

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**MAY 5, 2021- 6:00 PM
TOWN HALL**

FINAL

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

OLD BUSINESS

FINANCIAL REPORTS – GENERAL FUND BALANCE \$813,067

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

Bookkeeper	Payroll Warrant #540	75,520.17
	Accounts Payable Warrant #766	71,100.36
	Accounts Payable Warrant #767	24,019.43
	Accounts Payable Warrant #768	9,853.23
	Check Warrant Report # 2021-1	77,308.39

MOTION: To approve the warrants as presented above.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

REVIEW OF FUNDS HELD BY TOWN TREASURER

L. Ruest presented descriptions of all nineteen (19) Escrow accounts held by the Town Treasurer including information regarding how the funds originally were established, (either by Town Warrant and/or donations), and their purpose and function within Town public and private projects, as well as board and committee work.

ZONING BOOK UPDATE

L. Ruest reported that the Zoning Book Update was sent to two printers today, for quotes. There will be twenty-five (25) copies printed, (excluding the Design Review Guidelines), and the Town Secretary will coordinate dissemination of those updated Zoning Books to Planning Board and Zoning Board members ensuring that former versions are replaced with the 2021 version.

WINTER ROAD MAINTENANCE CONTRACTOR 2020-2021 – RELEASE OF RETAINED FUNDS

Ryan Bailey, of Bailey Landscaping, LLC reported that he has made all of the repairs requested by the Road Agent. L. Gargiulo inquired if R. Bailey is willing to do the work again next year. R. Bailey responded yes. E. Beattie stated that he wants to discuss with the Road Agent how to structure the future contract under various weather conditions, since Weatherworks may register different weather than what actually happens in Hampton Falls. Further he wants to understand how other towns handle this issue, that perhaps not the lowest rate, but perhaps an hourly rate may be more practical.

L. Gargiulo requested that R. Bailey be invited to attend a Work Session.

MOTION: To approve the release of the retained funds for the Winter Road Maintenance Contractor 2020-2021 in the amount of \$2,301.74.

MOTION: E. BEATTIE

SECOND: M. LANE

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UNANIMOUS

THE DEPOT ADVISORY COMMITTEE – MEMBER APPOINTMENTS

MOTION: To appoint as members to the Depot Advisory Committee, the list of names presented.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Discussion by Selectmen to give direction to the Depot Advisory Committee (DAC) to make recommendations to the Board of Selectmen (BOS) based on the wording within the approved Warrant Article, as follows: *“Are you in favor of the Selectmen developing and implementing a plan for the Hampton Falls Depot ocean access waterfront area in a manner that complies with all applicable laws, limits allowed parking space, promotes clean sanitation, utilizes free and enforced permitted parking for Hampton Falls resident vehicle registrations, and allows continued access by the general public?”*

M. Lane inquired about some interested Recreation Commission members being appointed to the DAC, and the Town Administrator responded saying that they were interested in participating, but not appointed. The Selectmen concluded their discussion stating that they would prefer to receive a Preliminary report from the DAC at the first BOS meeting in July, and requested the DAC’s meeting schedule, to facilitate coordination. M. Lane made the point that the DAC may need to wait for a few summer weekends of the ideal weather circumstances being “sunny and warm, together with a High Tide”, in order to observe the issues that the Committee has been tasked to examine.

OTHER SELECTMEN’S OLD BUSINESS

There was no other Selectmen’s Old Business.

OLD BUSINESS PUBLIC COMMENT

1)Todd Santora, 100 Linden Road, Planning Board Chairman, asked if the Planning Board would have the Zoning Book Update in time for the Planning Board’s next meeting May 25th? L. Ruest responded saying that the Town sent requests to two printers today, for quotes for the printing job, and one printer had previously said they could produce the report in five business days. He requested to be kept updated on the project. He further inquired about who actually “owns” the document, is it the Rockingham Planning Commission (RPC), or is it the Town? L. Ruest responded that the Town “owns” the document, and explained that the RPC used to “own” it, with a dedicated staff person who managed the entire process; however, with a change in Executive Director, the decision was made by the RPC to not offer that service any longer, so the Planning Board has been producing their own document for several years. L. Ruest recommended to Mr. Santora that the Planning Board place the “Zoning Book Update” on the next Planning Board agenda, and ask/require members to bring their “old” Zoning Books to the meeting, in order to replace the new with the old, to make sure that everyone is using the same tools.

