



**TOWN OF NORTH HAMPTON, NEW HAMPSHIRE
NORTH HAMPTON SELECT BOARD REGULAR MEETING**

JUNE 24, 2019 7:00 PM

NORTH HAMPTON TOWN HALL

APPROVED MINUTES

SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice-Chairman Larry Miller, Member Kathleen Kilgore

ALSO PRESENT: Town Administrator Bryan Kaenrath, Deputy Fire Chief Jason Lajoie

AGENDA

Chairman Maggiore welcomed everyone to the June 24, 2019 Select Board Meeting, and called the meeting to order at 7:04 pm, followed by the Pledge of Allegiance.

Chairman Maggiore stated that they were coming out of 3 non-public sessions with unanimous votes in 2 of them, and said the Town Administrator and Town Counsel would be acting on the intent. He said he believed the intent was to seal all 3 sets of minutes.

Motion: To seal the Minutes of Non-Public Sessions I, II & III of June 24, 2019.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

11.1 Swearing in of New Firefighter

Deputy Fire Chief Jason Lajoie said he and Chief Tully would like to introduce Mr. Steven Milata, hired as their newest Firefighter. He said Mr. Milata came to North Hampton with experience from Newcastle as a volunteer firefighter and from Pease Fire Department at the International Guard Base. He said he was currently working on an Advanced EMT Certification and would then enroll in a Paramedic Program followed by training.

Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.

A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and a DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North Hampton, New Hampshire 03862.

Town Administrator Bryan Kaenrath conducted the swearing-in ceremony of Mr. Milata, and Deputy Chief Lajoie said they would now hold the ceremonial pinning of the badge which would be done by Mr. Milata's fiancé Caroline. Mr. Milata thanked his fiancé and his family and friends for their love and support. He thanked the North Hampton Fire Department for the opportunity, and said he was extremely grateful to be of service to the Town.

First Public Comment Session

Ms. Pat McClean said she had emailed her concerns about the public beach and had come up with an idea. She said she understood the State of New Hampshire was responsible for North Hampton's Beach and its prohibition to remove anything from the beach. She said she had spoken with Meredith Collins, the State person who manages their beach, about her safety concerns and liability. She said it was difficult to navigate to the beach, and said her idea was the possibility of moving some of the stones and creating a path to the beach to help people have access. She said if the State of New Hampshire did not come up with an idea, they could see if residents would be willing to try to move the stones.

Mr. Scott Baker stated that he wrote an Op-Ed piece for the Seacoast Online Edition about his thoughts for a game plan for Town facilities, and said there were 3 aspects to the plan which involved all Town properties and buildings. He said the first would be to move the Town Administration Offices to the Homestead Lot, conjoined with the Library lot, merging the two so there was one building on that property, which he felt was more fiscally responsible. He said the second aspect would involve expanding both Police and Fire on their current footprint, along with refurbishing and remodeling.

Mr. Baker said the third would be to purchase 216 Atlantic Avenue as to serve as a Railhead for the Rail Trail, with the State purchasing the property in the next few months and construction beginning approximately 12 months later. He said the property could serve as parking for the Rail Trail plus other purposes discussed for the Homestead Property. He said the proposed addition for the Library expansion (bathrooms, kitchen, and conference room) could be shared with the Administration Building.

Ms. Marge Schrier of 94B Atlantic Avenue said she wanted to speak about the proposal for a park on the Homestead Property made at the last Select Board Meeting, which she recently found had already been approved for funding. She said she was in favor of a park but did not feel this was the right time. She said if the Library Trustees were successful in their efforts to expand and renovate the Library, construction could be underway next spring and parking would be needed for equipment. She asked if the Select Board had discussed the park proposal with the Library Trustees, and if not it was a poorly timed and insufficiently vetted waste of taxpayer money. She said the Select Board should get behind the Library Trustees and support them, and she asked the Board to rescind their vote.

Mr. George Chauncey of Hobbs Road said he was there to discuss the Homestead Property. He said 2 Board Members had voted to spend taxpayer money for an irrigation system for the property and he felt the decision should not be made by just 2 people for the whole Town. He said no Public Meeting was held to discuss this with residents and why it was a good idea. He said he had been a supporter for a long time of putting an Administration Office on that property, and it made no sense to install an irrigation system

then build. He said the property was too valuable for a park, and it was time for the Select Board to come up with some sort of plan for the Administrative Offices.

