



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

**JULY 8, 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, Fire Chief Michael J. Tully, Police Chief Kathryn Mone

AGENDA

Chairman Maggiore welcomed everyone to the July 8, 2019 Regular Select Board Meeting, and called the meeting to order at 7:04 pm, followed by the Pledge of Allegiance.

Chairman Maggiore stated the meeting actually started at 5:30 pm with a couple of Non-Public Sessions and a Public Meeting for Document Management Systems. He said in the first Non-Public Session there was a unanimous motion and the Town Administrator and staff would be acting on the intent of that motion. He said it was their intent to seal the minutes of both Non-Public Sessions..

Motion: To seal the minutes of Non-Public Session I Pursuant to RSA 91-A:3 II (c).

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

Motion: To seal the minutes of Non-Public Session II Pursuant to RSA 91-A:3 II (c,d).

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

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.

First Public Comment Session

Mr. George Chauncey of Hobbs Road said he was there to ask the Board to reconsider or delay the Irrigation System on the Homestead Property. He said he attended the last Library Meeting and they were pretty well along in their design for improvements to their building. He said he felt there would be a Warrant Article on the Ballot for next March, with the project possibly starting next year, and said they would need a large area to stage the construction. He asked the Select Board to reconsider starting the irrigation project right now..

Mr. Frank Ferraro of Post Road said he also wanted to talk about encumbrances. He said he knew the EDC solicited bids for the Village District and approximately \$14,000 was approved there. He said the Fire Department and Police Department projects approved roughly \$55,000 and he supported both projects. He said his question was whether bids had been solicited for those two projects and at what Public Meeting the bids had been opened. He asked why funds were not being taken from the Building Maintenance Capital Reserve Fund for the projects rather than using last year's surplus, as the fund was established for these kinds of projects.

Consent Calendar

- 6.1 Payroll Manifest of July 3, 2019 in the amount of \$94,293.01
- 6.2 Accounts Payable Manifest of June 27, 2019 in the amount of \$675,829.13
- 6.3 Accounts Payable Manifest of July 3, 2019 in the amount of \$1,392,300.83

Chairman Maggiore explained that the Consent Calendar amounts were larger as they were regular payments to the Schools.

Motion: To approve the Consent Calendar as presented.

Motioned: Selectman Miller

Seconded: Selectwoman Kilgore

Vote: Motion approved 3-0

Correspondence – None

Committee Updates

Selectwoman Kilgore stated that the *Economic Development Committee* was due to meet this week.

Chairman Maggiore said there were no meetings for the *Heritage Commission* or the *Water Commission*, and said the next Heritage Commission meeting would be July 18, 2019 and there would be an agenda for the Select Board Meeting on July 22, 2019. He said there would be an MOA from the State through Section 106 of the Preservation Act, and said the Heritage Commission will vote on July 18th and forward to the Select Board for review, though there will be no action required by the Select Board, only the Heritage Commission by statute.

Selectman Miller said there had been no meetings of the *Budget Committee*.

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 they ended the fiscal year with a surplus of approximately \$400,000, which is in the appropriate recommended range for Fund Balance. He said the next Coakley Landfill Meeting would be held at the Foley Hoag Law Firm in Boston, and Selectwoman Kilgore said she could attend.

Town Administrator Kaenrath said Public Works Director John Hubbard was busy with paving projects and the Recycle Center roof project would start shortly. Selectman Miller said Mill Road was paved to Rye but no lines had been painted on it. Selectwoman Kilgore said the speed warning sign on Mill Road was also not working.

Town Administrator Kaenrath said he met with CMA Engineers, NHDES, and the Nature Conservancy to discuss possible grant opportunities for the Philbrick Pond cobble weir replacement project through the Nature Conservancy. He said funds may be available for design work only, and construction would have to come from somewhere else. He said the area is a DOT-owned asset and they would need to work with DOT for permission. He said CMA provided a rough estimate for design and construction of approximately \$60,000 to \$75,000 and said there was a lot of preliminary research to be done here.

Town Administrator Kaenrath said they also needed to contact Dr. Burdick of UNH about his recommendation to add marsh runneling in conjunction with the cobble weir project. He said they needed to have further discussions with DOT, needed an approximate budget, and needed to look into possible grant opportunities for the design. He said it would improve the condition of the marsh and water levels would come down, but it was still not a fix for the 100-year storm. Chairman Maggiore said as a State Representative he would work closely with the Town Administrator on these and other projects in order to work faster with DOT.

Town Administrator Kaenrath said the Little Boar's Head sidewalk was repaired in record time, with the damaged part removed and asphalt put down to make the sidewalk safe for summer. He said Document Management had a presentation from Inception Technologies before the meeting, and Conway Office Solutions and Treneo would be presenting at the August 12th meeting.

Selectwoman Kilgore thanked Town Administrator Kaenrath and Public Works Director Hubbard for completing the LBH sidewalk before July 4th. Chairman Maggiore said at the last meeting they had a resident express their frustration with access to the North Hampton Beach. He said the State had been contacted and stated that they did not get involved in maintenance of "naturally occurring" beaches. He said he would work with Town Administrator Kaenrath to look into other options and expand the conversation with the State.

