

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**MARCH 17, 2021 – 6:00 PM
TOWN HALL**

FINAL

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

REORGANIZATION OF THE BOARD OF SELECTMEN / COMMITTEE ASSIGNMENTS

MOTION: To nominate and elect L.GARGIULO as Chairman.

MOTION: E. BEATTIE

SECOND: M. LANE

2 IN FAVOR, 1 ABSTENTION, PASSES

MOTION: To nominate and elect M. LANE as Vice Chairman.

MOTION: E. BEATTIE

SECOND: L.GARGIULO

2 IN FAVOR, 1 ABSTENTION, PASSES

Committee assignments were determined as follows:

Board/Group	2021
Selectman Chairman	L. Gargiulo
Selectmen Vice Chair	M. Lane
Selectman	E. B. Beattie
Library Trustees	E. Beattie
Planning Board	E. Beattie
School Board	M. R. Lane
Energy Committee	<i>inactive</i>
Heritage Commission	L. Gargiulo
Conservation	L. Gargiulo
Other: Town Improvement Committee	M. R. Lane
Other: Tricentennial	L. Gargiulo
Other: Parks and Recreation	M. R. Lane

Louis Gargiulo, Chairman –Mark Lane, Vice Chairman –Edward B. Beattie, Selectman

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WINTER ROAD MAINTENANCE CONTRACTOR 2020-2021: Ryan Bailey of Bailey Landscaping was present to discuss the ongoing winter road maintenance services and identify the statistics of snow reporting. All is going well. There is plenty of salt and sand supplies. To date, 49.6 inches of snow has been invoiced in accordance with Weather Works reporting. The Board reviewed and approved the February services for Winter road maintenance.

MOTION: To approve the invoices for snow removal services as presented.

MOTION: L.GARGIULO

SECOND: E. BEATTIE

UNANIMOUS

ROAD AGENT – CORE SERVICES/INVOICE MONTHLY REPORT

R. Hilliard summarized the monthly report for February. Three proposals of Dumpster Prices were presented, and the Board discussed their preference to defer and consolidate detailed discussion of this item until later in the meeting, under Old Business Solid Waste: ELM Services Proposal (Spring Household Waste Collection Day).

ROAD AGENT CORE SERVICES (ROAD AGENT APPOINTMENT)

MOTION: To appoint Russ Hilliard as Road Agent for another year.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

2021 ROAD/CULVERT WORK – SCHEDULE WORK SESSION

R. Hilliard said that a response letter was sent to NH-DES, and that he heard back from the Engineer.

Curtis Road Culvert RFP (Request for Proposals) is ready to send out for review of the Draft.

King Street Culvert RFP is farther along than Curtis Rd, and should be ready to start the RFP process within a couple of weeks.

There was discussion that it would make sense to use the same contractor for construction of both culverts for efficiencies of scale, to consolidate/reduce heavy equipment mobilization costs. E. Beattie stated he would like to be able to consider getting the same contractor back who did Drinkwater Road to bid on both culvert proposals. R. Hilliard stated that August 2021 is the target date, as identified by Jones & Beach Engineers, for construction of the culverts, as this is when the water level is the lowest of the year.

MOTION: To approve the February invoice of the Road Agent \$3,069.58.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

The Board discussed scheduling a date for a work session, and decided on March 31, 2021 at 8:30 am.

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STATUS OF FROST BAN

R. Hilliard stated that he may consider lifting the Frost Ban in two weeks, weather dependent. He stated that if there has been a frost overnight, that he may allow heavy equipment/trucks to use the roads in the early mornings.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT

The Board acknowledged receipt of the Fire Department report for February. No questions were heard.

L. Gargiulo reported that he recently had first-hand experience of needing assistance of the Fire Department and commended the Department on its assessment, knowledge and efforts with regard to an oil spill. Fire Chief Lord stated he would pass along these thanks to his Department personnel.

Fire Chief Lord spoke about a Code Red program, and that he wanted to join a future work session to discuss it further. Alternatively, Fire Chief Lord proposed that another work session be scheduled with M. Lane, Police Chief Dirsra, and the Town Administrator, date to be determined by email, to discuss this Code Red program in greater detail.

