to the question being raised with Town Counsel (Article 18).

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Question was raised with regard to the warrant article for the library walkway (Article 18). It was reported that the request was not intended to be limited to a walkway, but rather to allow expenditure of library funds for a number of purposes. The Town Administrator will contact town counsel to determine if the warrant article can be amended before posting or whether the amendments could be made at the Deliberative Session.

**5 PM - PUBLIC HEARING – CITIZENS PETITION (RSA 41:8-B)**

**“ARE YOU IN FAVOR OF INCREASING THE BOARD OF SELECTMEN TO 5 MEMBERS?”**

Chairman Smith opened the public hearing at 5 p.m.

A. Lang	Woodlawn Ave.	<p>Mr. Lang identified himself as the sponsor of this petition. He stated he feels that persons stay in elected positions to retain a voting majority and that persons are dissuaded to run for office. He added that he feels many things are divisive in the community because of Town mentality to keep things a certain way. He is hopeful the Board will support the petition, in part, to have more voices on the Board of Selectmen and offer diversity.</p> <p>Mr. Lang acknowledged that this Board is working well but is concerned with clear divides in Town and that a vote of the majority works both ways.</p> <p>He added that he would like to see a Town where all trusted each other. He feels there are no events to bring the Town together and would also like to see improvements along the business district. The Town deserves better than a neutral diversity; two more people will make the Town better.</p>
A. Ganz	Surrey Lane	<p>Mr. Ganz stated he finds the Board of Selectmen functioning in a satisfactory manner to meet the needs of the Town. He noted that Hampton Falls is a small town and feels things are working and expressed concern that the petition is an effort to get a forced majority and stack the Board to ensure issues or desires get met. He added that the Board of Selectmen is very good and dedicated and there no need to change the political balance that operates to benefit the citizens of Hampton Falls; he chose to live here for the small community atmosphere.</p> <p>Mr. Ganz added that he trusts the Board of Selectmen and that business of the Town cannot be done to serve an individual; don't have to change for the sake of change.</p>
B. Forgione	Exeter Road	<p>B. Forgione referred to a past seven-member Board of Library Trustees that was found to be unwieldy and ultimately reduced to five members. She questioned if the additional expense of two additional Selectmen members would add benefit to decision making. It was noted that should issues arise, persons can come to a meeting or request attention of the Board of Selectmen.</p>
M. Lane	Blakes Lane	<p>M. Lane stated he is hopeful the divide is over. He noted his experience on a five-member School Board and that this petition may allow for younger people to get involved.</p>

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G. Robinson	Brown Road	Mrs. Robinson stated that the Town of Hampton Falls has been run by three Selectmen for over 200 years. She noted that other towns have tried this and returned to three member Boards. She is not in favor of the petition nor the additional spending.
E. Cimon	Sanborn Road	Mr. Cimon stated he signed the petition and is interested in the option. He also sees divisiveness.
B. Mutrie	Brown Road	B. Mutrie stated she would like to see more audience participation at business meetings of the Board of Selectmen.

Hearing no additional comments, Chairman Smith closed the public hearing. He noted that with the current Board of Selectmen, there is greater opportunity for public comment at business meetings than in previous years. E. Beattie agreed that the Board of Selectmen is working well, however, is not sure if two more members would be in order. There is a lot of work on Committees other than the Board of Selectmen. He feels there may be a benefit to explore the increase and wants the Town to be open. L. Gargiulo noted that the people who serve should be doing so for the right reasons with no personal gain or gratification. Matters before the Board can be challenging to include scheduling of public meetings. The Town is struggling to get volunteers and encourages people to get involved. He is unsure at this time if the petition is a good idea. L. Smith stated his research found Towns that have tried this and found issues of extra hours of members and staff time, contested elections, longer meetings, difficulty obtaining quorum, and micromanagement of staff. He stated is not in favor of the petition.

At this time, the Board voted on the recommendation for the warrant and ballot as follows:

E. B. Beattie    Yes  
L. Gargiulo     No  
L. M. Smith     No

**CONSENT AGENDA**

- 1. MONTHLY FINANCIAL REPORTS OF BOOKKEEPER, TREASURER, TAX COLLECTOR**
- 2. ROCKINGHAM COUNTY ANNUAL REPORT (PERIOD ENDING JUNE 30, 2019)**

The Board of Selectmen acknowledged the items in the consent agenda; no comments were heard.

**SECTION 2: OLD BUSINESS – PUBLIC COMMENT**

**FINANCIAL REPORTS - GENERAL FUND BALANCE \$3,674,545**

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

<b>Bookkeeper</b>	<b>Accounts Payable #692</b>	<b>\$242,096.09</b>
<b>Bookkeeper</b>	<b>Payroll #484</b>	<b>\$17,623.55</b>
<b>Bookkeeper</b>	<b>Accounts Payable #693</b>	<b>\$571,565.25</b>

**MOTION:**     To approve the warrants as listed above.

**MOTION:     L. GARGIULO**  
**SECOND:     E. BEATTIE**  
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**ASSESSING OFFICE PROCEDURES:** The Board acknowledged the information provided by the Assessor as to an understanding of procedures when permission is not granted for an inspection.