Items Left on the Table – None

NEW BUSINESS

11.1 Final Decision on Committee Appointment Policy

Chairman Maggiore said he had emailed Draft #2 of the Committee Appointment Policy to everyone for feedback. Selectwoman Kilgore said this draft was quite different from the first and not part of their packet. She asked about submitting a letter of intention to the Town Administrator under Filling Vacancies on page 4, and said in the past these were submitted to the Town Clerk, who moved them on to the

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appropriate board for consideration. She said practice is not a totally agreed upon change and not considered to be correct. Chairman Maggiore said so far this was not practice but something they were creating. Town Administrator Kaenrath said that is how it is often done, but in practice submissions were emailed to him or Jan.

Selectwoman Kilgore said the Town Clerk does not answer to the Town Administrator or the Select Board, but is an elected official, which serves as a check and balance. Chairman Maggiore said they would ask the Town Clerk if she wanted those emails to be routed through her. Selectman Miller said he wanted something that works for their Town and they needed the answer from the Town Clerk. Selectwoman Kilgore then asked if the policy had been reviewed by Counsel or NHMA.

Chairman Maggiore said NHMA does not weigh in on specific town issues, but they could be asked to look over the policy to make sure it is in compliance with RSA. He said he was reticent to send it to Counsel as they had been sending a lot, and said as a policy is at the discretion of the Select Board as long as there is a consensus.

11.2 Economic Development Committee (EDC) Appointment

Chairman Maggiore said there was a vacancy on EDC due to the relocation of Jim Better. Town Administrator Kaenrath said the current list of applicants were Frank Ferraro, Laurel Pohl, and David Ciccalone, who currently serves on the Water Commission.

Chairman Maggiore said the process with multiple candidates for one position was to go through each candidate for a vote and continue until someone is elected. Selectwoman Kilgore said that David Ciccalone had not provided his qualifications with regard to Economic Development, and she asked that Mr. Ciccalone provide more background material before they decided who to consider tonight.

Selectman Miller said he had met him and he was a willing citizen and a scientist and was not coming from the business community or the Heritage Commission and that was fine with him. Chairman Maggiore said he had no problem taking a vote tonight, and said they would go by the date submitted: Laurel Pohl, March 22nd; Frank Ferraro, May 3rd; David Ciccalone, June 25th.

Motion: To consider Laurel Pohl for the open position on the EDC Committee.

Motioned: Selectwoman Kilgore

Seconded: Chairman Maggiore, for discussion

Chairman Maggiore read the letter of interest submitted by Laurel Pohl in full.

Vote: Motion failed by a vote of 1-2

Motion: To consider Frank Ferraro for the open position on the EDC Committee.

Motioned: Selectwoman Kilgore

Seconded: Chairman Maggiore, for discussion

Chairman Maggiore read the letter of interest submitted by Frank Ferraro in full.

Vote: Motion failed by a vote of 1-2

Motion: To appoint David Ciccalone to the open position on the EDC Committee.

Motioned: Selectwoman Kilgore

Seconded: Chairman Maggiore, for discussion

Chairman Maggiore read the letter of interest submitted by David Ciccalone in full.

Vote: Motion passed by a vote of 2-1

Chairman Maggiore stated that *David Ciccalone* is appointed to the *Economic Development Committee*. He asked Town Administrator Kaenrath to take care of the paperwork and swearing in. Selectwoman Kilgore said Renee Locke still did not have her paperwork and they were hoping to have it by Wednesday's EDC meeting. Town Administrator Kaenrath said she had not yet appeared in Sue's office, and Selectwoman Kilgore said she had not yet been notified by the Town.

11.3 Review Flow Chart

Chairman Maggiore said developing a Flow Chart of who answers to whom and who does what in the Town was one of the Select Board Goals. He said the hand-drawn chart provided in the packet was done by Paul Apple. He said he had gotten questions from staff asking whether officials were allowed to contact them directly about certain issues and they had concerns about undue influence. He said he told them that questions should go through the Town Administrator.

Chairman Maggiore said they would like to formalize this so staff know where their responsibilities lie. He said the Select Board considers policy, then the Town Administrator who manages everything in the Town and the staff of the Town. He said the Police Chief has rights guaranteed by RSA 105, and the RSA piece needed to be added.

Selectwoman Kilgore said the flow chart was actually the Organizational Chart of the Town, and should probably be so titled, and they are taking steps now to finalize that. She said it would be beneficial to the Town to add all the boards and committees to the chart, and add any RSAs. Selectman Miller asked about the "Administration" section, and Town Administrator Kaenrath said Administration was basically everyone upstairs and Code Enforcement. Chairman Maggiore said the folks on the top line were Department Heads.

