

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**OCTOBER 6, 2021 – 6:00 PM
TOWN HALL**

FINAL

PRESENT: L. Gargiulo, Chairman; M. R. Lane, Vice Chairman; E. B. Beattie, Selectman;
K. Anderson, Interim Town Administrator; R. D. Webb, Town Secretary

OLD BUSINESS

Financial Reports - General Fund Balance - \$1,751,556

The Expenditure Report for September shows \$930,634 remaining in the 2021 budget, reflecting 68% of the budget.

Executive – Accounts Payable/Payroll/Treasurer/ Trustees of the Trust Funds Warrant(s)

| | | | | |
|----|------------------|----------------|--------------|------------|
| 1) | Accounts Payable | Warrant 784 | August 18 | 49,185.79 |
| 2) | Accounts Payable | Warrant 785 | August 25 | 7,209.98 |
| 3) | Payroll | Warrant 554 | August 18 | 17,573.90 |
| 4) | Payroll | Warrant 555 | August 25 | 231,309.73 |
| 5) | Treasurer | Warrant 2021-3 | September 28 | 42,499.10 |

MOTION to approve all Accounts Payable, Payroll and Treasurer Warrants as listed.

MOTION M. LANE

SECOND E. BEATTIE

UNANIMOUS

Highways – Curtis Road Culvert Update

The Curtis Road culvert replacement project began on Tuesday, September 28th with the required erosion control. The Army Corp of Engineers permit was received and the required on-site postings of the permits has been done. The project should be complete within a week-and-a-half, with paving completion weather dependent.

Parks/Recreation – Inclusive Mowing Request for Proposals (RFP)

A draft RFP for the mowing and grounds maintenance for the cemeteries, town buildings, recreation facilities and traffic island areas has been drafted and is currently being reviewed by the Town Parks & Recreation Commissioners who oversee some of those areas. K. Anderson said that she made two adjustments in the RFP to 1) request mowing on the athletic fields twice per week during soccer season, and 2) to mow no earlier in the week than Wednesday, so that the grass will be short enough for soccer games on the weekends. L. Gargiulo said that he was in support of the RFP, and asked K. Anderson how many contractors the RFP would be sent to, and the response was approximately 17.

Fin. Admin. – Use of ARPA Funds

At the previous Board of Selectmen's meeting the question had been raised whether or not the Town could use the ARPA funds for a project that had already started (the LAS HVAC). K. Anderson researched the question and found that as long as a project had not been contracted prior to March 2021, that it was eligible for funding. The LAS school project was contracted after June 18, 2021 and therefore is a project eligible for ARPA funding.

Tracy Beattie, President of the Historical Society, presented a summary of the meetings held and estimates obtained, since the prior Selectmen's meeting, regarding the Museum's proposed heating and

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air conditioning systems. M. Sikorski met with a representative from Palmer & Sicard who supplied the following two estimates for heating and air conditioning of \$23,995, or \$31,525 if also include the kitchen and bathroom. Both estimates exclude any required electrical upgrades necessary to install the equipment. The cost breakdown would need to be reviewed to determine how much, if not all, of the project would be eligible for ARPA funds. M. Lane inquired if it would be possible to control the heat with an app, off-site, and M. Sikorski replied yes, that the proposed electric heat system has “smart” technology.

L. Gargiulo requested the Board schedule a Work Session to discuss in greater detail the three (3) projects proposed for ARPA funding, namely; 1) LAS School HVAC, 2) Museum HVAC, and 3) Town Hall meeting room. E. Beattie agreed that a Work Session would be appropriate to decide the appropriation of the ARPA funds for 2021, knowing that there is another equal amount of \$126,000 that will be available in August 2022. M. Lane agreed to schedule a Work Session as soon as possible, and there was consensus of the Selectmen to meet Tuesday October 12, 2021 at 8:00 AM at Town Hall.

Bev Mutrie, Brown Road, requested the Selectmen not forget about the Library’s request for funding for their HVAC project, and L. Gargiulo said that they would take that under advisement.

Greg Parish, Hampton Falls School Board SAU-21, Chairman, stated that the LAS HVAC project (currently under construction) is projected to cost \$142,135 using unencumbered funds leftover from the 2021 school year budget, which ended June 30th. G. Parish discussed aspects of the funding because if the Town reimbursed the School with ARPA funds, then those funds would lapse into the unexpended funds reserve account at the end of the 2022 school year budget, to reduce the tax rate in 2022. There are other projects requesting the same ARPA funds, being proposed by other Town departments and organizations which may be a more appropriate use. The School Board is meeting Tuesday evening, October 12 to discuss their initial request for ARPA funds.