Lastly, Fire Chief Lord stated that his Department EMTs are in high demand providing COVID vaccinations to teachers.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT

The Board reviewed the February report. M. Lane questioned whether a monthly total of 13 arrests was a high number of arrests for one month? Police Chief Dirsra responded that several of the arrests were two people at a time, so he did not consider 13 to be a high number of arrests for a monthly total.

SPEED LIMIT ORDINANCE

Police Chief Dirsra presented the Board with the Ordinance, adopted October 14, 1998, which established the speed limit at 25 miles-per-hour, on Drinkwater Road from Oak Drive to Route 88. He is considering moving the 25-mph zone, and was asking the Board for input. He further stated that the Town is in possession of all equipment necessary for the Driver Feedback signs, and the NH-DOT has granted the Town the required permissions, and the Board will be signing the Memorandum of Agreement later tonight.

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT

The Board reviewed the February report. Building Inspector Mark Sikorski stated that the third item in his report may potentially be resolved Monday 03/22/2021 during an Administrative session.

NH DOT ROUTE 1 CORRIDOR STUDY (MARTY KENNEDY, VHB)

Marty Kennedy presented VHB's summary of the framework of the proposed NH DOT Route 1 Corridor Study, which resulted in his request to the Board to appoint an Advisory Committee to give input into the project.

Summary: VHB will evaluate existing conditions, identify problems, project ahead 20 years, evaluate alternatives, and present solutions. The key is public involvement within three Public Information

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Meetings proposed A) Spring, to identify the problems, B) Summer, to identify solutions and alternatives, and C) Fall, to present recommendations. Mr. Kennedy stated that the project schedule was authorized by NH DOT in August 2020, however, COVID slowed the calendar, and now they are (re)starting. The project schedule desired by NH DOT is to wrap-up the planning and Advisory Committee work by Fall 2021.

L. Gargiulo asked the Planning Board Chair Todd Santora to speak regarding potential Advisory Committee members.

T. Santora, Planning Board Chair, stated that he was made aware of this request to appoint an Advisory Committee for the NHDOT Route 1 Corridor Study through the Regional Planning Commissioners, and he further stated that there was a desire to have a different group of people than those already on the Sewer Study Committee.

Proposed Advisory Committee members: Mark Lane; Todd Santora; Shawn Hanson; Greg Parish; Keith Webster (Dodge's Agway, Business owner); Steve Currier, (Currier Furniture, Business owner); Beverly Mutrie. L. Gargiulo wants to expand the Advisory Committee to include more Business and Community members.

MOTION: To appoint a Route 1 Corridor Advisory Committee as follows:

- 1) Mark Lane,
- 2) Todd Santora,
- 3) Shawn Hanson,
- 4) Greg Parish,
- 5) Keith Webster, (business owner)
- 6) Steve Currier, (business owner)
- 7) Beverly Mutrie
- 8) One, to be named

MOTION: E. BEATTIE

SECOND: M. LANE

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CONSENT AGENDA

1. MONTHLY FINANCIAL REPORTS OF BOOKKEEPER, TREASURER, TAX COLLECTOR
2. 2018 YEAR CYCLICAL REVALUATION
3. NHDOT STATE BRIDGE AID PROGRAM – 2020 ANNUAL REPORT
4. NH DRA 2017 CYCLICAL MONITORING INSPECTION REPORT
5. SEABROOK STATION 2020 ANNUAL REPORT ON BRIMMERS LANE WELL FIELD.

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These consent agenda items were acknowledged by the Board.

OLD BUSINESS

FINANCIAL REPORTS - GENERAL FUND BALANCE 1,705,632.81

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

Bookkeeper	Payroll Warrant # 536	\$24,316.47
	Accounts Payable Warrant #760	\$741,807.04
	Accounts Payable Warrant #761	\$6,063.22

MOTION: To approve the warrants as presented above.

MOTION: E. BEATTIE

SECOND: M. LANE

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POST ELECTION BALLOT MACHINE TESTING REQUEST – ADDITIONAL

INFORMATION- Alex Dittami, of Fieldstone Lane, presented a request for permission from the Board to ask a question to pose to the voting machine software company LHS, as to the feasibility to run an error report on the voting machine, following an election. There was substantial discussion on this topic, with A. Dittami stating concern for the need to diagnostically evaluate the performance of the voting machine following an election, in terms of the following criteria: a) feed, b) optics, c) digitized counter, and d) battery strength, and not involving any ballots nor re-counting. If it is feasible for the software company, LHS, to perform this type of “error report”, then E. Beattie requested the question be subsequently referred to Town Counsel for review. Following Town Counsel review, the question might be sent to the NH Ballot Law Commission, in the NH Secretary of State’s office, for their input on this question to determine the feasibility of implementation.