2)Beverly Mutrie, 4 Brown Road, asked for some background information regarding the town’s impact fees, which L. Ruest provided, including the information that there is a formula used to determine the fee. Secondly, she inquired about how the Conservation Commission fund will get re-established once the Clay Brook property easement is finalized. L. Ruest responded saying that the tax penalties in the taxes from the lands sold and coming out of “Current Use” assessment go into the Conservation

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Commission Fund, for example the Sanborn Subdivision. Other potential Conservation Commission financial sources include grant monies and donations.

CONSENT AGENDA

1. Monthly Financial Reports of Bookkeeper, Treasurer, Tax Collector
2. 2020 Total Equalized Valuation \$567,892,672
3. Standard Dredge & Fill Wetlands Permit Application (152 Drinkwater Road, LLC, Kensington)
4. Memorial Day Ceremony – Post 35 – Monday, May 31, 2021, 9 a.m., Town Common
5. Rockingham County Commissioners FY2022 Proposed Budget.

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

NEW BUSINESS

MUNICIPAL CLERK’S WEEK – PROCLAMATION

The Selectmen acknowledged and signed the proclamation recognizing the week of May 2 through May 8, 2021 as Municipal Clerk’s Week and further extend appreciation to our Municipal Clerk Stephanie Grant, Deputy Clerk Abigail Tonry, Assistant Clerk Elizabeth Blankenship, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the Communities they represent.

ANNUAL REVIEW OF INVESTMENT POLICY RSA 41:9

E. Beattie commented that Appendix B should list the banks the Town of Hampton Falls uses. L. Ruest responded that Appendix B was part of the original document when adopted in 2013. She stated that she would work with the Treasurer to update the list of banks contained in Appendix B.

MOTION: To reaffirm the Investment Policy of the Town of Hampton Falls, adopted 05/01/2013, and reaffirmed annually.

MOTION: E. BEATTIE

SECOND: M. LANE

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WETLAND CROSSING AGREEMENT (CMTF, LLC, MAP 5, LOT 19)

MOTION: To authorize the Chairman of the Board of Selectmen, the Planning Board Chairman, and the Town Engineer to sign the Wetlands Crossing Agreement, and Three-Party Inspection Agreement, regarding the Subdivision located at Brown Road and Old Stage Road.

MOTION: E. BEATTIE

SECOND: M. LANE

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OTHER SELECTMEN’S NEW BUSINESS

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There was no new Selectmen's New Business.

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), at the April 27, 2021 meeting, 41 Lafayette Rd is still before the Planning Board pending completion of addressing outstanding concerns and questions of the Board. The concern is focused to whether the revised proposed use (in the third revision to the Planning Board) meets the definition of the zoning ordinance, so they have requested Planning Board Counsel to review the facts and render a decision.

L.Gargiulo reported that he has received numerous complaints regarding the truck parked onsite, that never moves, and is, in effect a billboard sign. E. Beattie echoed the sentiment adding that there are at least two other businesses in the immediate area, which also have a large truck parked onsite which never moves, acting as billboard signage, at the Allen's Wayside Furniture, and also at the Hampton Fashion Outlet Mall Stores. The consensus was to seek an opinion from Town Counsel on the signage issue.

E. Beattie said that the Planning Board committee on Ordinances and Regulations is having a meeting prior to their next meeting to begin discussion of potential new ordinances to bring to Town Meeting in March 2022.

E. Beattie reported that the Library Trustees received donations and Thank You notes for COVID work.

The Tricentennial Committee has two new people who want to get involved. They are moving forward with plans for: July 31, 2022 Sunday through August 6th, Saturday. Events will be planned for three-times per day (morning, afternoon, and evening), and for three types of events such as educational, entertainment, and for all ages. The Committee is working on a book regarding the Town's most recent 100 years, and will have advance copies for sale for approximately twenty-dollars (\$20.00).

PARKS & RECREATION COMMISSION, LINCOLN AKERMAN SCHOOL BOARD:

M. Lane reported from the Parks and Recreation Commission that the Summer Camp is trying to get approvals to use the school building, however, the latest CDC guidelines in terms of COVID are the biggest issues determining how much of the building they can use. The first of four Castleberry Fairs events is happening this weekend.

M. Lane further reported information about the School Board that the interviews for the top two School Superintendent candidates are happening via Zoom this evening. He stated people's frustrations at not being able to personally meet the applicants in person. In contrast, the Lincoln Ackerman School Board is also interviewing two new teachers in-person, for positions where there have been retirements. The Lincoln Ackerman School (LAS) is back to full-time now with dismissal at 2:15pm. Lastly, the LAS

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requested to distribute their Newsletter through the Town website's e-subscription service. L. Ruest described that the Town used to publish a Newsletter that covered the three entities of the Town, the School, and the Library and that it was previously decided to separate, and have each cover their own newsletter production and distribution per input from Counsel.