Given the knowledge that the monthly LAS School Board is meeting Tuesday evening October 12th, the Selectmen decided to postpone their Work Session to Wednesday October 13, 2021 at 8:00 AM, to have the benefit of the School Department’s decision in hand, when the Selectmen meet to discuss ARPA fund appropriations for 2021.

OTHER SELECTMEN’S OLD BUSINESS

There was no Other Selectmen’s Old Business.

OLD BUSINESS PUBLIC COMMENT

There was no Old Business Public Comment.

CONSENT AGENDA

Monthly Financial Reports of Treasurer and Tax Collector

The Interim Town Administrator commented that there is nothing outstanding.

NEW BUSINESS

Executive – Authorization for a Building Permit on a Class VI Road – Ric and Lisa Chace, 21 Curtis Road

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

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Todd Santora, Chairman of the Planning Board, presented a Letter of Support to the Board of Selectmen, on behalf of the Planning Board, regarding Ric and Lisa Chace, who would like to build a residence on Curtis Road – a Class VI Road. T. Santora stated that the combination of the establishment of a Class VI Road with the location of the Bars and Gates resulted in at least one lot becoming a legal non-conforming lot in terms of frontage. He asserted that the Bars and Gates were located incorrectly, and questioned whether the opening of Curtis Road should be revisited. Additionally, he stated that the recent installation of the new culvert on Curtis Road, will address some drainage issues in the area. To open the road back up would be an expense, but may be a worthwhile expense. T. Santora mentioned Police Chief Dirsas's reports of drug and prostitution activity at the end of Blake's Lane. M. Lane said that there was a safety concern if a tree fell down, or if there was a fire, access to that neighborhood is restricted by the Bars and Gates.

E. Beattie recused himself from the discussion and vote as he is an abutter.

K. Anderson stated that the NH State Statutes have a Class VI Road procedure, in order to get a building permit, the Chaces were required to go to the Planning Board to obtain a recommendation for approval from the Board of Selectmen.

MOTION: To authorize the Building Inspector to issue a building permit for a single-family residence on Map 4, Lot 46-13 in accordance with zoning ordinances and building codes, after the 1) Declaration of Shared Driveway Maintenance Agreement, 2) Access Easement, 3) Access Easement Plan, and 4) Agreement and Release document, between the Chaces and the Town have been recorded at the Registry of Deeds.

MOTION: M. LANE

SECOND: L. GARGIULO

1 ABSTAINED, 2 IN FAVOR

PASSED

L. Gargiulo said his only remaining question is should the opening of Curtis Road be revisited. He said that T. Santora suggested it, and that he agrees with him. K. Anderson said that an Engineer should look at Curtis Road to determine if it is passable, and what would be necessary to keep it passable. L. Gargiulo asked if Curtis Road was designated a Class VI Road at a Town Meeting, and E. Beattie responded that yes, it was a vote at Town Meeting; so, L. Gargiulo concluded that it would need to be a vote at Town Meeting to reopen Curtis Road. K. Anderson said that she would identify the process to release Curtis Road from Gates and Bars. M. Lane said that he would be interested in removing the Gates and Bars from Curtis Road, and maintaining the road to the level to keep the brush down, as it currently can become impassable even on foot.

Employee – Recommendation to Hire - Bookkeeper

The Bookkeeper position has been handled through Robert Half Account Temps for the past several months. Ten applications were received for the position with four of those candidates having been interviewed by the Interim Town Administrator and the Town Secretary. The resumes of the top two were sent to the Board of Selectmen for review. After K. Anderson spoke with the Treasurer and received her recommendation of Tameson O'Brien, K. Anderson requested that the Board appoint Tameson O'Brien as Part-Time Bookkeeper.

MOTION: To appoint Tameson O'Brien as Part-Time Bookkeeper, on a six-month probationary basis, at Step 1 of the Pay Scale.

