

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**DECEMBER 15, 2021 – 6:00 PM
TOWN HALL**

FINAL

PRESENT: L. Gargiulo, Chairman; M. R. Lane, Vice Chairman; E. B. Beattie, Selectman;
K. Anderson, Town Administrator; R. D. Webb, Town Secretary
Guests: R. Hilliard, Road Agent; J. Lord, Fire Chief; R. Dirs, Police Chief;
R. Veno, Police Lieutenant; M. Sikorski, Building Inspector

ROAD AGENT – CORE SERVICES/INVOICE MONTHLY REPORT: R. Hilliard responded to a request from the prior Selectmen’s meeting to make sure all of the paperwork for the Winter Road Maintenance contract was in order. R. Hilliard said that all of the required paperwork has been submitted to comply with the contract. A list of equipment was provided, that identified two (2) additional trucks that the Road Agent will be inspecting prior to adding to the equipment list. The drivers list has one change where R. Robinson will move to part-time, and J. Manning (Brush Dump Attendant) will fill-in. K. Anderson will check if there is a current license on file for J. Manning, where his paperwork is already on file with the Town as a current employee. K. Anderson asked how many CDL drivers are listed, and R. Hilliard responded that there are three (3) CDL drivers, among a total of six (6) drivers.

R. Hilliard reported that surface water is starting to back-up behind E. Beattie’s house, that may be beaver-related. He said that he has been trying to identify the origin of the water back-up but the area is difficult to access, and, perhaps with the aid of drone photography the problem may be able to be identified. L. Gargiulo suggested that Photographer Phil Chura may be able to assist R. Hilliard by utilizing his drone photography skills to identify the source of the water back-up problem.

R. Hilliard presented the monthly core services report for November 2021 in the amount of \$4,945.83

Core Services:

Core Services	\$4,270.83
Road/Bridge	\$ 650.00
Trees Dispatched	\$ 25.00
Total Invoice	\$4,945.83

MOTION: To approve the Road Agent’s Monthly Invoice, for November 2021 in the amount of \$4,945.83

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT: The Board acknowledged the report from Fire Chief Lord, with no comments nor questions. J. Lord reported that the number of Fire Department emergency calls, at 42 for the month of November 2021, has been as busy as the months of July and August, with a lot of mutual aid of Fire and Ambulance, pumping basements, and picking-up and transporting residents to hospitals.

E. Beattie recognized Fire Chief Lord for his efforts coordinating the Hampton Falls Fire Department’s Vaccine Booster Clinic in Exeter held last Saturday. The event was efficient and well-run, completing 1,200 boosters for the day. J. Lord said that the Fire Department is going to do another Vaccine Booster

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Clinic on January 8th at Exeter High School, where they will expect an estimated 5-6,000 people to obtain vaccine boosters.

L. Gargiulo additionally recognized Fire Chief Lord for his efforts last week for the Radiological Emergency Preparedness (REP) Drill at the Public Safety Building. He said that the staff and everyone was well prepared and it was very interesting, and it was an honor to (hypothetically) “evacuate the town”, and that he hopes that he never has to actually do it.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT: Police Chief Dirsa offered to respond to any questions the Board of Selectmen may have regarding his monthly report for the month of November 2021. The Board acknowledged the monthly report from Police Chief Dirsa. L. Gargiulo inquired if there have been any reports of break-ins to vehicles for catalytic converter equipment. R. Veno responded yes, there was an incident that they have investigated and the criminals have been identified, and the Police Department concluded that it was an isolated occurrence in Hampton Falls, by people from out-of-state.

Retroactive appointments of Police Officers from probationary to permanent status: Due to an oversight, it appears that the Board of Selectmen didn’t officially vote to change Officer John DiFrancesco or Officer Joe Lister’s status from probationary to permanent. Officer DiFrancesco completed his probationary period on May 11, 2021 and Officer Lister completed his on Feb. 20, 2021.

MOTION: To appoint John DiFrancesco to permanent status, retro-active to May 11, 2021; and, to appoint Joseph Lister to permanent status, retro-active to February 20, 2021.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT: The Board acknowledged the report from Building Inspector Mark Sikorski, with no questions nor comments. The Building Inspector reported that he has a walk scheduled with the Conservation Commission at 8:00 am tomorrow regarding an issue on Coach Lane.