Chairman Maggiore said these comments are heard by the Board, and they would be addressing many of them when they got to Encumbrances and Select Board Goals.

Consent Calendar

- 6.1 Payroll Manifest of June 13, 2019 in the amount of \$80,067.60
- 6.2 Payroll Manifest of June 20, 2019 in the amount of \$78,174.04
- 6.3 Accounts Payable Manifest of June 12, 2019 in the amount of \$103,832.50
- 6.4 Abatement Application
- 6.5 Abatement Application
- 6.6 Abatement Application
- 6.7 Abatement Application
- 6.8 Abatement Application
- 6.9 Abatement Application
- 6.10 Abatement Application

Chairman Maggiore said he had questions about one of the abatements at the last meeting which were addressed in writing by the Assessor. Selectwoman Kilgore said she would like to have a discussion with the Assessor with regard to her concerns with one of the abatements, and Town Administrator Kaenrath asked if her questions could be answered in writing as the Assessor was only available on Tuesday. She said she would address it in writing and reserve the fact they may need to have it as an agenda item.

Chairman Maggiore said they could leave off Abatement Application 6.10. Selectwoman Kilgore said she was speaking of the abatement reported as Tax Map 21, lot 1-31, which was incorrect.

Motion: To approve the Consent Calendar, numbers 6.1 through 6.9, as reported.

Motioned: Selectman Miller

Seconded: Selectwoman Kilgore

Vote: Motion approved 3-0

Selectwoman Kilgore said the Abatement Application for the one addressed by Chairman Maggiore was not listed on this agenda, and Chairman Maggiore said they would hold that for the next Consent Calendar as well.

Correspondence – None

Committee Updates

Selectwoman Kilgore said the *Economic Development Committee* had not met since the last Select Board Meeting and were scheduled to meet on July 3, 2019.

Chairman Maggiore said the *Heritage Commission* had met and there was an essential update on the Joint Land Use Board Summit and on Certified Local Government, and said he would continue to put information together before it comes to the Select Board. He said he was also hoping to get an answer on an RFP for file upload of Heritage Commission archival information to the Town website. He said the Senior Transportation Planner of the Rockingham Planning Commission was at the meeting to talk about updates

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on the Rail Trail, and said the Heritage Commission was interested in the idea of a Pocket Park to memorialize the significance of the area at Drake's Bridge at Route 1 over the Rail Trail, per Section 106 of the Natural Historical Preservation Act.

Chairman Maggiore said the *Water Commission* had just met upstairs as part of non-public, and said the Town Administrator and Town Counsel were acting on the intent of the Select Board from that meeting.

Selectman Miller said the *Budget Committee* had not met since the last Select Board Meeting, and said their next meeting would be a Joint Meeting with the Select Board on July 22, 2019.

Selectman Miller said the *CIP Committee* had not met since the last Select Board meeting, but the dates for July were: July 12th, July 19th, and July 26th.

Report of the Town Administrator

A copy of the Report of the Town Administrator will be attached to these minutes.

Town Administrator Bryan Kaenrath said under Finance, with 2 weeks remaining in the Fiscal Year, the Town had approximately 3% of the Budget remaining with a projected surplus of approximately \$519,000.

Town Administrator Kaenrath said he met with John Schnitzler who planned to begin work on Town Hall Facilities in July with the east façade of the building and would work all year into fall, completing the rest of the work in 2020. Selectwoman Kilgore asked the cost and Town Administrator Kaenrath said it was listed in his report and half would be owed for this year.

Town Administrator Kaenrath said the Hampton Area Chamber of Commerce Public Policy Committee met last week, with guest Taylor Caswell of the New Hampshire Commission of Business and Economic Development Affairs, and talked about a possible shared Economic Development person. He said he recently attended the NHBA Spring Social where a ceremony was held for outgoing EDC Chairman Jim Better, who was presented for an award for his service to the Town.

Town Administrator Kaenrath said Philbrick Pond was on the agenda for this evening and he had met with Craig Mussleman and NH DES to discuss possible grant opportunities. He said the Select Board met with Little Boar's Head to discuss the damaged sidewalk, and Public Works Director John Hubbard would be repairing the sidewalk on Thursday with repaving on Friday.