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

Government Buildings – Town Improvement Committee (TIC) – Change to “Ad Hoc” Committee

The Town Improvement Committee met last week and discussed the fact that they currently have no projects, and, rather than continuing to meet on a monthly basis agreed that they would like to remain a standing committee, however be “ad hoc” and meet at the call of the Chairman when there is a project for them to work on. This week they will be working on securing a cannon ball on the Town Common that became dislodged a couple of weeks ago. They also raised some concerns about three large trees that should be looked at by an Arborist and considered for removal. One is by the Library (Creighton Tree) and the other two are on the Town Common – a spruce and maple tree. The Road Agent is going to look at the trees and report to K. Anderson. Bev Mutrie was at the TIC meeting and pointed out that the tree at the Library will need to be removed for the proposed walkway between the Public Safety Building and the Library, if that project were to move forward. E. Beattie mentioned that there used to be a line item in the budget for an Arborist. L. Gargiulo requested K. Anderson to identify an Arborist to look at the trees and to obtain a report from the Arborist.

L. Gargiulo asked if the Selectmen needed to make a motion regarding the change of the TIC to “Ad Hoc” and K. Anderson responded that this is informational because the TIC is an advisory committee to the Selectmen.

Government Buildings – Relocation of Interior Service Window

The Building Inspector looked at the feasibility of moving the large service window from the Town Administrator’s Office to the former Conference Room that is now utilized for the Town Clerk/Tax Collector’s second window and determined that there is no reason why it could not be done. Two estimates have been received with the lower being \$1,600 from Glen Aldrich, to relocate the window and patch the hole in the wall created from removing the window. The estimate does not include repainting the area.

MOTION: To authorize the Town Administrator to move forward with the lower estimate for the relocation of the service window for the Town Clerk / Tax Collector.

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

Planning – 2022 Capital Improvement Plan (CIP)

T. Santora, Chairman of Capital Improvements Committee (CIC) and Planning Board, stated that the CIC is a subcommittee of the Planning Board, and is advisory to the Board of Selectmen. The CIC recommendations to the Selectmen will assist in the preparation of the annual Town and School budgets. By definition: Capital Improvements are projects outside the normal operations and maintenance costs of department budgets and have the following characteristics: (1) a cost of at least \$5,000; (2) a useful life of at least three-years; (3) is non-recurring (not an annual budget item); (4) any project requiring bond financing. The six-year CIP this year will be for the years 2022 through 2027.

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T. Santora presented the CIC's Capital Improvement Plan for 2022 by reviewing the ranking system for categorizing proposed Capital Improvement projects, as follows:

- 1 = Urgent
- 2 = Priority
- 3 = Necessary
- 4 = Deferrable
- 5 = Premature
- 6 = Inconsistent
- C = Committed

The CIP Committee prioritized and rated the following proposed projects for **2022 only**:

1. REVALUATION OF PROPERTIES, CAPITAL RESERVE FUND: Rated 3 (Necessary); voted 5:5 unanimous.
2. MASTER PLAN UPDATE, CAPITAL RESERVE FUND: Rated 3 (Necessary); voted 4:5 (4 for necessary and 1 for deferrable).
3. ADMIN & ACQUISITION OF LAND: Rated 6 (Inconsistent); voted 5:5 unanimous.
4. POLICE CRUISER, CAPITAL RESERVE FUND: Rated 3 (Necessary); voted unanimous 5:5.
Note: The CIP Committee recommends that the Police Department look at the two-year replacement cycle of vehicles in the future, to adjust the number of years.
5. ENGINEERING STUDY OF HVAC SYSTEM AT PUBLIC SAFETY BUILDING: Rated 6 (Inconsistent); voted unanimous 5:5.
6. HIGHWAY MAINTENANCE, CAPITAL RESERVE FUND: Rated 2 (Priority); voted 4:5 (4 for priority and 1 for necessary).
7. LIBRARY, REPLACE AIR CONDITIONAL COMPRESSORS AND AIR HANDLING UNITS: Rated 4 (Deferrable); voted 4:5 (4 for deferrable and 1 for necessary). Note: The CIP Committee strongly recommends that the Board of Selectmen consider the appointment of a person as Property Maintenance Supervisor, to manage all municipal maintenance projects, for all town-owned buildings.
8. LINCOLN ACKERMAN ELEMENTARY SCHOOL (LAS): the school's current projects, namely, the LAS Remove and Replace Gym HVAC, and the LAS Led Lighting (Interior) Full School, have already been funded in the current budget, so those projects were not ranked by the CIP Committee.
9. LAS PARKING LOT REPAVING: Rated 3 (Necessary); voted unanimous 5:5.

