

FINAL

PRESENT: M. J. FARINOLA, CHAIRMAN; MARYANN KASPRZAK, R. P. MCDERMOTT, SELECTMEN; E. N. SMALL, TOWN ADMINISTRATOR; L. A. RUEST, ADMINISTRATIVE ASSISTANT

CABLE: Kate Miller of Donahue, Tucker, Ciandella was present to discuss options with regard to the Comcast Cable contract with the Town of Hampton Falls that is expiring. She provided a handout outlining the cable franchise renewal process and reviewed the needs to look back over the contract to ensure obligations have been met by Comcast as well as forward-looking needs and interests the Board might have. Discussion took place with regard to the Board's ability to maintain management and keep control of what's important to the community, consideration of taxing those who use public property (right of way), items subject to negotiation and other items that are not subject to negotiation (pricing and channel selection/programming). K. Miller noted that there is no competing cable provider at present and reviewed the status of Fairpoint's ability to provide cable television access. She also noted that the Board of Selectmen has an obligation to ensure all terms are met.

M. J. Farinola stated that the Board understands that there is no negotiation with regard to fees and channel selection. He added that the Board has lost interest in a public access channel but would like to keep that option open. The Board also wishes to support the current scholarship program supported by franchise fees and shorten the term of the next contract to five years.

K. Miller noted that one item that needs to be addressed is Comcast's wiring of classrooms with a cable drop. This is part of the current contract and has not been done. Lincoln Akerman School Board Member R. Ratigan stated she would bring this matter to the School Board's attention.

M. Kasprzak stated that she would be interested in seeing if there are other items that have not been complied with and supports the recommendation of a shorter term contract. Discussion took place with regard to the cost for K. Miller to assist the Town. K. Miller explained the fee structure of a low cost of \$5,000 and a high cost of \$10,000. M. J. Farinola stated that the next step for the Board is to determine whether the matter should go forward with Donahue, Tucker, Ciandella or another firm. K. Miller stated that if the Board doesn't start a process, the Town will be put in a place that is punitive and Comcast can bring a proposal to the Town. The Board thanked K. Miller for her assistance. A draft letter of services outlining what's involved in the process was provided to the Town Administrator for the Board's review and consideration.

ASSESSING AGENT DIANA CALDER – OVERVIEW - ASSESSING DEPARTMENT: D. Calder provided the Board with information relating to the status of the town-wide data verification program. She stated that the NH Assessing Standards Board requires inspection, measuring every business and dwelling, once every ten years. The Town of Hampton Falls is in its third, and last, year of data verification; last time this process was done was in 2000. She reported that there are 1,198 parcels in Hampton Falls with approximately 275 left to be inspected.

She provided information on new construction and its value which is less than last year. She also reviewed results of a study of the assessment sales ratio and provided details of the information used to achieve percentages. M. J. Farinola stated that the Board may wish to adjust this percentage. D. Calder also suggested that additional research be considered with regard to land values. R. P. McDermott and M. Kasprzak agreed to D. Calder conducting an analysis for further discussion.

FINAL

PUBLIC HEARING TO CONSIDER A DISCRETIONARY PRESERVATION EASEMENT: M. J. Farinola opened the public hearing. D. Calder provided information to the Board with regard to the easement law and property record cards for Dennis and Joanne Hanson, 80 Drinkwater Road, who have applied for this easement.

D. Calder provided the Board with a listing of issues to be considered and reviewed each with the Board. She also provided scenarios with regard to the values affected and the amount of taxes that would be redistributed amongst other taxpayers. It was noted that these types of buildings are recognized in the assessed values. M. J. Farinola questioned whether the applicants are challenging the values of the barns as presented and added that the Board of Selectmen have supported the Assessor on all recommendations for abatement as she has been found to be more than fair with people. D. Calder and the applicants stated there is no challenge to the values as assessed. The question is whether to grant an easement or not. Discussion took place with regard to the barns that are part of the application. D. Calder stated that one barn includes a guest house and another includes a garage and workshop.

M. Kasprzak stated that there are efforts being made in New Hampshire to preserve barns. She stated she supports attempting to maintain history and heritage in Hampton Falls and would like additional information as to the number of barns that have been saved and the number that have been lost. R. P. McDermott questioned why the amount of \$746 of taxes being shifted is needed when the property owners already have intentions of preserving the property and the assessor has addressed issues relating to the value in the assessment.