J. Augusta, of Old Stage Road, spoke in support of A. Dittami’s request, saying that Hampton Falls could be the first in the state to initiate this type of testing, and it would be an opportunity for transparency, and to be an example for other Towns. The goal would be to eliminate the currently approximate 3-% swing/error per election due to feed and other to-be-identified problems.

Town Administrator, noted that Town Counsel responded to refer requests such as these to the Secretary of State’s office.

M. Lane asked if this potential diagnostic test is the same as the test performed before an election? A. Dittami responded no, that the pre-election testing uses Ballots, and this proposed post-election testing would test the diagnostics of the hardware.

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L. Ruest asked if this request is in the same category as a service or maintenance call? A. Dittami responded, no, because the feeding problems were not corrected with a service call.

MOTION: To grant A. Dittami permission to ask on behalf of the Town of Hampton Falls, NH a question to pose to the voting machine software company LHS, as to the feasibility to run an error report on the voting machine, following an election, with the response from LHS to be sent directly to the Board of Selectmen.

MOTION: M. LANE
SECOND: L.GARGIULO
2 IN FAVOR, 1 OPPOSES, PASSES

E.Beattie commented that going forward, the Town election officials should be part of these discussions before decisions.

NH-DOT MEMORANDUM OF AGREEMENT (DRIVER FEEDBACK RADAR DEVICE)
Police Chief Dirsra commented that the NH-DOT requires the Town of Hampton Falls to maintain the equipment.

MOTION: To authorize the chair to sign the Memorandum of Agreement (Driver Feedback Radar Devices).

MOTION: E. BEATTIE
SECOND: M. LANE
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ELM SERVICES PROPOSAL (SPRING HOUSEHOLD WASTE COLLECTION DAY)
Jim Ziolkowski presented information regarding packer truck costs for the Spring Household Waste Collection Day. He said that he predicts that just one packer truck will not be enough space to handle the anticipated volume of materials, and that a second packer truck may be needed. M. Lane stated that it would be sensible to have an additional packer on standby to cover the event. After some discussion, J. Ziolkowski concluded that he could provide a second packer truck if needed, perhaps just for half the day, for a “not-to-exceed” price of \$ 795 so there would be no charge for the second packer.

MOTION: To approve the expenditure of a “not-to-exceed” price of \$795 for a second packer truck, if needed, to cover the Spring Household Waste Collection Day 2021.

MOTION: M. LANE
SECOND: E. BEATTIE
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OTHER SELECTMEN’S OLD BUSINESS

Decking at the Historical Society Museum is \$500 more expensive than prior quote, due to COVID delay in materials. \$3,200 has been encumbered to date,

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MOTION: To authorize the expenditure of up to \$500 for decking project at the Historical Society Museum from the Government Buildings' Expendable Trust Fund.

MOTION: E. BEATTIE

SECOND: M. LANE

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OLD BUSINESS PUBLIC COMMENT: No comments were heard at this time.

NEW BUSINESS

REPORT OF APPROPRIATIONS ACTUALLY VOTED (MS232)

The Board acknowledged the 2021 MS-232 and signed the document for forwarding to the DRA.

2021 SALARY PAY PLAN

MOTION: To approve the 2021 Salary Pay Plan.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

SOLID WASTE ORDINANCE (WARRANT ARTICLE #3/2021)

J. Ziolkowski presented information regarding the Town's recycling and solid waste statistics. Volume of waste is leveled at 14-17 tons per week or 15-18 tons per week, that is up from 12.5 tons weekly pre-COVID. Recycling volume is down 2.5 tons per week, representing a savings to the Town of \$325 per week.

J. Ziolkowski stated that processing cardboard has proven to be a good decision and is working out well. The value of the cardboard onsite presently is \$1,800 and, as of 03/15/2021 the value per ton increased from \$80 to \$110. Additionally, he stated that the Board will need to be making a decision regarding the Cardboard Bailer to either Lease or Purchase it. He said there may be an opportunity to process cardboard from another community, as a potential source of income. He asked for these subjects to be added to the Work Session planned on 03/31 later in the morning than the 8:30 start time.

