

DRAFT

PRESENT: Richard P. McDermott, Chairman; Larry M. Smith, Vice-Chairman; Maryann Kasprzak, Selectwoman; Lori A. Ruest, Town Administrator; Susan H. Ayer, Secretary

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT

The Selectmen accepted the report submitted by the Building Inspector covering the dates of September 15th through October 15th.

Permit fees collected over this period were \$3,820.

ROAD AGENT – MONTHLY REPORT

Updates to the budget have been received for expenditures to date.

WINTER ROAD MAINTENANCE CPI – SEPTEMBER 2015

The Urban Consumer Price Index shows a .3 percent increase over the previous year.

NH-DOT ROUTE 1 REHABILITATION PROJECT – 2016

A letter has been received from the State Department of Transportation, notifying the Town that a project to rehabilitate 3.4 miles of US Route 1, from Seabrook to Hampton, has a tentative advertising date of April 15, 2016. Repairs may also be made to the bridge carrying Route 1 over the Hampton Falls River in Hampton Falls. Copies of this letter will be sent to Rte. 1 properties as a courtesy.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT

The Selectmen acknowledged the September report of the Fire Chief.

HIGHWAY SAFETY COMMITTEE RECOMMENDATIONS

The Board reviewed the minutes from the October 13th meeting of the Highway Safety Committee meeting, in which items referred to the committee by the Selectmen were discussed.

- 1- Weare Road residents have reported having trouble with trash pickup and deliveries due to confusion about what road or Town they are in. The Committee recommends changing the smaller road sign on the Hampton Falls side of the pole to the larger, 911- compliant size. On the Seabrook side of the pole, the sign is of the larger size. It also recommended that home owners put not only the house number, but “Weare Road, Hampton Falls” on both sides of their mailboxes.
- 2- A resident on Exeter Road has requested having the speed limit reduced to 30 MPH. The Committee said that as Rte. 88 is a State road, this request should be passed along to the NH Department of Transportation, Division 6, for consideration.
- 3- Residents of Depot Road area are having trouble activating the traffic lights to cross or turn onto Route 1. The activation loop sensors are not well defined as to their location. The Committee’s recommendations included requesting a DOT technician check that the loops are working properly, to spray paint the road to indicate where the loops are, and to have the Town notify residents where these loops are.
- 4- With regard to their preliminary review of the Avesta Housing project before the Planning Board, the Committee requested that a deceleration lane be added to Brown

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Road for traffic turning into the project from the southeast, and also that the drainage in the area under Brown Road be improved.

- 5- With regard to a possible private road subdivision proposed for Prescott Road, the Committee reported no action as the project is still in the development phase.

After discussion on all points, the Selectmen made the following decisions:

MOTION: To accept the recommendations of the Committee on Situation #1, emphasizing the recommendation to have residents add “Weare Road, Hampton Falls” to their mailboxes on both sides.

MOTION: L. Smith

SECOND: M. Kasprzak

UNANIMOUS

MOTION: To accept the Committee’s recommendation for Situation #2, and to refer residents to the State DOT regarding a speed limit reduction request, that the Town cannot reduce the speed limit and will not contact the DOT.

MOTION: L. Smith

SECOND: M. Kasprzak

UNANIMOUS

MOTION: To accept the Committee’s recommendation for Situation #3; to contact the State DOT to find out where the loop is, and indicate where loops actually are by painting markers on the road.

MOTION: M. Kasprzak

SECOND: L. Smith

UNANIMIOUS

The Board deferred to the Planning Board for Situations #4 and #5.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT

PROPOSED FIREWORKS ORDINANCE

As there have been four different versions of a fireworks ordinance suggested, a work session including both the Fire Chief and the Police Chief will be scheduled to determine which will be most appropriate and effective for the Town.

POLICE DEPARTMENT GARAGE

Police Chief Robbie Dirsa updated the Board on the progress of the Safety Building garage project. He said it is weather- tight, and there are contractor stairs to the upper level, but nothing upstairs yet. Wiring has been started and there is one receptacle on each floor.

There is no official move-in day, but the goal has been November.

The driveway will be done in the Spring.

ALARM SYSTEM

The Police Chief has been working with the Fire Chief on a replacement alarm system for the entire Safety complex. A grant program has been found that may supply matching funds. Fire Chief Jay Lord will have more information about this. R. Dirsa said that unfortunately, the Town Hall cannot be included in this grant.

POLICE LIEUTENANT RYAN VENO

Chief Dirsa introduced newly hired Police Lt. Ryan Veno to the Board.

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FINANCIAL REPORTS

General Fund Balance – not reported at this time.

**ACCOUNTS PAYABLE/PAYROLL/TREASURER/TRUSTEES OF TRUST FUNDS
WARRANT(S)**

MOTION: To approve the following warrants as presented by the Bookkeeper:

| | | |
|--------------------------|------|--------------|
| Payroll check warrant | #316 | \$14,725.52 |
| Payroll check warrant | #317 | \$42,297.24 |
| Accounts payable warrant | #485 | \$769,968.25 |
| Accounts payable warrant | #486 | \$5,138.73 |
| Accounts payable warrant | #487 | \$78,148.72 |

MOTION: M. Kasprzak

SECOND: L. Smith

UNANIMOUS

COMCAST FRANCHISE AGREEMENT

L. Ruest reminded the Board that last month she was asked to refer the question of franchise fees used for scholarships to Attorney Kate Miller at Donahue, Tucker & Ciandella. Attorney Miller has provided the Town with an engagement letter, which will require the Chairman's signature. L. Smith explained, for the benefit of the public, that the Local Government Center has advised the Town that scholarship money may not be a legal use of franchise fee money.

