

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**FEBRUARY 02, 2022 – 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: J. P. Pontbriand, Moderator; R. Veno, Police Lieutenant;
L. Stan, Recreation Commission; K. Sabatini, Recreation Commission

Chairman Gargiulo called the meeting of the Board of Selectmen to order at 6:00 PM.

OLD BUSINESS:

Financial Reports – General Fund Balance: \$3,126,096.62

K. Anderson reported the General Fund Balance.

Executive: Accounts Payable: K. Anderson presented the Accounts Payable, Payroll, and Trustees of Trust Funds (TTF) warrants for the Selectmen's consideration. The details of the TTF warrant are: \$39,490.23 from the Police Cruiser Capital Reserve Fund (CRF), \$5,000 from the Tricentennial CRF, and \$5,145 from the Frying Pan Lane Fund.

MOTION: To approve the warrants as read, as follows:

- 1) Accounts Payable Warrant #798 dated January 20, 2022, in the amount of \$86,878.92
- 2) Accounts Payable Warrant #799 dated January 26, 2022, in the amount of \$28,348.12
- 3) Payroll Warrant #565 dated January 20, 2022, in the amount of \$40,107.87
- 4) Trustees of the Trust Funds Warrant dated February 2, 2022, in the total amount of \$49,635.23

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Elections: Deliberative Session: Saturday, February 5th 9:00 AM will occur at the LAS School, in the Cafeteria.

Elections: Storage of Election Materials: K. Anderson reported that the School Board has granted permission for the Town to place a storage unit outside of the LAS school for the storage of election materials. The Principal and Facilities Manager will work together on the specific location. The Town Clerk has obtained some quotes for steel storage containers as well as for small sheds that would meet the Town's needs.

The price range is wide, from \$700 for a resin 10'x8' shed to \$7,000 for a shipping container with delivery. Page Street Storage (Candia, NH) has two containers available for delivery now that are 20' and would need to be painted to look presentable for \$3,800 + \$95 shipping. They do offer a painting service for an additional cost. Leasing prices for a shipping container would be \$85 per month, \$200 for a delivery and pickup charge, resulting in approximately \$1,200.00 annual cost. If this outside storage is going to be permanent, then purchasing the unit is the best option. A wooden shed would be available from a variety of sources and would also be worth considering.

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Ideally, the Town would have something in place by March, in order to store the materials from the March election at that time – weather/snow storage and delivery timeframes could prove challenging. K. Anderson requested direction from the Board on how to proceed. The size of a shipping container is more space than what is needed for Election materials storage, so a shed may be more suited for the purpose. Delivery charges are \$95 for delivery locally, and more for delivery beyond local.

E. Beattie asked where the storage shed would go on the LAS school property, and K. Anderson responded that the Town and the School would work together to locate the shed. E. Beattie commented that locating the shed near the Maple Sugar Shed would be easy. M. Lane noticed the recently delivered boxes of new voting booths located in the corner of the meeting room and asked if that was all that was needed to be transported. There was discussion regarding the items needed to be stored for Election purposes, and J. P. Pontbriand was invited to respond.

J. P. Pontbriand said that in 2021 the old, wooden voting booths were transported from Town Hall to the LAS School for the March election. He recently completed an inventory, in the attic of Town Hall, listing all equipment needing to be transported for the election in March. He stated that it is easier to store the election materials on-site at the school, rather than transporting materials back and forth between Town Hall and the School building at LAS. He said that individuals' pick-up trucks would be needed, and a crew of volunteers available starting at **3:00 PM on Monday March 7th**. M. Lane volunteered use of his pick-up truck, and E. Beattie also volunteered use of his truck. J.P. reiterated the need to mark calendars for the March 7th date, and to identify some volunteers to help physically move equipment that afternoon for set-up, in addition to also have volunteers to assist the following evening **March 8th at 8:00 PM** after the close of elections, to break down and move election equipment back to Town Hall.

