

**BOARD OF SELECTMEN  
TOWN OF HAMPTON FALLS**

**MARCH 3, 2021- 6:00 PM  
TOWN HALL**

**FINAL**

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

**OLD BUSINESS**

**FAMILIES FIRST CORONAVIRUS RESPONSE ACT:** R. Dirsa reported that although the Federal Act expired December 31, 2020, he is requesting the Board consider implementing an emergency continuation of the two-week leave to assist employees in complying with public health guidelines for the COVID-19 pandemic. At present, if an employee is unable to work regularly scheduled hours due to a health issue, the personnel policy would apply to determine pay. With COVID-19, there is a need to quarantine. This is a matter that affects both the employer and the employee.

**MOTION:** To extend the sick leave provision of the Families First Coronavirus Response Act until the end of June or sooner if rescinded.

**MOTION: L. GARGIULO**  
**SECOND: M. LANE**  
**UNANIMOUS**

**DRIVER FEEDBACK SIGNS:** R. Dirsa reported that he received additional specifics with regard to the equipment needed to fulfill the Board's intent of a temporary sign. He noted that the approval process with the NH-DOT is advancing and that a document will be presented to the Board for signature soon. The vendor has clarified the equipment needed which results in the need for an additional power supply at a cost of \$1,700.

**MOTION:** To increase the previously allowed expense so as to not exceed \$20,000 to purchase an additional power supply with funds to come from the Town Communication Fund.

**MOTION: L. GARGIULO**  
**SECOND: M. LANE**  
**UNANIMOUS**

**FINANCIAL REPORTS – GENERAL FUND BALANCE \$2,441,926**

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

|                   |                                      |                   |
|-------------------|--------------------------------------|-------------------|
| <b>Bookkeeper</b> | <b>Payroll Warrant #534</b>          | <b>23,631.05</b>  |
|                   | <b>Accounts Payable Warrant #758</b> | <b>102,535.50</b> |
|                   | <b>Payroll Warrant #759</b>          | <b>21,445.88</b>  |
|                   | <b>Accounts Payable Warrant #759</b> | <b>8,830.63</b>   |

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

**MOTION: L. GARGIULO**  
**SECOND: M. LANE**

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**TOWN ELECTION, TUESDAY, MARCH 9, 2021, 8 A.M. – 8 P.M.,  
LINCOLN AKERMAN SCHOOL**

**VOTING BOOTH SETUP:** Moderator JP Pontbriand reported that election needs at the school are all set with regard to access, equipment, tables and chairs; use of the building is available from 6 a.m. to 10 p.m. (masks must be worn, voters should use the red door to access, storing of voting equipment at LAS may be an option in the future). He noted that transportation of items from the Town Hall to the school is in place for this election, however, arrangements for logistics and staff to move items will need to be planned and established for future elections. The plan is to pack up and move items to the school on Monday after 3 p.m. All three Selectmen stated they are available for the day and will be present.

**TESTING OF VOTING MACHINE – CITIZEN REQUEST:** A. Dittami, Fieldstone Lane, provided the Board with a packet of information for its consideration and requested that the Board authorize an additional testing of the November election results as well as future election(s) results. He stated he felt it is the Board of Selectmen who would make the determination as it is the custodian of the voting machine and ballots.

Discussion ensued with regard to A. Dittami's position regarding concern with aging machines, election integrity, unexplained irregularities and questions being raised relating to election dependability as well as a situation that happened in Windham, NH. Information was also provided outlining abnormalities in results that included Hampton Falls.

Numerous persons were present in support of this request to include Hampton Falls, neighboring towns and Windham residents. Additional discussion included the fact that voting machine tests are conducted in advance of elections, the result of a recent hand count was the difference of one vote, and that all are in favor of ensuring good election results.

E. Beattie stated the Board would take the matter under advisement and seek input of counsel. Another suggestion was to add a post-election test as validation. A. Dittami requested to be added to the next Selectmen's agenda to follow-up.

**FRYING PAN LANE FUND (NH CHARITABLE FOUNDATION):** The Board acknowledged receipt of the 2021 disbursement in the amount of \$55,341.20. A listing of potential uses was reviewed by the Board resulting in the following distribution.

|   |                 |
|---|-----------------|
| Tricentennial 300 <sup>th</sup> Anniv. (Patriotic Activities) | \$33,091        |
| Town Records Restoration (Historic Preservation)              | \$ 5,000        |
| Recreation (Arts and Cultural Activities)                     | \$ 5,000        |
| Historical Society Museum (Historic Preservation)             | \$ 5,000        |
| Library (Literacy)  | <u>\$ 7,250</u> |
|   | \$55,341        |

**MOTION:** To approve the distribution of the 2021 Frying Pan Lane funds for the purposes as listed above.

**FINAL**

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**MOWING AGREEMENTS (GOVERNMENT BUILDINGS/COMMONS, TOWN COMMON, GOV. WEARE PARK):** The Board reviewed the expiring contract with Bateman Landscaping in conjunction with a proposed fee schedule for 2021. It was reported that Bateman Landscaping as well as the Parks and Recreation Commission and Town Administrator are in favor of renewal. The Board concurred that the services are excellent and the relationship good.

**MOTION:** To accept the proposal and enter into an agreement with Bateman Landscaping for mowing services.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**OTHER SELECTMEN'S OLD BUSINESS**

**Spring Household Waste Collection Day:** The tentative date set for this collection is rescheduled to Saturday, May 15, 2021.