Tracy Beattie-Healey of the Scholarship Committee asked to address the Board on this subject. She said that the Committee is concerned, in that they have been engaged in this use of funds since 1996, and that it was voted in as a Warrant Article.

L. Smith said that once the question was raised, the Board did not feel it could take action without a legal opinion.

M. Kasprzak noted that the problem is that the old contract went on for 15 years. When the new contract was prepared, the subject of scholarships did not appear in the document, and so the Board needed to address it.

L. Smith said that the use of the fees in this manner is said to be illegal because taxpayer money is being given to individuals, after being in the general revenues of the Town. This is why a legal opinion is needed. It is unclear whether a Warrant vote can override the law regarding the use of general revenue money.

R. McDermott said that the letter has just been received, and that the Board will be pursuing the questions of past and future funds, and trying to answer all the questions. If necessary, clarification will be requested.

There was further discussion on the details of past vs. current franchise fees given to the Committee, interest income, and the possibility that funds may need to be returned to the General Fund.

GOVERNMENT BUILDINGS

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HISTORICAL SOCIETY MUSEUM – MAINTENANCE UPDATE

There was a discussion of who the “point person” for the Historical Society should be, that will bring maintenance issues to the Board as needed.

T. Beattie-Healey said that she is present to seek permission to make renovations to the kitchen at the museum.

T. Beattie-Healey gave a brief synopsis of the work proposed for the kitchen in the building. This will include new appliances, wiring, wooden pantry doors, the removal of old formica countertops to accommodate the new appliances, and painting of woodwork. This is anticipated to begin immediately and be complete by mid-November, pending Board approval.

MOTION: To approve the proposal for renovation of the Historical Society Museum kitchen as presented, with the condition that all electrical work is to be done by a licensed electrician.

MOTION: L. Smith

SECOND: M. Kasprzak

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Discussion continued briefly on other maintenance issues of the Historical Society Museum. R. McDermott said that a complete list of what and when repairs are proposed should be submitted to the Town Administrator, rather than coming in one at a time by different people.

SOLID WASTE

PAY AS YOU THROW – COMMITTEE RECOMMENDATION

At the request of the Selectmen, the Solid Waste and Recycling Committee was asked to investigate a “pay as you go” option for the Town. Based on the size of Hampton Falls, the Committee felt it was not a cost effective option for the Town.

PUBLIC COMMENT

Tracey Beattie-Healey addressed the Board about her concerns on the topic of fireworks. She said that it is a concern for animals in the area, not to mention humans. She said the use of fireworks is sporadic, and there does not seem to be a time when they can be assumed to be over. She added that it is a fire hazard in the Summer months. She said she would like to be present at the work session meeting if it is an open session. The meeting will be open to the public, but no public participation will be invited.

T. Beattie-Healey also commented on the subject of dogs running free in the Town, saying that there are a lot of new people in Town who are under the impression that they live in the country and their dogs can run off the leash.

Information will be prepared to add to the welcome packet given to new residents, to include licensing and dog-at-large information.

In a continues discussion on dogs, the Police Chief noted that not all pet owners are aware that invisible fencing is not always effective for large dogs.

Tim Samway commented on the deceleration lane under discussion for the proposed elderly housing complex on Brown Road. He said he feels it is necessary, and that if no turning lane is built, people will not slow down, just go into the oncoming lane of traffic around turning traffic.

L. Smith noted that the traffic experts all say it is not necessary.

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FINANCIAL ADMINISTRATION

TAX COLLECTION – ELECTRONIC PAYMENTS FROM REAL ESTATE SERVICES

The Board considered a request from Tax Collector Stephanie Grant, for authorization to accept electronic tax payments from banks. This would only apply to real estate services through banks holding funds in escrow for tax payment.

MOTION: To allow the Tax Collector to work with the Treasurer to set up electronic tax payments through banks holding mortgages.

MOTION: M. Kasprzak

SECOND: L. Smith

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NOVEMBER – DECEMBER 2015 NEWSLETTER

The Selectmen reviewed the draft newsletter, and discussed adding a paragraph related to Household Goods collection at the Brush Dump.

Noting that at the Fall 2015 disposal day, only a few electronic items were brought in, it was decided to accept electronics only once per year, at the Spring collection, saving the Town \$985. A paragraph will be added to the Newsletter to share this information with residents.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: 10/7/2015 and 10/15/2015

MOTION: To approve the minutes as written, for meetings held on October 7, 2015 and October 15, 2015.

MOTION: M. Kasprzak

SECOND: L. Smith

UNANIMOUS

MOTION: To go into non-public session at 8:13 PM, in accordance with RSA 91-A:3 II (a) : Personnel, and II (e): Consideration or negotiation of pending claims or litigation.

MOTION: L. Smith

SECOND: M. Kasprzak

UNANIMOUS

MOTION: To go out of nonpublic session and resume in public session and seal the minutes of the non-public session, at 8:55 PM.

MOTION: M. Kasprzak

SECOND: L. Smith

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MOTION: To have the Chairman sign the engagement letter with Donahue, Tucker and Ciandella, and have Attorney Kate Miller begin work on the new Comcast contract and use of franchise fees.

**BOARD OF SELECTMEN
OCTOBER 28, 2015**

**6:30 PM
TOWN HALL**

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MOTION: L. Smith

SECOND: M. Kasprzak

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MOTION: To adjourn at 8:59 PM.

MOTION: M. Kasprzak

SECOND: L. Smith

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