L. Gargiulo asked about LED lighting, if any of the municipal buildings had replaced lighting to LEDs, and M. Sikorski responded that the Town Hall offices (not the meeting room) and the Library have already been done. M. Lane said that there is state money available for conversion. G. Parish said that the School will be receiving approximately \$30,000 in rebates from Unifil for lighting at the school with their conversion to LEDs.

Other - Other Selectmen's New Business

K. Anderson described a resident of Hampton Falls' issue with trash collection, living close to the town line with Kensington. Kensington used to be a "Pay Per Throw" bagged trash collection system, and this resident was being serviced by the Town of Kensington. Recently, however, Kensington switched from bags to barrels for trash collection, and did not issue a trash barrel to the Hampton Falls resident, who

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had been having their trash collected by Kensington for years. After K. Anderson discussed the details with J. Ziolkowski of ELM Services, he began servicing the property, noting that it was a five-mile round trip to collect the trash at this resident's location, due to the geography and street layout. K. Anderson said that the Town of Kensington has agreed to supply the resident with a Town of Kensington trash container, and that Kensington would pick-up their trash for an annual cost of \$230.

MOTION: To authorize an annual appropriation in the amount of \$230.00 to the Town of Kensington to supply a trash barrel and regular trash removal services at 2 Falls Cove Road.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

NEW BUSINESS PUBLIC COMMENT

There was no New Business Public Comment.

Monthly Reports – Selectmen's Representative Reports

Planning Board, Library Trustees, Tricentennial Committee

E. Beattie reported that the Planning Board has approved the site plan proposal regarding 41 Lafayette Road, for a landscape supply retail business. The Ordinances and Regulations Committee is working to get some proposals done on the potential topic of short-term rentals before the deadlines for Town Meeting. The Tricentennial Committee has many plans in development for the Tricentennial week next Summer 2022, including details for an Opening Ceremony and a Closing Ceremony. E. Beattie stated that he is specifically not voting on anything in his role on the Tricentennial Committee, so that when their proposals come before the Selectmen that he will be able to vote on them as a Selectman. He said that he has missed the Library meetings but understands that they are working on a plan to access more parking and to develop a walkway to the Public Safety Building's parking area.

Parks & Recreation, LAS School Board, Rt. 1 Advisory Committee

M. Lane reported that the Parks and Recreation Commission's 4th Castleberry Fair is scheduled for this weekend, and that it is a money-maker for the Town. It corresponds with the Applecrest harvest events, and is well-received. The grass at the Governor Weare athletic fields is too good, and it is a problem for soccer players to move the soccer ball across the grass. K. Anderson said that she added another weekly mowing in October, and no earlier in the week than Wednesday, so the grass would still be short for the weekend soccer games. M. Lane reported that the LAS school is discussing the topic of mask mandates being optional or not-optional. The Route 1 Corridor Advisory Committee had a meeting that M. Lane thought was the final meeting of the committee, but there will be one more meeting that will wrap-up the process and the findings/recommendations of the consultants.

Heritage Commission, Conservation Commission

L. Gargiulo reported that the Conservation Commission wants to hire a second Intern next Summer, as their experience with one Intern this past Summer was very positive, and there is still much work to accomplish. The Heritage Commission is still completing taking photos of historic houses in Hampton Falls, and also are still working on their book for publication in time for the Tricentennial.

OTHER SELECTMEN'S NEW BUSINESS

There was no Other Selectmen's New Business at this time.

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REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: 09/22/2021

MOTION: To approve the minutes of the September 22, 2021 Selectmen's meetings as written.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

PUBLIC COMMENT

No comments were heard at this time.

Motion to enter Nonpublic Session made by E. Beattie, and 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.*

| | | |
|---|-----------------------------|---|
| 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 7:25 p.m.

Motion to leave nonpublic session and return to public session by M. Lane, seconded by E. Beattie.

Motion: PASSED

Public session reconvened at 7:55 p.m.

MOTION: To adjourn the meeting at 7:55 p.m.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Next Selectmen's Work Session re: ARPA funds – Wednesday October 13, 2021, 8:00 AM, Town Hall

Next Selectmen's Work Session re: Budget – Tuesday October 19, 2021, 8:00 AM, Town Hall

Next Selectmen's Regular Meeting – Wednesday October 20, 2021, 6:00 PM, Town Hall