**OLD BUSINESS PUBLIC COMMENT:**

J. Augusta, Old Stage Road, stated he is in favor of A. Dittami's position, presentation and request and asked the Board to vote as soon as tomorrow to allow for an audit of this type and show New Hampshire that town government has custody of election(s). A. Dittami noted that adding a test after each election may be an option to ensure the validity of an election.

**CONSENT AGENDA**

1. MONTHLY FINANCIAL REPORTS OF BOOKKEEPER, TREASURER, TAX COLLECTOR
2. TOWN ELECTION, TUESDAY, MARCH 9, 2021, 8 A.M. TO 8 P.M., LINCOLN AKERMAN SCHOOL
3. HEALTHTRUST COMBINATION OF MEMBERS PROPOSAL
4. KING STREET CULVERT (NHDES FILE 2021-00015)

The Board acknowledged the items in the consent agenda, no additional discussion was heard.

**NEW BUSINESS**

**VETERAN'S TAX CREDIT APPLICATIONS (MAP 5, LOT 51-3 AND MAP 1, LOT 80):**

**MOTION:** To approve the Veteran's Tax Credit Applications (Map 5, Lot 51-3 And Map 1, Lot 80) as presented.

**MOTION: L. GARGIULO**

FINAL

**SECOND: M. LANE  
UNANIMOUS**

**2021 APPOINTMENT LISTING:** The Board reviewed the listing prepared by the Town Clerk outlining those needing reappointment. Appointment forms are available for signature of the Board.

**MOTION:** To appoint those persons shown for appointment in the 2021 column of the listing prepared by the Town Clerk and sign the appointment forms.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**DESKTOP COMPUTERS (QUOTE):** The Town Administrator requested approval of the purchase of two desktop computers that have been showing signs of concern. The two computers are each seven years old.

**MOTION:** To authorize the Town Administrator to purchase two desktop computers per the quote provided by Stellar Networks in the amount of \$1,840 with funds from the Town Communication Fund.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**MEMORANDUM OF AGREEMENT – WELFARE AGENT 2021-2022:**

**MOTION:** To enter into an agreement with the Welfare Agent for April 1, 2021 through March 31, 2022.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**ROCKINGHAM COUNTY CONSERVATION DISTRICT FEE(S) INCREASE:** The Board reviewed the information identifying a rate increase for single lot test pit witnessing and gave consideration to updating the fees charged by the Town in this regard. It was noted that the last fee increase was 2011. The Board agreed to the following fee structure:

|                                       | New   | Former |
|---------------------------------------|-------|--------|
| Single Lot Test Pit Witnessing (RCCD) | \$325 | \$270  |
| Administrative Fee (Town)             | \$50  | \$35   |
| Bed Bottom/Final Inspection (Town)    | \$100 | \$80   |
| Total                                 | \$475 | \$385  |

**FINAL**

**MOTION:** To approve the rate change with the Rockingham County Conservation District and amend the Town fees as listed above.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**OTHER SELECTMEN'S NEW BUSINESS**

**Hazard Tree Removal Request – Unitil:** The Board reviewed a request from Unitil seeking approval to remove five dead or dying trees. The locations of these hazard trees fall on scenic roads, and, therefore, rests with the Board of Selectmen.

**MOTION:** To deem the trees listed as hazards and authorize the removal by Unitil at its expense.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**Town Secretary:** E. Beattie presented his recommendation to appoint Rachel Webb to fill this vacant position. He stated he feels this is the candidate the Town is looking to do the work needed of this position.

**MOTION:** To appoint Rachel Webb as full-time Town Secretary on a six-month probationary basis.

**MOTION: L. GARGIULO  
SECOND: M. LANE  
UNANIMOUS**

**NEW BUSINESS PUBLIC COMMENT:** No public comment was heard at this time.

**SELECTMEN REPRESENTATIVE REPORTS:**

**PLANNING BOARD, LIBRARY TRUSTEES, TRICENTENNIAL COMMITTEE:** E. Beattie reported on the activity of the Planning Board (site plan and subdivision applications), that the Library continues curbside pickup and offers some open to the public hours and that the Tricentennial Committee has been informed of the funds from the Frying Pan Lane Fund.

**PARKS & RECREATION COMMISSION, LINCOLN AKERMAN SCHOOL BOARD:** M. Lane reported that the last meeting of the Parks and Recreation Commission did not have a quorum, that LAS renewed the Principal's contract and that the search for Superintendent continues.

**HERITAGE COMMISSION, CONSERVATION COMMISSION:** L. Gargiulo reported that the Conservation Commission is looking for advance information relating to the potential of available lands to conserve.

FINAL

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

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: FEBRUARY 17, 2021:**

**MOTION:** To approve the minutes of the February 17, 2021 meeting as written.

**MOTION: L. GARGIULO**

**SECOND: M. LANE**

**UNANIMOUS**

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

**Motion to enter Nonpublic Session** made by L. Gargiulo seconded by M. Lane

  X   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.*

|   |                               |   |
|---|-------------------------------|---|
| <b>Roll Call vote</b> to enter nonpublic session: | Edward B. Beattie, Chairman   | Y |
|   | Louis Gargiulo, Vice Chairman | Y |
|   | Mark R. Lane, Selectman       | Y |

**Entered nonpublic session** at 7:40 p.m.

**Motion to leave nonpublic session** and return to public session by L. Gargiulo, seconded by M. Lane.

**Motion: PASSED**

**Public session reconvened** at 8:37 p.m.

**MOTION:** To adjourn the meeting at 8:37 p.m.

**MOTION: L. GARGUILO**

**SECOND: M. LANE**

**UANANIMOUS**

***NEXT SELECTMEN'S MEETING – WEDNESDAY, MARCH 17, 2021, 6:00 P.M., TOWN HALL***