Museum Furnace Update: M. Sikorski summarized his letter to the Board of Selectmen dated December 14, 2021 regarding the proposals for heating and air conditioning upgrades to the town’s Historical Society Museum building. He solicited bids for a simplified heat pump heating and air conditioning system, and received two (2). Both are for similar installations, with a downsized system utilizing two high wall head units in main room only and permanent electric heating in kitchen and bath areas. Old system removal to be accomplished in phase 2 work, not included in the current scope. Timeframe is one to two weeks for installation. The building is stabilized at this point, with temporary heat provided for kitchen and bath as an interim solution until the new system is installed.

L. Gargiulo described, for the record, the following two proposals, namely: 1) Palmer and Sicard’s proposal was for a total of \$44,540.00, and 2) Hart Plumbing and Heating together with Parsons Electric proposals were for \$19,875.00.

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MOTION: To accept the proposal from the most responsive bidder from Hart Plumbing and Heating of Portsmouth together with Parsons Electric Company of Hampton, in the amount of \$19,875.00.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

L. Gargiulo asked if there were any comments from the Historical Society, and Tracy Beattie expressed thanks to the Board of Selectmen for their attention to the heating and cooling issue at the town's Museum building. Additionally, she asked if the electrician would be able to install a couple of exterior electrical outlets, and also address the electric ceiling fans, while they were there. M. Sikorski said that he had already been discussing the ceiling fans, and to add the exterior outlets would be minor add-ons.

CONSENT AGENDA: The Board acknowledged the items in the Consent Agenda.

Monthly Financial Reports: K. Anderson presented the November expenditure report. The 2021 appropriated funds remaining at the end of November are \$447,000. There a few accounts that have been overspent, however the mild winter to date (with minimal winter road maintenance costs expended) has offset those areas. The payroll and accounts payable being approved today brings that balance down to approximately \$185,000.

Financial Reports – General Fund Balance: \$1,374,405.81 K. Anderson reported that the payroll warrant typically is in the range of \$35-40,000.00 range, so this payroll warrant of approximately \$102,000 includes Fire Dept. annual stipends, unused comp time, and holiday pay. L. Gargiulo asked if there were any Trustees of the Trust Funds warrants, and K. Anderson responded that there were not. K. Anderson described the accounts payable warrant of \$605,201 includes \$448,671 to the County, which is not part of the budget appropriation, resulting in \$156,530 from the budgeted funds.

Executive – Accounts Payable & Payroll Warrant:

Payroll Warrant # 561	\$102,315.26	December 08, 2021
Accounts Payable Warrant #792	\$605,201.16	December 08, 2021

Payroll and Accounts Payable Warrants:

MOTION: To approve Payroll Warrant #561 in the amount of \$102,315.26, dated December 08, 2021, and to approve Accounts Payable Warrant #792 in the amount of \$605,201.16, dated December 08, 2021.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Other Selectmen's Old Business: There was no other Selectmen's Old Business.

Old Business Public Comment: Bev Mutrie, Brown Road, reported that every time she drives by the historic front of Town Hall there is a large orange stain on the building. She thinks it is caused from the landscaping sprinkler heads misdirected at the building. B. Mutrie asked if it would be possible to get rid

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of the stain and to prevent it from happening. There was a question of whether the irrigation water goes through the Town Hall filtration system, and M. Sikorski responded that it does not, and that there are additional locations of orange staining on other areas of the building's siding. Bev Mutrie suggested directing the sprinkler heads to not spray the building. L. Gargiulo said that the town could take a look and see what can be done with it.

NEW BUSINESS

Executive: Deliberative Session for Town meeting – February 5, 2022 (Feb 12 snow date) at LAS at 9:00 am These dates have been publicly posted. K. Anderson confirmed the dates, including the snow date. She asked whether the Board of Selectmen wants her to investigate having that meeting Live Streamed or video-recorded, as the school does not have that capability. There is a way to record using a Tablet or an iPad, and uploading to You Tube Live. Before too much time was spent on the subject, she wanted to ascertain the board's directive in this regard.

E. Beattie and M. Lane both recalled that last year, at Winnacunnet, they taped the Deliberative Session, and then posted it on the website, because they could not Livestream it from the school.

L. Gargiulo thinks it is a great idea, but is concerned that there may be equipment limitations to adequately implement the idea. K. Anderson described how some other towns use a fixed camera focused on the predominant speaker's podium, and the camera does not move to each speaker however, all audio is recorded and heard. L. Gargiulo is additionally concerned with the Open Meeting Law, that the public would have access, but not comment ability. He further elaborated that if you can execute it, and make it work, and make it clear to all residents that it is only one-way viewing and listening only, and that if they want to participate, that they still need to show-up in person, it should be done.