There was discussion about the challenge of locating a storage shed in the winter, with snow and ice, in addition to product availability, that a shed may not be available prior to the March election, given the timeframe just a month away. The Selectmen reached a consensus to **Table the discussion of a storage shed for election materials until after the March Election**, to see if transporting materials back and forth from Town Hall to the LAS school works well or not.

OTHER SELECTMEN'S OLD BUSINESS: There was no Other Selectmen's Old Business.

OLD BUSINESS PUBLIC COMMENT: Bev Mutrie, Brown Lane, asked when the heat was going to be installed in the Museum Building, to which K. Anderson responded that the electrical work has been done and the mini-splits heating units have been ordered, so everyone is waiting for the materials to be received to enable scheduling the heating installation work. There is no installation date available at this time.

Consent Agenda:

- 1. Monthly Financial Reports of Bookkeeper, Treasurer, and Tax Collector:** This was already covered earlier in the meeting.
- 2. Overpayment of Taxes – Refund #755 - \$190.29:** This was an overpayment for the tax year 2021, for property located at Map 4 / Lot 1.

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MOTION: To approve the Tax Refund #755, in the amount of \$190.29, for the overpayment of taxes, as documented by the Tax Collector.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

NEW BUSINESS:

Executive: Personnel Matter: L. Gargiulo reported that the Selectmen previously received Police Chief Dirsa's desire to retire (effective April 30, 2022), and the Selectmen accepted it with deep regret, and that requires the Selectmen to make a decision on appointing the next Police Chief.

The Selectmen met with a potential candidate for Chief of Police three (3) times, and after careful consideration and much discussion, the Selectmen have decided to appoint Lieutenant Ryan Veno to the position of Chief of Police, effective April 30, 2022. L. Gargiulo stated that the Selectmen are very happy to have R. Veno as the next Hampton Falls Police Chief, and he thanked R. Veno for coming forward and for being interested in the position.

R. Veno thanked the Board of Selectmen for meeting with him to talk about his current position and the opportunity of becoming Police Chief. He also thanked the Board for believing in him to take the position on, as the next Police Chief. R. Veno thanked Police Chief Dirsa for his mentorship over the past six-plus years. L. Gargiulo offered his congratulations along with all of the Selectmen who stood and shook R. Veno's hand, as the attendees applauded.

L. Gargiulo said that the Selectmen's plan is to meet with R. Veno monthly over the next few months to start talking about the transition, as there are additional decisions that need to be made regarding the management of the Police Department beyond Chief Dirsa's tenure, and he would like to arrange for a meeting next week. E. Beattie added that there will be very big shoes to fill in terms of filling the Lieutenant's position.

MOTION: To appoint Lieutenant Ryan Veno to Chief of Police, effective April 30, 2022.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Executive: Intent To Cut Permit: K. Anderson reported that an Intent to Cut form has been filed for Map 6 / Lot 64-17; 57 Linden Road; Approximate cut area is 1.5 acres of an 11.3-acre lot. The cut may trigger the Land Use Change tax on the lot if the un-cut area is less than 10 acres. After the Report of Cut is received, the Assessor will go out to determine if the land still qualifies for Current Use.

MOTION: To approve the Intent to Cut for Map 6 / Lot 64-17.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

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Executive: Congressional Recognition of Tricentennial: The Tricentennial Committee received a flag and copy of the Congressional Record dated January 12, 2022, recognizing Hampton Falls on the Town's 300th Anniversary. L. Gargiulo read the Congressional Record:

“United States of America, Congressional Record, Proceedings and Debates of the 117th Congress, Second Session, Vol.168, Washington, Wednesday, January 12, 2022, No.8. IN CELEBRATION OF THE TRICENTENNIAL ANNIVERSARY OF THE TOWN OF HAMPTON FALLS, NEW HAMPSHIRE, Hon. Chris Pappas of New Hampshire in the House of Representatives, Wednesday, January 12th, 2022. I rise today to celebrate the tricentennial anniversary of the establishment of the Town of Hampton Falls, New Hampshire. Known as the Third Parish of Hampton prior to 1722, Hampton Falls was aptly renamed after the falls on the Taylor River, their water used to power the watermills central to the town's early industries.

