

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**DECEMBER 2, 2020- 6:00 PM
TOWN HALL**

FINAL

We kindly request you refrain from cell phone use during this meeting.

Please note that meetings of the Select Board are being recorded.

To request a topic not part of this agenda, please see the policy on the reverse and contact the Town Administrator.

Meeting Minutes are maintained on file within the Town Clerk's office, Town Hall, 1 Drinkwater Road, Hampton Falls, NH.

Meeting Notices are posted on bulletin boards within the Town Hall, Library, and Hampton Falls Post Office.

PRESENT: E. B. Beattie, Chairman; L. Gargiulo, Vice Chairman; M. R. Lane, Selectman;
L. A. Ruest, Town Administrator

OLD BUSINESS

6:00 PM PUBLIC HEARING – SOLID WASTE ORDINANCE, APPENDIX AND FEES

AMENDMENT: Chairman Beattie opened the public hearing. He noted that the amendments reflect changes resulting from industry standards and the Board's intent to allow flexibility to address industry changes without having to amend the Ordinance as each change occurs. It was noted that this matter will be part of the 2021 Town Warrant for consideration of the voters. A page by page review of the changes took place. Hearing no comments or questions from the Board, the public was welcomed to comment.

G. Parish	Towle Farm Road	Inquired as to whether two household waste days are still available. The Board replied that with the recent vote, the Board is obligated to the collections in the spring and fall.
B. Mutrie	Brown Road	Inquired as to whether state and federal regulations and rules are adhered to, the category a microwave would fall in and whether the Board might decide not to collect recycling at some point.
M. Labarre	Taylor River Road	Inquired as to the cost of curbside collection, as well as disposal, as it relates to the costs savings presented with the new contract with ELM Services, as well as recycling vs. disposal of glass and whether it was the Board's intent to continue with the full household waste collection in the spring and the partial collection in the fall. He expressed concern with the Town's proposal to take on the handling of disposal of cardboard rather than the vendor; Town should not be in the cardboard business.
G. Johnson	Exeter Road	Inquired as to the market for glass recycling.
L. Brown-Kucharski	Taylor River Road	Expressed concern with regard to the manner of cardboard disposal, the requirements to flatten and bundle being cumbersome for older residents and asked what would happen if it is not placed at the curb in the proper manner.
L. Stan	Meadow Lane	Inquired with regard to the fee to dispose of mattresses and box springs at household waste collection days.

The Board noted that the disposal of trash for Hampton Falls is sent to an incinerator, waste to energy, facility and not a land fill. The Board also acknowledged that information to the public will be forthcoming in order to educate all regarding changes as they might happen. Hearing no further comments, Chairman Beattie closed the public hearing. This matter will be added to the December 16, agenda for approval and placement on the 2021 warrant.

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FINANCIAL REPORTS – GENERAL FUND BALANCE \$715,301.97

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

Bookkeeper	Payroll Warrant #526	\$42,152.45
Bookkeeper	Accounts Payable Warrant #746	\$183,431.79
Trustees of Trust Funds	Multiple (See Listing)	\$48,818.95

MOTION: To approve the warrants as presented above.

MOTION: L. GARGIULO

SECOND: M. R. LANE

UNANIMOUS

COMCAST RENEWAL – REPRESENTATION AGREEMENT (ATTY. K. MILLER): K.

Miller provided the Board with historical and background information with regard to the franchise agreement with Comcast for cable television. She noted the Board's authority, control and administration, it's limitations and restrictions and that the FCC has oversight regarding pricing. The matters the Board does have control over is the public right of way and franchise fees for cable television only.

She suggested that the Town review the existing agreement and audit the services to verify Comcast is meeting its obligation(s) as part of consideration for the next renewal. K. Miller recommends another amendment to the Agreement rather than a rewrite. She reviewed some changes, new rules and that the Board might want to consider a longer term.

The engagement letter relates to acting as special counsel for the cable television agreement only. The Board has no control with regard to Comcast internet services. At this time, Comcast has a monopoly and if the Board can find another cable television provider, it could invite them in.

MOTION: To authorize the Town Administrator to sign the engagement letter with DTC Lawyers.

MOTION: L. GARGIULO

SECOND: M. R. LANE

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MEETING MINUTES POLICY: The Board reviewed this policy and amended it to reflect that Board of Selectmen meeting minutes are to be posted to the website both in draft form *and* final form. Final, approved Board of Selectmen minutes are to replace the draft minutes posted to the web site. L. Gargiulo felt that it creates confusion if final minutes are not posted to the web site. Other boards, committees and commission minutes will remain as posted to the web site in draft form only.

MOTION: To amend the Meeting Minutes Policy to add the posting of final Board of Selectmen minutes to the web site once approved by the Board of Selectmen.