Executive: 2022 Warrant

K. Anderson reported that the draft warrant has been prepared – additional warrant articles can continue to be added until January 7th, which is the deadline for petitioned warrant articles. All articles appropriating money need to be voted on by the Board of Selectmen to either recommend or not recommend. The actual dollar amounts can change, and the sequence of the Article numbers can be changed by the Selectmen as well, if/when more articles are added between now and January 7, 2022.

Article 3 is the budget article, and that is automatically recommended by the Board of Selectmen by the vote to move the budget to the public hearing.

Article 4 – Highway Maintenance Capital Reserve Fund (CRF)

MOTION: To recommend Article 4-Highway Maintenance CRF, in the amount of \$250,000.

MOTION: E. BEATTIE

SECOND: M. LANE

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Article 5 – Government Buildings CRF

MOTION: To recommend Article 5-Government Buildings CRF, in the amount of \$25,000, to approve as written, with the opportunity to amend after Public Hearing, and before the Deliberative Session.

Discussion by E. Beattie that the amount proposed of \$25,000 is not an amount sufficient to handle the buildings in town, yet there are some ARPA funds coming into town in 2021 that will assist in this regard. It is his opinion that this Government Buildings CRF is underfunded. K. Anderson pointed out an example that the Public Safety Building's concrete apron needs repair, as identified by the Joint Loss Management Committee. R. Hilliard has been able to make the circumstance safe until it can be repaired, but there is also need for some concrete repair to the entrance ramp to Town Hall, where the railing attaches, and that perhaps the two concrete projects could be coordinated.

M. Lane described how the School Board directs unspent monies left-over at the end of the year into specific trust funds named for specific purposes, as a way to incrementally save for larger projects. He thought perhaps the town should consider a similar approach, to be applied hypothetically for the following types of projects, for example the exterior painting of Town Hall, or E. Beattie mentioned the slate roof work, or window replacement/repair at Museum, or K. Anderson mentioned replacing hardware on the front door of Town Hall. K. Anderson said that prior to the Public Hearing January 12 that she would get some estimates on the proposed concrete work, and also for repair of some of the windows at the Museum, and the hardware replacement for the Town Hall front door.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Article 6 – Police Cruiser CRF

MOTION: To recommend Article 6-Police Cruiser CRF, in the amount of \$23,000. K. Anderson said that this is the annual amount that was proposed to the Capital Improvements Program (CIP) committee, and the CIP recommended it.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Article 7 – Revaluation CRF

MOTION: To recommend Article 7-Revaluation CRF, in the amount of \$8,000. L. Gargiulo said that this is the annual amount spread over five (5) years to pay for the revaluation of the town, with the next one scheduled to occur in 2023. This is a statutory requirement of all towns.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Article 8 –Master Plan CRF

MOTION: To recommend Article 8-Master Plan CRF, in the amount of \$5,000. L. Gargiulo explained that this is the annual amount spread over ten (10) years to pay for a Master Plan for the town. K. Anderson said that the state recommended that towns update their Master Plans at least every ten (10)

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years. The incremental savings enables the town to not have to face a bill of \$50,000 in one year, but rather spread the smaller cost over several years. K. Anderson said that the Planning Board is discussing starting in 2022 to update one chapter at a time.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Article 9 – Mosquito Control

MOTION: To recommend Article 9- Mosquito Control, in the amount of \$21,000.

K. Anderson explained that this amount is increased over the 2020 amount due to the increased cost of dry ice this year. E. Beattie asked K. Anderson to follow-up prior to finalizing the warrant articles, to find out whether the two towns, with whom the town of Hampton Falls shares marshland (namely Hampton and Seabrook), are also doing what they are supposed to do regarding mosquito control programs...because if they are not, then Hampton Falls funding this is a waste of money.

MOTION: M. LANE

SECOND: L. GARGIULO

UNANIMOUS

Article 10 is not an article to appropriate funds. L. Gargiulo described that it was a subject discussed earlier in the year by the Board of Selectmen to change the term of the Road Agent from 1 year to 3 years. The general consensus was to encourage stability in the position of Road Agent by increasing the length of the term of appointment. K. Anderson asked if the Board wished to include Article 10 on the 2022 warrant.