Mr. and Mrs. Hanson presented a projected presentation at this time to include photos of the property, repairs and renovations made since purchase of the home in 2008, public benefit to include a visual reminder of agricultural history and their commitment to preserve a piece of history. Mr. Hanson stated that every little bit helps with regard to tax savings.

Discussion was opened to members of the public. B. Mutrie, Brown Road, inquired as to the manner in which barn easements are implemented and administered. D. Calder provided an explanation and noted that the easement holders can renew after ten years and have the benefit of a nice barn but not revenue to the Town. B. Mutrie supported the idea of hearing from the NH Preservation Alliance in this regard. J. Werchniak, Old Stage Road; C. Brown, Exeter Road; B. Burns, Marthas Court; B. Carlson, Exeter Road; and M. Thompson, Toppan Lane, supported the sentiments expressed with regard to preserving barns with this easement. Hearing no further comments from the public, M. J. Farinola closed the public hearing.

The Board agreed to obtain further information from John Porter and the NH Preservation Alliance and possibly solicit help from the Heritage Commission to identify the number of barns. M. J. Farinola stated that although he feels this matter qualifies in uniqueness and is worth supporting, he questioned whether other resources are available in order to do better than a \$700 tax break from the Town. He expressed concern with taking tax dollars from other property tax payers to support one's property.

The Board determined that the question to be raised is "Why should the Town try to preserve barns?" M. Kasprzak stated she would contact and obtain information from John Porter for consideration of the Board at its June 16 meeting.

FINAL

• **OLD BUSINESS**

FINANCIAL REPORTS-GENERAL FUND BALANCE (\$151,000):

COMPUTER SOFTWARE: M. J. Farinola stated that Bruce Fabbri is present to assist the Board with questions relating to software used at Town Hall. R. P. McDermott reported that he spoke with B. Fabbri with regard to the issue of software purchased by former Selectmen S. Hanson that has been found to be illegal.

B. Fabbri informed the Board of the option of Open Office that is free with no licensing requirement to local governments. He reported that the product is similar to the software used at present and that service calls should not be any different and that automatic updates are available. There is no cost as users would download the software. Question was raised with regard to the server. B. Fabbri suggested that one copy be downloaded to determine if older documents can be opened. He also noted that in some instances the file may need to be saved or converted in a different format. L. A. Ruest asked if Outlook would be affected with this change. B. Fabbri stated that Outlook is not included, however, there is an open source Outlook as well called Thunderbird.

M. J. Farinola requested that Two-Way Communications be informed of this change and be asked to remove Microsoft Office Home and Student 2007 once all are comfortable with the new software. M. J. Farinola inquired as to whether the Building Inspector brings his laptop home from the office and stated that it should remain in the office in accordance with the Personnel Policy. The Board thanked B. Fabbri for his assistance.

ACTION ITEMS FROM THE LAST MEETING: The Board reviewed the action items listing at this time. M. Kasprzak reported that she has spoken with Library personnel regarding the shelving matter. This will be discussed at the Library Trustees next meeting. R. P. McDermott reported that he has contacted Alex Dittami to see if a sign for Town Hall hours can be obtained at wholesale price. E. N. Small reported that town hall office hours information will be brought to the June 16 meeting.

APPOINTMENT TO THE ROCKINGHAM PLANNING COMMISSION – RECOMMEND D. FRENCH: The Planning Board has recommended David French as Commissioner. He is an Alternate Commissioner at present.

MOTION: To appoint D. French as Commissioner to the Rockingham Planning Commission.

MOTION: R. P. MCDERMOTT
SECOND: M. KASPRZAK
UNANIMOUS

PAINTING OF STOP BARS – INTERSECTIONS, TOWN HALL, PUBLIC SAFETY

BUILDING: D. Robinson provided the Board with a figure of \$30 per stop bar for an estimated 30 stop bars or \$900. Painting of the word “stop” is an additional \$20 per word. D. Robinson stated that he does not recommend this as other cities and towns are no longer doing so.

PAINTING OF YELLOW LINES – BROWN AND DRINKWATER ROADS AND TOWN HALL INTERSECTION: D. Robinson reported that the painting of the triangle in front of Town Hall will

FINAL

cost \$95. Painting of yellow center lines costs .165 cents per foot. Discussion took place with regard to the linear footage planned to be painted. D. Robinson stated he would need to measure and report back to the Board. The Board suggested that ends of intersections be considered rather than entire lengths of roads. E. N. Small and D. Robinson will prepare a proposal for consideration.

MILL LANE – REPLACE PIPE UNDER ROAD: D. Robinson provided the Board with a cost of \$3,000 for labor and materials to replace this pipe.

MOTION: To approve the price of \$3,000 from the Road Agent for the Mill Lane pipe replacement.

MOTION: R. P. MCDERMOTT

SECOND: M. KASPRZAK

M. J. Farinola questioned whether the Board should bid this project out or not. Although he had no problem with this project, he stated he does not want to get in the habit of giving all projects to the Road Agent even though a good price is presented. R. P. McDermott stated he understood that a range of \$3,000 to \$5,000 was agreed to with regard to bidding projects. M. Kasprzak agreed.

VOTE: UNANIMOUS

SHOULDERS AND DRAINAGE: The Board reviewed specifications prepared by Jones and Beach Engineers in November 2008. Discussion took place as to the costs associated with the areas needing attention. D. Robinson stated that he has not measured the areas needing attention.

MOTION: To table this matter.

MOTION: M. J. FARINOLA

SECOND: R. P. MCDERMOTT

Further discussion of the Jones and Beach report and information on the lowest bid received at the time took place. A review of the listing of areas needing attention prepared by D. Robinson was also done. R. P. McDermott asked that D. Robinson measure and fill in the footage amounts in order to determine a price.

VOTE: UNANIMOUS

WHITE GOODS DAY AND THE BRUSH PILE?: D. Robinson recommended postponing White Goods Day until the brush can be removed from the Brush Dump. E. N. Small reported that ProBark will be in Town on Monday to remove the brush. An alternative date of June 12 was set. Information will be posted throughout town, through email and on the web site.

The Board agreed to change the hours of the Brush Dump from 10 a.m. to 4 p.m. to 8 a.m. to 2 p.m. consistent with White Goods Day. C. Brown, Exeter Road, asked how residents will be informed of the change in hours. It was suggested to place a temporary sign at the dump as well as send an email through R. P. McDermott's group listing.

FINAL

D. Robinson recommended pushing piles at the Brush Dump over the slope. The Board requested a cost to consider. D. Robinson stated that a leaf pile is now mostly loam and suggested that the Board give consideration to allowing residents to take some or finding someone to buy it and take it away so that this pile does not have to be pushed back.

E. N. Small inquired as to whether the Brush Attendant should open the Brush Dump on Saturday, June 5. The Board determined that the Brush Dump is to be opened to receive brush and that P. Michael should be present.

PUBLIC HEARING – PUBLIC INPUT ON POTENTIAL RECREATIONAL, EDUCATIONAL AND AGRICULTURAL USES OF THE RASPBERRY FARM. – JUNE 10, 7 P.M., TOWN HALL: M. J. Farinola reported that a public hearing is scheduled for June 10, 7 p.m., to receive input on potential uses of the Raspberry Farm.

OTHER

SIGNAGE: R. P. McDermott requested information with regard to a May 5 email requesting a “Children at Play” sign for Depot Road. D. Robinson reported that the Town does not have this sign available in inventory. E. N. Small suggested that this matter be brought to the Highway Safety Committee for review and recommendation. R. P. McDermott stated he did not want to order a sign, just checking to see if one is available.

CLARIFICATION – WINTER ROAD MAINTENANCE CONTRACT: R. P. McDermott requested clarification with regard to discussion held last meeting and the signing of a Winter Road Maintenance Contract with Jim Ziolkowski. He stated that he didn’t understand E. N. Small’s indication of changes or alterations needed. M. Kasprzak reported that E. N. Small requested time to review the contract and address items no longer applicable such as the RFP and to also address the issue of the storage tank proposed by the contractor. M. J. Farinola stated a general review of the contract to verify is appropriate, however, expressed concern of changing something in the document as it will not be the same contract in the end.

E. N. Small was away from the meeting making copies when the above discussion took place. R. P. McDermott asked him what he felt was needed to be addressed before signing this contract. E. N. Small stated that the original RFP is part of the contract as an exhibit and makes the document confusing. M. J. Farinola stated he is not happy with the way this is going. E. N. Small requested direction of the Board. R. P. McDermott requested a copy of the original contract and the proposed contract. M. J. Farinola requested the original contract document with modified dates so as to extend this contract if it is decided not to accept E. N. Small’s modifications.

PUBLIC COMMENT

- **NEW BUSINESS**

GOAL - ESTABLISH A POLICY FOR AWARDING REQUESTS FOR PROPOSALS AND BIDS/ CHECKLIST FOR REVIEWING REQUESTS FOR PROPOSALS AND BIDS/ COMPLETED V. INCOMPLETE INFORMATION – REASON FOR REJECTING A BID: E. N. Small inquired as to whether the Board wishes to establish a policy for awarding bids. He added that the

FINAL

Board runs a risk when there are only two bidders with little difference in price. M. J. Farinola stated that his conversation with a Local Government Center lawyer resulted in adding the term “if applicable” to the requirement for workers compensation coverage for individuals. He stated he was not in favor of adding another layer of a checklist. E. N. Small stated that the checklist will assist with ensuring that all has been submitted as required. Should there be a need to make a quick decision the Board can address issues to determine all is in line with requirements of the bid. E. N. Small stated that the Board usually takes the matter under advisement, allowing for review and ultimate consideration at the next meeting. The checklist is proposed should there be a need to get the bid addressed right away. R. P. McDermott stated that he doesn’t feel there is an issue, however, he and M. Kasprzak approved the use of the checklist.

THE GRANITE STATE QUEST BIKE RIDE – July 10 – SELECTMEN’S PERMIT was signed by the Chairman.

AMERICAN LEGION POST 35 – SELLING FOOD AND BEVERAGES DURING SUMMER BAND CONCERTS was signed by the Chairman.

NOTICE OF INTENT TO CUT – 27 KENSINGTON ROAD was signed by the Board.

THE RASPBERRY FARM CELEBRATION – JUNE 27, 3-5 P.M.: Invitations have been sent to town officials. M. J. Farinola requested L. A. Ruest reply with his inability to attend.

SELECTMEN REPRESENTATIVE REPORTS:

SELECTMAN FARINOLA – ZONING BOARD OF ADJUSTMENT, SCHOOL BOARD,: The ZBA granted a request for rehearing for Case #10-2 Ruest. The School Board held a short meeting in order to attend another event. Discussion included strengthening the efforts of the Facilities Committee.

SELECTMAN MCDERMOTT – CONSERVATION COMMISSION, FIRE DEPT., ENERGY COMMITTEE: The matter of the Niebling property on Nason Road was discussed to include a misunderstanding with regard to clear cutting. The Raspberry Farm public hearing was also discussed. M. J. Farinola requested the matter of the Niebling property be reviewed and data obtained. He requested copies of the Selectmen’s acceptance of acquisition of the property, deeds, documents and minutes for review at the next meeting. R. P. McDermott reported that the Fire Department discussed the plans for the Memorial Day Parade last meeting and that the Energy Committee’s last meeting was postponed.

SELECTWOMAN – PLANNING BOARD, LIBRARY, HERITAGE COMMISSION: M. Kasprzak reported that the Planning Board reviewed a draft site plan regulation amendment regarding outside illumination that will be brought to public hearing on June 22. She also reported that the Library has received money back for unused fuel oil. The money is planned to be used to pay for a recent plumbing problem. Additional research is being done with regard to the cy pres effort and the Library’s tech committee is looking to see how they can assist the public with basic computer skills training. It has also been reported that there are problems obtaining substitutes and there is an interest in creating a substitute pool of employees with other libraries. There was no Heritage Commission meeting in May.

OTHER

FINAL

Complaint Form: R. P. McDermott inquired as to whether a complaint form is available to the public. E. N. Small stated that there is a form and that it is provided in the literature rack outside the Building Inspector's office.

REVIEW AND APPROVAL OF PREVIOUS MINUTES (MAY 19 AND 24):

MOTION: To approve the minutes of the May 19 meeting as written.

MOTION: R. P. MCDERMOTT

SECOND: M. KAZPRZAK

UNANIMOUS

MOTION: To approve the minutes of the May 24 meeting as written.

MOTION: M. KASPRZAK

SECOND: R. P. MCDERMOTT

UNANIMOUS

NEXT SELECTMEN'S MEETING – WEDNESDAY, JUNE 16, 2010, 6:30 P.M., TOWN HALL