The earliest residents of Hampton Falls worked on farms and in the timber industry. The town has stayed close to these roots, remaining heavily invested in farmland. Hampton Falls is home to Applecrest Orchards, the town's largest employer, New Hampshire's oldest and largest orchard and the oldest continuously operated orchard in the nation.

In 1735, a mere 13 years after its establishment, Hampton Falls fell victim to a horrible bout of Throat Distemper that caused more than 200 deaths in the small population of less than 500, and that left only two homes in the community untouched. Since those troubling times, the town has flourished, reaching a population of more than 2,300. Hampton Falls is a small but mighty town, dedicated to maintaining its lands and protecting our environment. If the past three centuries are any indication on the future, Hampton Falls is sure to persevere and prosper for years to come.

On behalf of my constituents in New Hampshire's First Congressional District, I want to congratulate the Town of Hampton Falls on this incredible milestone. I look forward to a continued partnership with Hampton Falls and its residents who I am proud to represent in Congress.

*Chris Pappas
Member of Congress”*

Elections/Deliberative Session: Assignment of Budget Sections/Articles for discussion at

Deliberative Session: K. Anderson reported that handouts with the Warrant, Budget and Default Budget have been prepared for Deliberative Session, and all documents have been properly posted. K. Anderson said that she has prepared copies of the Warrant (for the Board members) with back-up information added, for reference during the discussions. She stated further that she understands that the Board generally decides who is going to move/speak to each article and budget section in advance.

L. Gargiulo said that the Selectmen can choose, at a later date, which topics to assign themselves to regarding fielding questions from the public at Deliberative Session, Saturday February 5, 2022. K. Anderson listed the topics, for the Selectmen's reference, as follows:

Article 3

Default Budget (By statute it is to be reviewed first)

Operating Budget

General Government

Public Safety

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

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Highways & Streets
Sanitation
Health/Welfare
Culture/Recreation
Conservation
Debt Service
Article 4 – Highway Maintenance Capital Reserve Fund
Article 5 – Government Buildings Expendable Trust
Article 6 – Police Cruiser CRF
Article 7 – Revaluation CRF
Article 8 – Master Plan CRF
Article 9 – Mosquito Control
Article 10 – Road Agent Term

Financial Administration: Request for Refund of Interest – Late Tax Payment: The Tax Collector forwarded a request from a resident who did not receive his tax bill, as a result of not reporting to the Town his change of address. The resident is requesting a refund of \$346.23 in interest paid. The mailing address was wrong in 2020 as well, although the taxes were paid timely that year. The Tax Collector provided details in additional documents supplied to the Board. K. Anderson described that the resident owns multiple properties in Town and paid the taxes on the commercial property in 2021, but not on the residential property they had recently developed from vacant land.

Initially L. Gargiulo was inclined to refund the interest payment on the late tax payment but questioned whether that was fair and the precedent it would set. E. Beattie commented that people know that they have to pay their taxes. M. Lane was concerned about the precedent. E. Beattie said that the multiple property ownership aspect exacerbates the issue. He said that he, himself, owns five parcels in town, and if he only received four tax bills, that he would know to go looking for the fifth bill.

MOTION: To deny the request to refund the interest amount of \$346.23 for Map 7 / Lot 38-1.

MOTION: L. GARGIULO

SECOND: E. BEATTIE

UNANIMOUS

Financial Administration: Revision to Purchasing Policy: K. Anderson reported that the Town's annual financial audit was completed the third week of January. One of the recommendations made by the Auditors was to amend the Town's Purchasing Policy to add a section allowing the Board to waive the requirement for competitive bidding when it is in the Town's best interest to do so. The concern arose when some replacement pieces of Fire gear were purchased through the same manufacturer of the Fire Department's existing gear, for just over \$6,000, exceeding the threshold of \$5,000 for competitive bidding. The added section will allow for the purchase of replacement Police and Fire gear to maintain uniformity; allow purchases in the case of an emergency and when work is being done pursuant to previously determined bid processes. The Board has been waiving the bid requirements in these cases already, although the Town's Purchasing Policy did not specifically allow it. Also being added is the ability to reject all bids when in the best interest of the Town. Department Heads must request a waiver from the Board prior to making a purchase that would require the competitive bid process in these situations.