Town Administrator Kaenrath said for Document Management they had 2 firms and they would be presenting demos using their actual documents, scheduled for 6:00 pm on July 8, 2019 and 6:00 pm on August 12, 2019. Selectwoman Kilgore asked if 6:00 pm was enough time and Town Administrator Kaenrath said he would speak with both firms. He said he had a conference with Ricoh USA last week and they were interested in submitting a proposal after the fact.

Town Administrator Kaenrath said the Wage Analysis Contract was signed and returned, as well as the Ironwood Contract with the two points added in.

Discussion: Chairman Maggiore asked Town Administrator Kaenrath if he had informed Little Boar's Head about the sidewalk repairs. Town Administrator Kaenrath said he had and said he felt completing the repairs before July 4th was a major accomplishment.

Chairman Maggiore said last week on June 19th the Select Board met for 3 different meetings, one of which was non-public. He said at that meeting there was a unanimous motion to have the Town Administrator act upon the intent, and asked for a motion to seal the minutes of that meeting.

Motion: To seal the minutes of the Non-Public Session of June 19, 2019,

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

Items Left on the Table – None

NEW BUSINESS

11.2 North Hampton Dog Park Committee – Pat McClean, Phil Thayer

Ms. Pat McClean said they were planning to update the Board on their activities and distribute their idea for a Dog Park. She said the North Hampton Newsletter gave coverage all of their activities, and they had been very active trying to find donated land and had created a 501-C for fund raising. She said their mission was to raise awareness of the public need for a Dog Park in North Hampton. She said with recent conversations they had been discussing a piece of land owned by Pan Am which includes the Rail Trail as a possible site for the Dog Park.

Ms. McClean said they had distributed a map of the area showing the spot they felt would be ideal for the Dog Park and asked that the 1.3 acres be considered as a possible location. She said their goal was to obtain land, and the committee would raise the money to build a fence and signage and build the park, but the Town would own it and maintain it.

Mr. Phil Thayer said he trains and competes dogs and judges events and he has a close connection with Pan Am and had been talking with them about the Rail Trail, and said the State had first refusal on the land. He said if the State purchases the property for the Rail Trail, North Hampton would be negotiating for the width of the trail and he felt there was sufficient land available for a Dog Park.

Selectwoman Kilgore said Pan Am owns the land and when the Rail Trail goes through the State would own it. Mr. Thayer said it would be part of the Town and people were already negotiating with the Rail Trail Committee. He said there was plenty of land on the other side of the Rail Trail and they were trying to find some way for the State to allow them to utilize that piece of land and get the idea in the works. Selectwoman Kilgore said the State might require the land be purchased, and asked where on the map people would have access to the Dog Park and where would they park. Mr. Thayer said they would also need public access to the Rail Trail, and already had issues in Town with parking.

Ms. McClean said the committee thought the location of the land would be ideal for a Dog Park, and they just wanted to bring it to the attention of the Select Board so they would be aware of their intent. She said obviously at some point the Town would either need to purchase or negotiate for the land. Mr. Thayer said the Dog Park could not be located in Town because of easements and they were looking for other potential land that might be available.

Selectman Miller asked if there was parking on the previous property, and Ms. McClean said there was existing parking, and they would obviously need some sort of easement or arrangement. She said access to the Rail Trail would also allow access to the Dog Park, and these issues needed to be addressed. She

said they wanted to let the Select Board know and ask for their support. Chairman Maggiore said they would need to speak with abutters and consider the easements. He said they might be able to work something out together with the Heritage Commission, by sitting down with Scott Bogle of Rockingham Planning Commission or Patrick Herlihy at NHDOT to help figure out if this would work.

Mr. Thayer said at some point someone would be contacting the Town about where they stand with the Rail Trail and hopefully reporting back to the Select Board. He said if they could find out who they could talk to at the State level and see if it was possible to utilize a little of that property to have a Dog Park. Chairman Maggiore said perhaps they should invite Scott Bogle to their next meeting, and said he would also be happy to attend.

Mr. Scott Baker said he had been pretty active with the Rail Trail folks and talked to Scott Bogle often, as well as Mike Dugas, a project engineer from NHDOT who was looking forward to starting the project. He said he would be happy to reach out to both of them informally about what the distribution of that land might be. He said he thought the State would encourage parking near the trail and possibly establishing a park there for the Town's use as well as the public.