MOTION: To include Article 10-Change the term of the Road Agent from 1 year to 3 years, on the 2022 warrant.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Tax Collector: Refunds of Tax Overpayments: K. Anderson presented the following two tax overpayments #751 and #752 in the total amount of \$211.00, with one being for \$150.00 and the second in the amount of \$61.00

MOTION: To approve the refund of tax overpayments #751 & #752 in the total amount of \$211.00.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Financial Administration: 2021 Property Assessment Equalization K. Anderson reported on behalf of Chad Roberge, of Avitar Associates, that he completed his review of the property sales in town between November 1, 2020 and September 30, 2021 as required by the Department of Revenue. His report was provided to the Board of Selectmen, indicating that sales have been strong and there were 52 valid sales that resulted in a 77.51% median ratio, which indicates that property values are approximately 22.5% below market value. This is similar to what is being seen throughout the Seacoast.

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The town is scheduled to complete a town-wide revaluation in 2023, when the goal will be to bring property values as close to between 90 and 110% of market value. Ratio studies and a list of the sales data between November, 2020 and September, 2021 were also provided to the Selectmen. The Board of Selectmen needs to certify that the assessment data is complete and accurate. The assessment data will then be uploaded to the Department of Revenue, and the sales will be further reviewed by the State, and then the equalization rate will be established by the state.

MOTION: To certify that the assessment and sales information, for the Town of Hampton Falls, is complete and accurate.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Financial Administration: 2021 Budget Encumbrances K. Anderson described that under RSA 32:7, I, in order to prevent the lapse of an unspent portion of an appropriation, the unspent funds must be encumbered by a legally enforceable obligation for their expenditure. Second, the obligation must attach to the funds before the end of the fiscal year for which they were appropriated. There are three (3) invoices that need to be encumbered that K. Anderson is aware of at this time. There may be others that come to her attention prior to year-end, which can be handled at the Selectmen's meeting on December 29th.

- 1) Heritage Commission Account 1 -4193-355, that is a Photography Invoice #202112001 for Chura's Photography, in the amount of \$500.00. The Heritage Commission will not be meeting in December, in order to approve the payment of this invoice, so the commission has requested that the funds be encumbered.
- 2) Town Clerk Account 1-4140-305, that is an Election Services Invoice: SO-011064 for Inclusion Solutions, in the amount of \$5,154.10. The four (4) Voting Booths were ordered November 6, 2021 and will not be delivered before year-end.
- 3) Fire Department/Emergency Management Accounts 1-4220-340 and 1-4290-340 for Jamco Excavators, LLC for the dry hydrant cistern construction and installation on Curtis Road in the amount of \$8,015.00. Until the punch list is completed for that project, there will not be an invoice generated.

MOTION: To approve the encumbrances in the 2021 Budget for: Chura's Photography in the amount of \$500.00, Inclusion Solutions in the amount of \$5,154.10, and Jamco Excavators, LLC in the amount of \$8,015.00.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Other Selectmen's New Business:

Newsletter for January-February 2022 draft was reviewed by the Selectmen. L. Gargiulo noted that the newsletter lists some of the events and dates for the Tricentennial, so that is exciting.

MOTION: To approve the proposed Newsletter for January-February 2022 for distribution.

MOTION: E. BEATTIE

SECOND: M. LANE

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NEW BUSINESS PUBLIC COMMENT: There was no New Business Public Comment.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: November 30, 2021 and December 01, 2021

MOTION: To approve the minutes of November 30, 2021, and December 01, 2021 as written.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Next Selectmen's Meeting – Wednesday December 29th , 2021, 8:00 AM, Town Hall

K. Anderson said that Police Chief Dirsa has requested a Non-Public Session at the conclusion of the December 29, 2021 Board of Selectmen's meeting.

PUBLIC COMMENT

No comments were heard at this time.

Motion to enter Nonpublic Session made at 6:55 PM by E. Beattie, and seconded by M. Lane.

Specific Statutory Reason cited as foundation for the nonpublic session:

RSA 91-A:3, II (e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.*

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 7:00 p.m.

Review of current litigation status.

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

Motion: PASSED

Public session reconvened at 7:07 p.m.

MOTION: To seal the minutes of the non-public session.

Motion made by M. LANE, seconded by E. BEATTIE, because it is determined that divulgence of this information likely would render a proposed action ineffective.

Roll call vote to seal the minutes:	Lou Gargiulo, Chairman	Yes
	Mark Lane, Vice-Chair	Yes
	Edward Beattie, Selectmen	Yes

MOTION: PASSED, UNANIMOUS

ADJOURNMENT

MOTION: To adjourn the meeting at 7:10 p.m.

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**DECEMBER 15, 2021 – 6:00 PM
TOWN HALL**

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

Next Selectmen's Meeting is scheduled for Wednesday, December 29, 2021, at 8:00 AM, Town Hall.

These minutes recorded by: Rachel D. Webb, Town Secretary; Town of Hampton Falls, NH