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

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MOTION: To amend the Town’s Purchasing Policy to add the section “Waiver from Competitive Process” and “Rejection of Bids”.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Financial Administration: Locality Equipment Grant: K. Anderson stated that the Town received a response from the GOFERR Locality Equipment Purchase Program, stating that the “proposed use of GOFERR funds for the Library does not meet the program description requirements that state that the equipment must, *be for safety and/or public health response and prevention equipment expenditures...*” They requested a response within ten days. K. Anderson described that she examined the GOFERR website’s previously approved projects, and determined that the Police Cruiser cost would qualify, so she is seeking direction from the Selectmen to pursue the GOFERR grant to re-write it for the Police Cruiser (partial) cost, and the Town money allocated for the police Cruiser could then be allocated to the Library project.

MOTION: To make a revised grant application to GOFERR, for the partial cost of the Police Cruiser.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

Building/Health: Reappointment of Health Officer: K. Anderson announced that Mark Sikorski’s term as Health Officer is due for renewal, as required by the State of NH. His appointment as Building Official, Code Enforcement Officer, and ADA official were not part of this reappointment.

MOTION: To reappoint Mark Sikorski as Hampton Fall’s Health Officer for a term of three years, to December 31, 2025.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

Parks & Recreation: Permits for Use of Town Common:

1) Children’s Craft Fair, Saturday, June 11, 2022, 12:00 – 5:00 PM

MOTION: To approve the request for Use of the Town Common for the purpose of the Children’s Craft Fair June 11, 2022, 12:00 PM to 5:00 PM.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

2) Friends of Hampton Falls Bandstand; Band Concerts

11 Concerts- Thursdays June 23rd – August 25th; Special Event Saturday, July 23rd 12-5; with Cool Wheels events on 4 of the concert dates (06/23, 07/14, 08/04, 08/18).

MOTION: To approve the request for Use of the Town Common for the purpose of the Friends of Hampton Falls Bandstand Band Concert series 2022, including eleven (11) concerts on Thursdays from June 23rd – August 25th; Special Event Saturday, July 23rd 12-5; with Cool Wheels events on 4 of the concert dates (06/23, 07/14, 08/04, 08/18).

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MOTION: M. LANE
SECOND: E. BEATTIE
UNANIMOUS

3) Farmers Markets, Wednesdays, June 1st – October 5th 2PM – 6 PM

MOTION: To approve the request for Use of the Town Common for the purpose of hosting Farmers Markets on Wednesdays, June 1st – October 5th, 2PM-6PM.

MOTION: M. LANE
SECOND: E. BEATTIE
UNANIMOUS

Bev Mutrie asked if there were any date conflicts with the events planned for the week of the Tricentennial, and L. Gargiulo said that if there were any conflicts, that they would be resolved. L. Gargiulo asked how many participants were interested in the Farmers Market? L. Stan responded that there may be 10-15 vendors. The Farmer's Market manager has a team of Volunteers, and the Farmer's Market in Exeter is not happening anymore, so it was thought that would improve success in Hampton Falls with some additional marketing.

4) Castleberry Fairs and Festivals, May 7-8; June 2-3; September 17-18; October 8-9, 2022, Saturdays 10AM to 5PM, and Sundays 11AM to 4PM.

MOTION: To approve the request for Use of the Town Common for the purpose of hosting Castleberry Fairs and Festivals on May 7-8; June 2-3; September 17-18; October 8-9, 2022. Saturdays 10AM to 5PM, and Sundays 11AM to 4PM.