11.3 Philbrick Pond Discussion

Town Administrator Kaenrath said there would be a meeting on July 2nd to investigate one of the potential recommendations for Philbrick Pond and other possible sources of funding. He said they investigated the access road and that option was dead at this point. He said there were other recommendations in the study by Craig Mussleman including raising the old log road, and they needed to discuss where to go next and how they would tackle this project.

Selectman Miller read parts of an email from Frank Arcidiacono, the Conservation Commission's point person on Philbrick Pond. It said that the Conservation Commission recommended addressing both the flooding issues and the health issues of the pond in trying to determine the feasibility of a proposal. The email went on to say that Mr. Arcidiacono had spoken with the Maintenance Engineer and Design Engineer at NHDOT for that section of Route 1-A with the culvert, and solicited a rough estimate of \$1 Million. He said funds would be DOT funds and across the road would be Town funds.

Mr. Arcidiacono went on to say the estimate of an Emergency road was about \$250,000 without land purchase and the estimate could easily double and still not resolve the flooding issue. He said the Design Engineer suggested that while no funds had been set aside for the project, DOT does set aside discretionary funds for special request, and suggested directly appealing to the DOT Commissioner. Selectman Miller said it was quite possible that grant money was available for this project and said he had asked Mr. Arcidiacono to come to the Select Board Meeting.

Mr. Frank A. Arcidiacono said the Conservation Commission had submitted a reply, at the request of the Select Board, to how they felt they should proceed and they had made that recommendation. He said basically there were 2 main issues, the first being the health of the pond which could be addressed in the short term with the slab proposal. He said the tidal variation had drastically affected the health of the pond over the years, and though the slab would add another 11 inches for a total of 16 inches, long term they would be in the same situation and it did not solve the flooding at all.

Mr. Arcidiacono said none of the proposals outlined in the drainage evaluation really address the flooding issue, but do address emergency access and raising roads that have access. He said if the culvert below

Route 1-A is not addressed properly, the flooding issue would not be addressed, and said the report recommended the culvert be lowered and widened and a tidal gate added which would solve the problem and also address the hundred-year flood issue. He said the Conservation Commission agreed that proposal made the most sense. He said they could either work with Rockingham Planning Commission to see what their proposal is, and said there should be a significant amount of grant money available for a project like this. He said he was more than willing to work to further this proposal with the Select Board and contact Rockingham Planning Commission.

Selectwoman Kilgore asked who owned the culvert, and Mr. Arcidiacono said the Pond was privately owned and the culvert was State land. Selectman Miller said the State would have to do the work. Mr. Arcidiacono said they would have to enlarge the opening of the culvert and lower it, which at some point will have to be done anyway as well as a lot more, and this would be a down-payment on that future work. Selectwoman Kilgore said the Pond itself was on private land, and Mr. Arcidiacono it was his understanding that the two parties would have to agree to eliminate the trolley berm there now to allow for an open channel.

Chairman Maggiore said they would learn a lot more at the July 2nd meeting to discuss possible grant options with NHDES Craig Mussleman, and said the Select Board has an obligation to the Town to do their best for their residents. He said abutters would have their input, but the State has the obligation since it is their land. Selectman Miller said Rockingham Planning Commission could be very important, and Mr. Arcidiacono said Senior Planner Julie LaBranche would be a good person to start with there. Selectman Miller said this should be put back on the Select Board agenda for the July 8th meeting and they should invite Mr. Arcidiacono to return.

11.4 Committee Appointment Policy Review and Approval

Chairman Maggiore said Committee Appointments happened largely by RSA or by Town policy or warrant article. He said in this second draft he stated the purpose and then went into how each committee and board is appointed so that was understood. He said he then came up with possibilities for filling vacancies and notification which were less ambiguous. He said he offered this as Draft #2 to the Board which was much simpler and shorter, and said it had not yet been sent for review by Town Counsel. He asked that the Board look at this Draft and come up with ideas, and said the priority was not until March of 2020.

Motion: To move *Committee Appointment Policy Review and Approval* to “Items Left on the Table” for the second meeting in July.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

11.5 Discusson of Facilities

Selectman Miller said he put this on the agenda as he wanted to give Scott Baker a chance to publish his article and said the Select Board has been talking about having a plan for facilities. Chairman Maggiore said the Select Board had their Goal-Setting Session and talked about having a municipal building goal and a comprehensive goal for facilities. He said if they are going to put a building on the Homestead Property they needed to consider what building would fit there. He said a Town administration building would certainly work there and would give them the opportunity to renovate the Police and Fire Station in place. He said if that plan did not work the property could possibly be used as a park.