TOWN POLICIES REVIEW

This is the opportunity to review any Town policies that are more than three years old, for relevancy. Decision to move this item to the agenda for the next Board of Selectmen's meeting April 07, 2021.

"SHARE THE ROAD" SIGNAGE PROPOSAL

Asia Scudder of 66 Brown Rd presented an exploratory proposal for informational signage to remind drivers to "Share the Road" with cyclists. She said that these signs hypothetically could be posted every half-mile as a visual reminder. Her experience with this concept was in Norman, OK where the municipality completed a traffic calming project that included "Share the Road" signage. She said she has also seen similar signs in Ipswich, MA. The challenging part of bringing this concept to Hampton Falls is that there are no Town-owned lamp posts from which to hang said informational banners, or

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flags, or signs. E. Beattie said that he has seen the signs in Ipswich, and suggested an alternate installation approach for Hampton Falls where residents would post the signs on their properties in non-winter months. L. Gargiulo stated that the Town Budget has already been approved for the next year, so there are no funds to implement such a proposal at this time. A. Scudder said that she has obtained grant funding from the state previously, as she is a Graphic Designer, and that she could apply for funding for this type of project, if desirable. She proposed to return to the Board of Selectmen in one month's time, with a revised design and additional details.

2021 HAZARDOUS WASTE DATES (TOWN OF HAMPTON) AND FEES

The dates for the Hazardous Waste Collection for 2021 are May 22nd and September 18th.
The resident participation fee has increased from \$25 to \$29.

MOTION: To increase the residents' fee for Hazardous Waste Collection to \$29.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

**VOLUNTEER SERVICE STATEMENT & AGREEMENT –
MOWING OF RASPBERRY FARM HAYFIELD**

MOTION: To appoint G. Schrempf as volunteer for mowing of the Raspberry Farm Hayfield.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

OTHER SELECTMEN'S NEW BUSINESS No other Selectmen's old business was discussed.

NEW BUSINESS PUBLIC COMMENT No comments were heard at this time.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: MARCH 3, 2021

MOTION: To approve the minutes of the March 3, 2021 Selectmen's meeting as written.

MOTION: E. BEATTIE

SECOND: M. LANE

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PUBLIC COMMENT No comments were heard at this time.

NEXT SELECTMEN'S MEETING – WEDNESDAY, APRIL 7, 2021, 6:00 P.M., TOWN HALL

MOTION: To enter Nonpublic Session

MOTION: M. LANE

Louis Gargiulo, Chairman –Mark Lane, Vice Chairman –Edward B. Beattie, Selectman

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SECOND: E. BEATTIE
UNANIMOUS

Entered nonpublic session at 7:45 p.m.

• **NON-PUBLIC SESSION RSA 91-A:3 (ROLL CALL VOTE REQUIRED)**

•

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

- | | |
|--------------------------------|---|
| • Louis Gargiulo, Chairman | Y |
| • Mark R. Lane, Vice Chairman | Y |
| • Edward B. Beattie, Selectman | Y |

1.

II. (A) PERSONNEL
VOTE TO

2.

II. (B) HIRING OF A PUBLIC EMPLOYEE
SEAL THE MINUTES

3.

II. (C) MATTERS AFFECT ADVERSELY A PERSON'S REPUTATION –EXTENDS TO
ABATEMENTS-INABILITY TO PAY.
OF NON-PUBLIC SESSION

4.

II. (D) ACQUISITION, SALE OR LEASE OF REAL OR PERSONAL PROPERTY
2/3 VOTE REQUIRED.

5.

II. (E) CONSIDERATION OR NEGOTIATION OF PENDING CLAIMS OR LITIGATION

6.

II. (I) MATTERS RELATING TO EMERGENCY FUNCTION, RELEASE OF INFORMATION –
CAUSE DAMAGE TO PROPERTY OR LIFE

7.

RSA 91-A: 5 IV. RECORDS THAT WOULD CONSTITUTE AN INVASION OF PRIVACY,
INCLUDING WELFARE.

VOTE TO SEAL THE MINUTES OF NON-PUBLIC SESSION – 2/3 VOTE REQUIRED.

Adjournment.