MOTION: M. LANE
SECOND: E. BEATTIE
UNANIMOUS

Parks & Recreation: Wreaths Across America Program:

K. Anderson explained that the Recreation Commission is asking permission from the Board to participate in the *Wreaths Across America Program*. If approved by the Board of Selectmen, the Recreation Commission needs permission from the Cemetery Trustees as well. K. Anderson included some materials about the program in the Selectmen's packets. K. Sabatini reported that eleven (11) people have responded to Volunteer to help place and remove wreaths. E. Beattie said that the Cemetery Trustees are going to want to know and understand how the program works. L. Stan requested the subject be Tabled to another future Selectmen's meeting when Pam Fitzgerald could attend to describe the program in greater detail. There was a consensus to **Table** this subject until a future Selectmen's meeting.

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

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: E. Beattie reported that the Planning Board has applications they are expecting to receive but have not received yet. The

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Ordinance and Regulations Committee is hard at work on Zoning definitions. The Master Plan update by chapters will start to be discussed in the next few months among the Planning Board members.

E. Beattie reported that the Library Trustees meeting he missed, but he read the minutes.

E. Beattie informed the Board of Selectmen that the Tricentennial Committee is scheduling all of the planned events to fit together like a jig-saw puzzle, within the week-long celebration from July 31, 2022, to August 06, 2022. The Tricentennial Committee is meeting next Monday. The History of Hampton Falls book is done, and the publisher is getting ready to do the book's cover. He added that the Tricentennial Committee will be bringing some requested approvals forward, for consideration by the Selectmen, in the near future.

Parks & Recreation, LAS School Board, Rt. 1 Corridor Advisory Committee – M. Lane: M. Lane informed the Board of Selectmen of the Parks and Recreation Commission's slate of events planned at the Town Common this coming year, which the Selectmen just approved. He added that the Ice Rink is getting some use for the first time in years. In terms of the Tricentennial week, Parks and Recreation is considering doing a Home Run Derby, and also possibly Co-Ed Softball with the help of Mike Montville.

The School update from M. Lane was that the school budget has an increase of 1.96% and includes a \$125,000 Warrant to repave the parking lot. There are four (4) people running for two (2) positions on the School Board, and Candidates Night is scheduled by the Library although the date for that event has not yet been established.

K. Anderson added an update regarding Town Elections, that there are two contested positions, namely, for Cemetery Trustee there are two candidates for one position, and for Planning Board there are three candidates for two positions.

M. Lane stated that the Route 1 Corridor Advisory Committee has not had any recent meetings. The Town has received the Draft Report from the consultants (VHB & NHDOT). The consultants want to schedule a presentation at a Selectmen's meeting March 9th and will distribute their draft version of the report prior to the public meeting.

Heritage Commission, Conservation Commission – L. Gargiulo: L. Gargiulo reported that the Heritage Commission's work on the Historic Booklet is near completion and will be ready for the Tricentennial.

L. Gargiulo updated the Board of Selectmen that the Conservation Commission, is issuing a letter regarding the Coach Lane issue.

REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES, January 12, 2022.

MOTION: To approve the minutes of January 12, 2022, as written.

MOTION: E. BEATTIE

SECOND: M. LANE

UNANIMOUS

PUBLIC COMMENT: There was no Public Comment.

Motion to enter Nonpublic Session made at 7:00 PM by L. Gargiulo and seconded by E. Beattie.

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Specific Statutory Reason cited as foundation for the nonpublic session:

RSA 91-A:3, II (a) Personnel: *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 7:05 p.m.

Review of personnel matter.

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

Motion: PASSED

Public session reconvened at 7:34 p.m.

ADJOURNMENT:

MOTION: To adjourn the meeting at 7:35 p.m.

MOTION: M. LANE

SECOND: E. BEATTIE

UNANIMOUS

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

Next Selectmen's Meeting is scheduled for Wednesday, February 16, 2022, at 6:00 PM, Town Hall.