Selectwoman Kilgore said she brought this up during the Select Board Goals meeting, and they met with department heads and the Town Administrator and went through their suggested goals. She felt the Select Board should show some direction, said it should be an agenda item to have a discussion and have an open session with the public about their thoughts. She said they did make some decisions in Encumbrances, not just the irrigation system for the Homestead Property, but also funds to replace the boiler in the Fire Department and approve plans for renovation of the floor plan for the Police Department.

Selectman Miller said they did have a Needs Assessment if they needed one, and Chairman Maggiore said it could be updated. Chairman Maggiore said he was thinking they should have a workshop about this to bring it to the point where they could introduce it to the public, and asked that Town Administrator Kaenrath circulate some dates.

Selectwoman Kilgore said she had taken July 8th, 9th, and 10th off and asked if any of those dates might work. She said she preferred July 8th because they already had a Select Board meeting that night. Town Administrator Kaenrath suggested they have the workshop on July 8, 2019, before the Document Management demonstration. Chairman Maggiore said he would check his schedule.

11.6 End-of-Year Encumbrances

Chairman Maggiore said last week the Select Board met to discuss encumbrances, funds unspent from this year's budget that are available and could be encumbered as long as the Town has in place a specific contract, a specific purpose, and a specific vendor. He said there were 5 items the Select Board acted on to: (1) replace HVAC in the Fire Department; (2) upgrade bathrooms, break rooms and lockers in the Police Department; (3) Ironwood North Hampton Village District Conceptual plan; (4) updates to Natural Resources Inventory of Town Master Plan; (5) installation of lawn sprinklers on the Homestead Property.

Chairman Maggiore said the total amount appropriated would be \$125,540 and they were all approved by majority. He said it would be on this year's funds so no appropriation would be required for next year.

Discussion: Selectman Miller said it was noted that 2 things were changed, and Town Administrator Kaenrath said those were the recommendation added to the Ironwood Contract. Selectwoman Kilgore said the Town Administrator signed the MRI agreement and sent it back with a modification. Town Administrator Kaenrath said he removed the reval and it was basically a 1-year extension of what they already had. He said these contracts only required his signature.

11.7 Select Board Goals

Chairman Maggiore said they held the meeting upstairs with the department heads and the Town Administrator and the goals were put on the whiteboard. He said they would stay on the whiteboard for the whole year so they can gauge their progress. Selectwoman Kilgore said she had again started a spreadsheet of the goals, which could be edited and things added. She said the spreadsheet listed who was assigned to the responsibility, whether it is funded and the funding source, and if not funded finding another source. She said there was space for the time period for completion and a column to check off the project as completed, and said it was just a draft.

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Town Administrator Kaenrath said he signed contracts for Underwood and the Wage-Range Analysis with MRI, but he needed all signatures for the 1-year Assessor extension with MRI, and reiterated that the revaluation had been taken out.

Acceptance of the Minutes of Prior Meetings

Approval of the Non-Public Meeting Minutes Sessions I & II of May 13, 2019

Selectwoman Kilgore made a motion to approve the minutes of Non-Public Sessions I & II of May 13, 2019. Chairman Maggiore said the vote was listed her as “absent”, and Town Administrator Kaenrath suggested they go back and talk about in in Non-Public before voting.

Approval of the Non-Public Meeting Minutes of June 3, 2019

Motion: To approve the Non-Public Meeting Minutes of June 3, 2019.

Motioned: Selectman Miller

Seconded: Selectwoman Kilgore

Vote: Motion approved by a vote of 3-0

Motion: To unseal the Non-Public Meeting Minutes of June 3, 2019.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

Approval of the Regular Meeting Minutes of June 10, 2019

Motion: To approve the Regular Meeting Minutes of June 10, 2019 as presented.

Motioned: Selectman Miller

Seconded: Selectwoman Kilgore

Vote: Motion approved 3-0

Any Other Item that may legally come before the Board

Second Public Comment Session

No one from the public came forward.

Next Meeting: The next Regular Select Board Meeting will be held on July 8, 2019 at 7:00 pm in the North Hampton Town Hall.

Adjournment

Chairman Maggiore adjourned the meeting at 8:49 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary