

**FINAL**

**PRESENT:** R. P. McDermott, Chairman; M. Kasprzak, Vice Chairwoman; C. P. Graham, Selectmen; E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

**POSTPONED - PUBLIC HEARING FOR ONE-TIME EMPLOYEE BONUS PLAN**

**PUBLIC SAFETY BUILDING – COGENERATION UNIT – SHAWN HANSON:** S. Hanson provided the Board with a status and progress of the cogeneration unit at the Public Safety Building. He explained that the system has been installed and working, however, the programming of the system has yet to be done. He explained that there is a person (Jay Aucella) who handles the Town of Epping's system who may be able to assist with annual maintenance of the system in Hampton Falls. S. Hanson provided information as to the work that has taken place over time, propane use and the ability for the utility to buy back additional power. He noted that there is a recent law to require utilities to do so, that he has submitted an application and is working with Unitil to install the required net meter.

S. Hanson also reported that electric bills should have been less than they have been and he's not sure why they're not. He stated that he will ask this question of J. Aucella. R. P. McDermott expressed concern with not experiencing the savings expected. S. Hanson stated he hopes that with the new meter the Town will see savings.

S. C. Hanson stated that the backup propane portion of the system could be used separate from the system as it is 93% efficient (if increased costs in propane are experienced). He added that he would not anticipate a doubling of propane costs as this portion of the system is designed as an assist to the full system.

Hearing no further comments or questions from the Board, R. P. McDermott opened discussion to the public. B. Mutrie, Brown Road, inquired as to whether an employee could be trained to maintain the system. S. Hanson stated that he is not sure how complicated the process is and that he recommends hiring someone qualified. R. P. McDermott closed public comment.

**MOTION:** To engage the services of Jay Aucella to review the programming of, and service of, the Town's cogeneration unit at the Public Safety Building for a fee of \$652.

**MOTION: C. P. GRAHAM**  
**SECOND: M. KASPRZAK**  
**UNANIMOUS**

**HAMPTON FALLS HISTORICAL SOCIETY – EXTEND LEASE TO THE OLD LIBRARY – DAVID FRENCH:** Chairman D. French and B. Mutrie, A. Coombs, F. Brown, Members were present. C. P. Graham inquired as to whether discussion of extending this lease should take place after the Town accepts the building. Discussion took place with regard to the need to survey the land and the costs associated with doing so. E. N. Small stated it would be more appropriate to accept the library land and then extend the lease once the survey work is complete.

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D. French stated that this matter came up as part of discussion to correct the siding on the Old Library building. He stated that the Historical Society's intention is to have the same work being done on the Town Hall siding done to one side of this building. He reported he obtained a price from the contractor of \$7,857. He reviewed available warrant article money to do the work and stated the Historical Society would be willing to contribute the balance needed. He also reported on repairs needed to the roof and the cost associated indicating that the Historical Society would be willing to fund this repair as well. In conjunction with the work to replace the siding, D. French requested an extension of the lease to the year 2025. The current lease expires 2016.

R. P. McDermott inquired as to the plans for the rest of the building. D. French stated there is no plan in place but that he has spoken with the Preservation Alliance regarding the proposed repairs. He added that volunteers may be available to help keep costs down. C. P. Graham stated that he would be amenable to considering the Historical Society's request once the survey is complete and the property belongs to the Town. M. Kasprzak indicated she is in favor of the proposal. E. N. Small suggested calling Terry Knowles to see if there is a recommendation on a process for the Selectmen's acceptance of the building. (The Town passed an article in 2003, allowing the Selectmen to accept this building without action of town meeting under RSA 31:19).

Discussion was opened to the public. C. Brown, Exeter Road, inquired as to the amount of the available warrant article. She was told the amount is \$5,000 (Article 4, 2010). A similar warrant article in 2011 did not pass. B. Mutrie, Brown Road, asked if it would be okay to insulate while the siding is off. The Board indicated it would be okay if the Historical Society has the funds. She also added that to extend the lease term the matter may need to go before the voters on the warrant. The Board agreed.

**AMERICAN LEGION COMMANDER POST 35 RALPH FATELLO - MONUMENT AT**

**TOWN COMMON:** R. Fatello was present to explain a proposal to place a monument on the Town Common to commemorate those who have served in conflicts since the Vietnam War (4/30/75 to 9/11/01). Three samples were presented for review. He explained that the role of the Legion is to remember those who served or have given their lives. Keeping consistent with other monuments on the Common, a boulder with a bronze plaque is proposed.

Recreation Commission Member L. Smith asked that R. Fatello work with the Recreation Commission to determine a complimentary size and placement. P. Robart added that the monuments in place now are placed in two and that consideration should be given to design in such a way as to allow for placement of a future monument.