MOTION: To distribute the Newsletter from the Lincoln Ackerman School, after review and approval of the Board of Selectmen.

MOTION: M. LANE

SECOND: E. BEATTIE

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M. Lane informed the Selectmen that the Route One Corridor Advisory Committee held their first Introductory meeting. There was discussion about how Seabrook Selectmen approved the road widening of Route One north to the Hampton Falls town line at their meeting Monday night 05/03/2021.

L. Gargiulo asked about how the sewer infrastructure will factor into the road widening project. M. Lane stated that the two should be done in conjunction with one another, namely, the sewer extension and the road widening. There was additional discussion about the State's Ten-Year Plan and the value of adding projects to that plan in order to be eligible for funding. L. Gargiulo asked how Hampton Falls can obtain federal infrastructure money for this mile and get Seabrook on board.

HERITAGE COMMISSION, CONSERVATION COMMISSION:

L. Gargiulo reported that more homes are being photographed, and more need to be done, as part of the Heritage Commission's efforts. There will be a booklet the Commission will be selling for \$20 of historical homes.

The Conservation Commission update is that the Toppan property is closing June 1st.

There are issues of abutters putting up fencing, that the Building Inspector is working to rectify.

E. Beattie gave an update from the last meeting, on the fence that was located on the wrong side of the stone wall, and stated that a Boundary Stake was located in the center of the stone wall, so the fencing will be relocated to the inside of the abutter's property at the base of the stone wall, and off Town Forest land.

OTHER SELECTMEN'S NEW BUSINESS:

1.Curtis Culvert update: The Town Engineer, Jones & Beach, has sent the wetlands application to the NH DES for their review and approval. There was discussion about closing the road.

2.King Street Culvert update: L. Gargiulo said to send the notice stating that the Town is waiting for proposals and that we will update King Street residents. The Board of Selectmen were copied on an email regarding the signed quote for the King Street Aluminum Box Culvert, asking whether the vendor needs payment in full or a deposit to proceed. RFPs were sent by Jones & Beach.

3.Castleberry Fair Permits: The Selectmen were presented with a Selectmen's Permit application by the Parks and Recreation Commission, on behalf of the Castleberry Fairs & Festivals for the following four

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weekend dates: May 8 & 9, July 3 & 4, Sept 18 & 19, and Oct 16 & 17, for Saturdays 10AM to 5PM, and Sundays 11AM to 4PM on the Town Common for an Arts and Crafts Festival.

MOTION: To authorize the Chairman of the Board of Selectmen to sign the Selectmen's Permit for Castleberry Fairs for 2021 in Hampton Falls.

MOTION: E. BEATTIE

SECOND: M. LANE

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4. Historical Society update: E. Beattie reported that the Historical Society purchased a shed, and located it beyond the gas pump on the Library's rear lot. He thanked Dan Syvinski for the donation of the stone foundation material used to level the shed.

5. Cash Flow Issue update: The Town Administrator referred the Board to an estimated projection of cash flow for the months of May and June. The result shows a concerning deficit. Tax bills are not planned to be mailed until first week of June which will affect the release of payments. Following discussion, the Town Administrator was asked to request that the Assessor assist with moving up the schedule in order to get the tax bills in the mail as soon as possible. L. Ruest said that some payments can be held pending cash flow, however, matters such as the culvert and other commitments recently approved by the Board are of concern.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: April 21, 2021

MOTION: To approve the minutes of the April 21, 2021 meeting as written.

MOTION: E. BEATTIE

SECOND: M. LANE

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

Motion to enter Nonpublic Session made by E. BEATTIE seconded by M. LANE.

Motion: PASSED

Specific Statutory Reason cited as foundation for the nonpublic session:

__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.*

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

Entered nonpublic session at 7:45 P.M.

Motion to leave nonpublic session and return to public session.

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

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**MOTION: M. LANE
SECOND: E. BEATTIE
PASSED**

Public session reconvened at 8:35 P.M.

**MOTION: To adjourn the meeting at 8:35 P.M.
MOTION: E. BEATTIE
SECOND: M. LANE
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NEXT SELECTMEN'S MEETING – WEDNESDAY, MAY 19, 2021, 6:00 P.M., TOWN HALL