**2020 TOWN WARRANT, MS-636 AND MS-DTB**

**MOTION:** To sign the warrant (as amended), the MS-636 (expenditures and revenues) and MS-DTB (default budget) as presented.

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

**RECYCLING AND SOLID WASTE RFQ:** A draft document has been forwarded to town counsel for review. This matter will be added to a future agenda.

**MOSQUITO CONTROL RFP:** A draft document has been forwarded to town counsel for review. This matter will be added to a future agenda.

**SELECTMEN'S OTHER OLD BUSINESS:** No other old business was discussed at this time.

**SECTION 3: NEW BUSINESS – PUBLIC COMMENT**

T. Beattie	Drinkwater Road	<p>T. Beattie was present on behalf of the Historical Society, specifically, the Museum Restoration Committee. She provided the Board with a mission statement. She noted that efforts are underway to identify needs with an architect to identify upgrades to the building to ensure the integrity of the Museum and a climate-controlled environment to protect artifacts.</p> <p>The report of the needs relating to the slate roof have been passed along to the Town Administrator. She is seeking three prices. The Board suggested she continue with the two contractors available as there is concern that a third will be difficult to identify.</p> <p>The furnace is currently working, however, is decades old and the duct work is large and intrusive. T. Beattie reports that the equipment is noisy at start and stop. She requests replacement.</p>
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The Board discussed the past services performed as well as the lack of available funds. It was noted that the ducts were cleaned three years ago. L. Gargiulo offered to oversee additional review of the heating system to determine if there is a cost benefit to replace it. He asked if the Historical Society is aware of grants to assist this effort. E. Beattie supported efforts to maintain this Town building.

**PROPERTY TAX REFUND #692**

**MOTION:** To approve property tax refund #692 for Map 6, Lot 44 as presented.

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

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**APPOINTMENT OF PART-TIME ASSISTANT TOWN CLERK:**

**MOTION:** To appoint E. Blankenship as Assistant Town Clerk through March 31, 2020.

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

**COMCAST (COMMENCEMENT OF RENEWAL PROCESS):** The Board acknowledged receipt of the letter identifying that the renewal period for cable TV franchises has begun (36 months before expiration). The Board stated for the record that Comcast is seeking renewal of the cable TV franchise in Hampton Falls and that the Board is seeking to ascertain the future cable related needs and interests of the community, school and town.

L. Gargiulo offered to contact a contractor to determine if there is any opportunity for savings or other options. The Board agreed. The Board has yet to address engaging Attorney Kate Miller in this regard.

**SELECTMEN'S PERMIT APPLICATION (CASTLEBERRY FAIRS & FESTIVALS):**

**MOTION:** To approve the Selectmen's Permit Application for the spring and fall fair dates and authorize the Chairman to sign.

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

**SELECTMEN'S OTHER NEW BUSINESS:** No other new business was discussed at this time.

**REVIEW AND APPROVAL OF PREVIOUS MINUTES: JANUARY 8, 2020:**

**MOTION:** To approve the minutes of the January 8, 2020, Selectmen's meeting as written.

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

**PUBLIC COMMENT**

G. Parish	Towle Farm Road	Mr. Parish inquired as to negotiations with Comcast and stated he would be interested in hearing more as the Board meets with counsel to determine municipal requirements and options.
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**Motion to enter Nonpublic Session** made by E. BEATTIE seconded by L. GARGIULO

**Specific Statutory Reason** cited as foundation for the nonpublic session:

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☒ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

☒ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

☒ 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.*

**Roll Call vote** to enter nonpublic session:

L. Gargiulo, Selectman	Y
Larry M. Smith, Chairman	Y
Edward B. Beattie, Vice Chairman	Y

**Entered nonpublic session** at 5:50 p.m.

**Motion to leave nonpublic session** and return to public session by L. SMITH, seconded by E. BEATTIE.

**Motion: PASSED**

**Public session reconvened** at 6:25 p.m.

**Motion seal the minutes of the January 22, 2020 nonpublic session.**

Motion made by L. GARGIULO, seconded by E. BEATTIE, because it is determined that divulgence of this information likely would

- ☒ Affect adversely the reputation of any person other than a member of this board
- ☐ Render a proposed action ineffective
- ☐ Pertains to preparation or carrying out of actions regarding terrorism

**Roll Call Vote to seal minutes:**

L. Gargiulo, Selectman	Y
Larry M. Smith, Chairman	Y
Edward B. Beattie, Vice Chairman	Y

**Motion: PASSED**

**MOTION:** To adjourn the meeting at 6:30 p.m.

**MOTION: L. GARGIULO**

**SECOND: E. BEATTIE**

**UNANIMOUS**

***NEXT SELECTMEN'S MEETING – WED., FEB. 5, 2020, 6:30 P.M., TOWN HALL***