MOTION: L. GARGIULO

SECOND: M. R. LANE

UNANIMOUS

2021 TOWN WARRANT – FINAL DRAFT FOR REVIEW OF DRA AND TOWN COUNSEL:

Following a review of the draft, the Board authorized the Town Administrator to forward for review.

2021 BUDGET WORK SESSION(S): The Board scheduled a budget work session for Tuesday, December 8, 3 p.m.

TOWN DELIBERATIVE SESSION LOCATION: The Board requested that the Town Administrator make arrangements to use the Winnacunnet High School Auditorium in Hampton for the 2021 Town Deliberative Session due to required COVID19 guidelines.

DRIVER FEEDBACK SIGNS: Following a review of options, the Board requested that the Police Chief make a recommendation to the Board. The Chief is also asked to give consideration to one sign being a fixed sign and the other being one that can be moved to different locations.

THE DEPOT (DRAFT ORDINANCE FOR WATERFRONT PLAN): L. Stan stated that a draft ordinance is not available at this time and will not be in place in time for the 2021 warrant. She stated that the Parks and Recreation Commission is working with Jones and Beach Engineers with regard to an overlay plan; there is a question as to ownership of one parcel. She requested permission to purchase and place signs recommended at a recent meeting with Primex. Board members expressed concerns stating these matters are premature and asked that decisions and actions be put on hold until all information can be available, to include Rails to Trails plans.

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

OLD BUSINESS PUBLIC COMMENT

J. Ziolkowski, ELM Services, updated the Board on the status of matters relating to the change/proposal with disposal of corrugated cardboard. He stated the informational flyer is ready for

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consideration of the Board and ultimate mailing and the baler rental is established. The Board stated it was not in a position to act on the proposed changes at this time and that this matter will be added to the next agenda of December 16 to allow for a conference call with Town Counsel. No decision was made with regard to the change from one day curbside collection to two days. The proposed changes are anticipated as a trial to begin after the first of the year.

B. Mutrie, Brown Road, stated she felt the signs for the Depot is the responsibility of the Town and not the Parks and Recreation Commission.

CONSENT AGENDA

1. MONTHLY FINANCIAL REPORTS OF BOOKKEEPER, TREASURER, TAX COLLECTOR
2. COMCAST IMPORTANT INFORMATION – PRICE CHANGES
3. WARRANT OF THE COUNTY TREASURER, ROCKINGHAM COUNTY, \$458,931

The Board acknowledged these documents.

NEW BUSINESS

LIEN AND DEEDING SEARCH ANNUAL AGREEMENT:

MOTION: To sign the agreement with Sanders Searches, LLC for these services.

MOTION: L. GARGIULO

SECOND: M. R. LANE

UNANIMOUS

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

NEW BUSINESS PUBLIC COMMENT: No comments were heard.

MONTHLY REPORTS - SELECTMEN REPRESENTATIVE REPORTS:

PLANNING BOARD, LIBRARY TRUSTEES, TRICENTENNIAL COMMITTEE: E. Beattie reported the Planning Board has recently conditionally approved a site plan for Lafayette Road and two subdivisions (Brown Road and Exeter Road). The Tricentennial Committee has not met. The Library Trustees received a donation of an irrigation system from Epping Well and Pump and continues to operate during the pandemic both curbside and open hours. The Trustees have decided to put off the walkway and parking project and have finalized its budget.

PARKS & RECREATION COMMISSION, LINCOLN AKERMAN SCHOOL BOARD: M. Lane reported on the status of a skating rink at Gov. Weare Park and Lincoln Akerman School. The

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SAU is seeking an interim Superintendent. The elementary school proposed 2021 budget is showing a decrease over the previous year.

HERITAGE COMMISSION, CONSERVATION COMMISSION: L. Gargiulo had no report for Heritage. Conservation Commission has learned that LCHIP funding has been awarded for the Clay Brook project. The Board requested that a letter of thanks to the Kiblers be drafted for its signature.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: 11/18/2020:

MOTION: To approve the minutes of the November 18 meeting as written.

MOTION: L. GARGIULO

SECOND: M. R. LANE

UNANIMOUS

PUBLIC COMMENT: No public was present at this time.

Motion to enter Nonpublic Session made by L. GARGIULO seconded by M. R. LANE

Roll Call vote to enter nonpublic session:	Edward B. Beattie, Chairman	Y
	Louis Gargiulo, Vice Chairman	Y
	Mark R. Lane	Y

Entered nonpublic session at 9:04 p.m.

Motion to leave nonpublic session and return to public session by L. GARGIULO, seconded by M. R. LANE

Motion: PASSED

Non-Public session adjourned at 9:40 p.m.

MOTION: To adjourn the meeting at 9:40 p.m.

MOTION: L. GARGIULO

SECOND: M. R. LANE

UNANIMOUS