R. Fatello stated that he would like to announce this monument on Veterans Day, November 11, 2011. He noted that there will be no cost to the Town. The Board agreed to this proposal and asked that R. Fatello work with the Recreation Commission with regard to design and placement.

• **OLD BUSINESS**

**SELECTMEN'S ACTION ITEMS FROM PREVIOUS MEETING:** R. P. McDermott asked that action items from past meetings that have not yet been completed be provided in a listing to the Board.

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He also requested that an update be provided to the Board with regard to where the Town Clerk stands on acceptance of credit cards.

**PROPERTY TAX WARRANT ADJUSTMENT:** The Board signed an amended warrant.

**CAPITAL IMPROVEMENT PROGRAM, LAND NEXT TO THE MUNICIPAL COMPLEX:** R. P. McDermott reported that he has attempted to contact M. Linnehan for a contact number for T. Carney without a reply. C. P. Graham stated that he would try to contact M. Linnehan.

**ECOSMITH RECYCLERS – REAR PSB – 6 MONTH TRIAL PERIOD FROM APRIL 1:** The Board agreed to continue with the placement of Ecosmith Recycling containers at the Public Safety Building sharing the revenue with the Lincoln Akerman School Board (50/50%).

**MOTION:** To extend the agreement with Ecosmith Recyclers and the Lincoln Akerman School PTO for recycling of clothing and other soft goods in collection bins located at the Public Safety Building indefinitely or at the pleasure of the Board of Selectmen.

**MOTION:** M. KASPRZAK  
**SECOND:** C. P. GRAHAM  
**UNANIMOUS**

**SELECT MEETING TIME FOR ANOTHER REVIEW OF THE BUDGET:** The Board set the dates of November 9 and November 10, 9:30 a.m. for budget work sessions; if two sessions are not needed, the November 10 meeting will not be held. C. P. Graham asked if the Police Chief has obtained a price for gasoline from the State. Fire Chief J. M. Lord offered to send this information to Board members tomorrow.

**TOWN BOUND ON ROUTE 1:** E. N. Small reported that the Town of Seabrook has this bound and will be hiring a surveyor and installing it in its proper place. It has been suggested that this bound be placed in a base so that it doesn't get knocked over again.

**VACANT POSITIONS – R. MCDERMOTT:** R. P. McDermott reported that he has yet to call committee and board chairpersons with regard to needs for volunteers to fill vacancies.

**CASH FLOW AND ELEMENTARY SCHOOL – TA MEETING WITH TREASURER:** E. N. Small reported that he met with Lincoln Akerman School Treasurer Karen Ayers. He stated that it has been determined that cash flow is adequate at the present time and there is no need to borrow. He added that a cash flow projection has been received from the School Administrative office. R. P. McDermott asked that these projections continue to be provided on a regular periodic basis. E. N. Small stated he would like to meet with the LAS Treasurer again in the spring to determine balances.

C. P. Graham inquired as to the need for bond counsel should the Town need to obtain a tax anticipation note. E. N. Small confirmed that all banks require bond counsel opinion. This is a change from years

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past. C. P. Graham noted that there are up to \$1,500 fees to do so. E. N. Small confirmed this cost and stated working out release of payments to the schools will assist with not having to borrow.

C. P. Graham inquired as to the legislative change that may allow for different treatment of the first bill. E. N. Small stated this may have passed and that there will be a need to work with the Department of Revenue Administration to change the tax billing process. C. P. Graham asked the Town Administrator to inquire as to how the change would work in advance of needing to address the change, specifically, before March 2012 election. E. N. Small stated he would work with DRA Representative J. Samms in this regard.

**SURVEY OF THE OLD LIBRARY:** This matter was addressed earlier in the meeting with the Historical Society agenda item. See page one.

**MEETING WITH LT. BOYNTON/DIRSA AND BI RE CODE ENFORCEMENT PROCESS:** E. N. Small reported that he met with the Lieutenant, Police Chief and Building Inspector to review the process needed in order to give proper notice and bring a code enforcement matter to the court system to include fines that can be assessed. A copy of the Town's Notice of Code Violation form was provided to the Board. This form needs updating and once done, will become the letter used by the Building Inspector/CEO.

**DRAINAGE ON BROWN ROAD – APPLECREST FARMS:** D. Robinson reported he spoke with Todd Wagner with regard to the drainage problem at the location of frontage on Brown Road. He stated that plans for temporary correction of the drainage problem have been identified and that the area will need to be re-addressed at apple season time. Following discussion, D. Robinson was asked to contact T. Wagner again to request that proper culverts be put in to eliminate water from this area travelling onto Brown Road and that it be checked again in 30 to 60 days to ensure drainage is working the way it should.

**WARRANT ARTICLE – 2012 ROAD IMPROVEMENTS:** This matter was discussed as part of the Public Comment section of the agenda. C. Brown, Exeter Road, asked if the proposed \$45,000 warrant article is above and beyond the revenue from the State of NH or a \$90,000 amount for road improvements in 2012. R. P. McDermott stated it is and that the information prepared by RSMS will assist the Board with identifying work to be done.

**OTHER**

**October Winter Storm Event Tree and Branch Debris:** A listing of 25 roads and the amount of debris or other concerns was reviewed by the Board. D. Robinson stated he has spoken with Valley Tree Service and learned that they are available to come at the end of the week to look at the amount of work to be done and provide a price. He added that it is felt the work can be done with a two man crew, chipper and chainsaw.

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M. Kasprzak stated there is a need to keep records of the cubic yards of debris for FEMA claim purposes. J. M. Lord explained his call to FEMA with regard to the manner in which to identify storm debris and reviewed options with the Board. The State has not yet received approval of declaration for Category B or debris removal.

C. P. Graham stated he understood the arrangement with Valley Tree in place, however, asked that prices be obtained before proceeding with the work. The Board reviewed the manner in which debris has been taken care of from past storms as well as the pricing obtained from Valley Tree for emergency tree services and other tree services. A review of the 2010 bidding process, minutes of meetings and the decision relating to services from Valley Tree took place. Following this review, C. P. Graham identified that this process was approved for one year and again asked that prices be obtained. At the request of the Board, E. N. Small will obtain at least three prices for cleaning up roadsides only for consideration. D. Robinson expressed concern with timing and getting the work done as most tree companies are working given the debris from the storm.

C. P. Graham inquired as to the hanging tree limbs identified at a recent meeting. D. Robinson stated that it is not necessary to handle these under the emergency pricing aspect of the agreement and that he would work with Valley Tree to see what is recommended. J. M. Lord asked if the Board is willing to accept liability while waiting to cut the hanging limbs. C. P. Graham noted it has been days since the limbs were identified with the intention of addressing the matter at this meeting and stated the matter deserves attention.

**MOTION:** To engage the emergency designee to get determination of four hanging tree limbs in order to remove them as expeditiously as possible.

**MOTION: C. P. GRAHAM**

**SECOND: R. P. MCDERMOTT**

**UNANIMOUS**

M. Kasprzak left the meeting at this time.

R. P. McDermott asked why the emergency meeting was not held earlier and C. P. Graham stated he felt the meeting should have been held prior to the need for snow removal services. Concern was raised with meeting after-the-fact. J. M. Lord stated he would take the blame in this instance and requested the Board meet with him with a list of concerns so that a better understanding of the process can be achieved. As Emergency Management Director, J. M. Lord has taken care of issues in the past. He explained that in the instance of this storm, he was out of town and that most was taken care of while he was away. When he returned, he asked the question of what needs to be done with the debris on the sides of roads. He added that the Board needs to allow the Department Head to run the Department and the Road Agent to do the work needed in this type of event. He suggested that further discussion might need to be had. J. M. Lord stated that he works within the budget no matter the situation. Should there be an expenditure for something not part of the budget, the matter is brought to the Board.

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C. P. Graham referenced the policy of the Board to require pre-approval of expenditures in excess of \$1,000 and questioned the plowing services provided by the Road Agent and Winter Road Maintenance contractor during the storm to include the cost. D. Robinson stated he is present this meeting to obtain direction of the Board with regard to debris removal from roadsides. E. N. Small stated that the cap has been interpreted to address purchasing of items rather than services. C. P. Graham asked that more care be given to taxpayer money.

In closing, it was determined that E. N. Small will call for prices using the benchmark of two men and a chipper, to include the availability, from a number of tree companies for consideration at the Wednesday, November 9 meeting. E. N. Small asked J. M. Lord to identify and list those trees with hanging limbs.

**PUBLIC COMMENT**

Larry Knowles, Marsh Lane, reported two potholes at the beginning of Marsh Lane where it meets Lafayette Road and also reported that a culvert is clogged and overflows onto the road. He also inquired as to the balance of the warrant article for cleaning cemetery headstones and reported a large maple tree down in one cemetery as a result of the recent snowstorm. C. Brown, Exeter Road, reported that the Cemetery Trustee Chairwoman is aware and is obtaining prices to remove the tree. J. M. Lord was asked to include this information as part of his FEMA documentation for possible future claim.

C. Brown, Exeter Road, inquired as to the first item on the agenda for a public hearing for bonuses for employees which was postponed and asked when it would be heard. R. P. McDermott stated no new date has been determined and that the matter may appear on the 2012 warrant.

C. Brown inquired as to the status of the Carney Land as the information is needed by the Capital Improvement Committee. R. P. McDermott reported that he did not receive a return call from M. Linnehan and that C. P. Graham will try contacting him. It was determined that this matter is not at a stage where it can be included in the CIP and that it may be considered as a warrant article.

B. Mutrie, Brown Road, inquired as to the status of potential sewer hook up to a portion of the commercial district with the Town of Seabrook. R. P. McDermott stated that the Board needs to obtain information from the Public Utilities Commission.

B. Mutrie inquired as to when the survey of the Old Library property will be done. E. N. Small stated that he will check the budget to see if funds are available. He added that he does not recall including this in the 2011 budget and it may need to be brought to 2012.

**• NEW BUSINESS**

**2012 BUDGET HEARING NOTICE was signed by the Board for posting.**

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**2011 LETTER RE AUDIT AND TOWN REPORT DEADLINES** was signed by the Board for distribution to employees and board chairpersons.

**SOUTHEAST LAND TRUST EASEMENT ON NIEBLING LAND \$7,372.-CONS. FUND:** No member of the Conservation Commission was present. This matter will be added to a future agenda when a member can be present.

**MONTHLY SELECTMEN REPRESENTATIVE REPORTS**

**SELECTMEN MCDERMOTT - FIRE DEPT., LIBRARY:** R. P. McDermott reported that he was unable to attend the Library meeting and that the Fire Department is working on Christmas tree sales fundraising and storm events/results.

**SELECTWOMAN – KASPRZAK - PLANNING BOARD, HERITAGE COMMISSION:** No report was given at this time.

**SELECTMEN GRAHAM - SCHOOL BOARD, ENERGY COMMITTEE:** C. P. Graham reported that the Energy Committee meeting was moved to a date he could not attend and that the School Board meeting is tomorrow.

**OTHER**

C. P. Graham asked E. N. Small questions relating to over-expenditure of certain budget lines. He inquired as to whether Department Heads seek permission in advance, whether the accounting software program can assist with identifying potential over-expenditures and whether it is his or someone else's responsibility to identify over-expenditures from monthly reports provided.

E. N. Small stated that the Board receives monthly expenditure reports and budget status reports that show the results of the previous month. He noted that there is a policy to seek pre-approval from the Selectmen for purchases over \$1,000; he understands this to be items, not services. C. P. Graham asked for direction as to whose responsibility it is to identify overspending concerns and whether advance notice is needed. E. N. Small reviewed an example of the Highway Department budget being of concern of overspending given that snow plowing for the winter months has not yet been paid. He added that given the overall budget being in good shape, the bottom line will not overspend even with an over-expenditure in the Highway budget. C. P. Graham noted that it is the Department Heads and Town Administrator's responsibility to work within budgets. E. N. Small suggested holding a meeting with Department Heads and himself to obtain a better understanding. C. P. Graham agreed with this suggestion and noted concern of excess funds belonging to the taxpayer and not various departments. It was determined to meet with Department Heads and Board Chairpersons in advance of the budget workshop on Wednesday, November 9. Further discussion took place with regard to taxpayer dollars, line items and bottom line budgeting. It was agreed to work these questions through on November 9.

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

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**REVIEW AND APPROVAL OF PREVIOUS MINUTES -- OCT 3, 5, AMEND 19, 21**

**MOTION:** To approve the minutes of the October 3 and October 5 meetings as written.

**MOTION:** C. P. GRAHAM

**SECOND:** R. P. MCDERMOTT

**PASSES**

C. P. Graham offered amendments to the October 19 minutes as follows:

**Page 6...** He ~~suggested~~ *offered an example of* a “rainy day” amount of \$200,000 this year and \$230,000 next year, then \$260,000, etc. R. P. McDermott and M. Kasprzak agreed to amend amounts to retain \$200,000 (from \$215,000) in the undesignated fund balance. E. N. Small amended the forms for signature of the Board Chairman. In response to C. Brown, Exeter Road, the Board reported that the DRA recommends \$443,000 be retained.

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**NOV/DEC TOWN SECTION OF THE HAMPTON FALLS NEWSLETTER:** The Board approved the newsletter as written; however, question was raised with regard to the Town Clerk’s acceptance of credit cards. *This is something that needs follow up as it will become very costly if the issues are not remedied immediately.*

**MOTION:** To approve the minutes of the October 19 and October 21 meetings as amended.

**MOTION:** C. P. GRAHAM

**SECOND:** R. P. MCDERMOTT

**PASSES**

**NEXT SELECTMEN’S MEETING – WEDNESDAY, NOV. 16, 2011, 6:30 P.M., TOWN HALL**

**MOTION:** To adjourn the meeting at 9:11 p.m.

**MOTION:** C. P. GRAHAM

**SECOND:** R. P. MCDERMOTT

**PASSES**