Town Administrator Kaenrath said he felt this chart was an accurate depiction covering all their Town Staff. He said he understood what Selectwoman Kilgore was saying, but said this was just outlining the Town employees and the Town structure. Chairman Maggiore said they could add that the Heritage Commission reports directly to the Select Board by Warrant Article as well as the Water Commission. Town Administrator Kaenrath said they could have another chart for elected and appointed boards and committees, but this was basically employees and appointed officials.

Chairman Maggiore said if they go with this chart they would need to remove the Planning Board and the ZBA. Selectwoman Kilgore said she would accept a second chart of boards and committees so townspeople and business people could understand the hierarchy. Chairman Maggiore ask that this chart be tightened up and RSA 105 be added for the Police Chief. Chief Tully said Fire was under RSA 154.

Selectwoman Kilgore felt the Planning Board, ZBA, and Budget Committee should be on here as they are elected, but Chairman Maggiore said they were not Town staff. Selectwoman Kilgore asked about Trustees of Trust Funds and Cemetery employees. Chairman Maggiore asked the Town Administrator to add cemetery and possibly go through Accounts Payable to make sure no employees were missed.

11.4 Encumbrances Discussion

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Selectwoman Kilgore said she requested that this be added because Mr. Chauncey had come to her and asked to be able to speak back-and-forth about the irrigation system, as well as other people asking about the encumbrances. She said in the past for encumbrances they actually had a packet with quotes, and she felt the Select Board should address this collectively. Chairman Maggiore said she was asking 2 things, about the sprinkler system on the Homestead Property and the process that led up to the encumbrances, and asked her how she would like to see these addressed.

Selectwoman Kilgore said as far as Mr. Chauncey, just to answer his concerns and questions. Chairman Maggiore said in reviewing what happened at the last Trustee's Meeting, Ron Lamarre of Lavallee Brensinger Architects, said he was not concerned about staging at all. Selectman Miller said they have a year to think about it.

Chairman Maggiore said there was a Facilities Meeting today and the Select Board would be meeting with the Trustees on July 22, 2019 at 6:00 pm prior to their regular meeting, and they might have a better idea about what is going to happen at that meeting. He said they had an entire year to act on the Irrigation System encumbrances and they would talk to the Trustees before acting on that.

Chairman Maggiore asked Selectwoman Kilgore about her question with regard to the quotes. Selectwoman Kilgore said there were multiple quotes required for the Fire and Police Departments and she wanted to make sure everyone in the public knew about them.

Fire Chief Tully said for the heating system, the Fire Department went out to 5 different companies, received 2 bids, and the lowest was chosen due to cost and being the best option.

Police Chief Mone said she put out an RFP for renovations and received 3 full responses, all at approximately the same price, and went with the company who could complete the work fastest. She said the lockers had 3 quotes and they went with the middle cost and the one that best fit their needs.

Acceptance of the Minutes of Prior Meetings

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

Chairman Maggiore said that on the first Non-Public Session the minutes say that Selectwoman Kilgore was absent or abstained from the vote, but said she was clearly not absent nor did he believe she abstained from the vote. Selectwoman Kilgore said she was there on May 13th. Town Administrator Kaenrath said there might have been a typo in those minutes left in inadvertently from previously. Chairman Maggiore said the vote was 3-0, and "absent" just needed to be changed.

Motion: To approve the Meeting Minutes Sessions I & II of May 13, 2019 with the correction that Selectwoman Kilgore was present and voted.

Motioned: Selectwoman Kilgore

Seconded: Chairman Maggiore

Vote: Motion approved 3-0

Approval of the Non-Public Meeting Minutes of June 24, 2019

Motion: To accept the Non-Public Meeting Minutes of June 24, 2019.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

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Vote: Motion approved 3-0

Selectwoman Kilgore said these minutes could not be unsealed.

Approval of the Regular Meeting Minutes of June 24, 2019

Motion: To approve the Regular Meeting Minutes of June 24, 2019 as presented.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

Any Other Item that may legally come before the Board

Town Administrator Kaenrath said he received something from Kirsten Larson Schultz on behalf of NHBA requesting approval from the Select Board to hold a 50-50 Raffle at the Bandstand Concert they are sponsoring on Wednesday, August 24, 2019 with ticket sales going to Centennial Hall. Selectwoman Kilgore said it was a 50-50 Raffle so 50% of the proceeds would go to the ticket owner and 50% to Centennial Hall. Selectman Miller said in previous years they had done this to allow the event to occur on Town property and they approved the reason for doing it.

Motion: To approve the request from the North Hampton Business Association (NHMA) to hold a 50-50 Raffle at the Bandstand Concert on Wednesday August 14th, with 50% to the winning ticket holder and 50% to Centennial Hall.

Motioned: Selectwoman Kilgore

Seconded: Selectman Miller

Vote: Motion approved 3-0

Selectwoman Kilgore said at today's Facilities Meeting, she was the Select Board Member who had asked for the discussion as there had been little discussion about facilities on the Board. She said she stated that she thought the Police Department was the number one priority due to their space needs. She said during the session she was just sharing her ideas as she had heard from residents concerned about tax rates. She said she was fully aware that she is an abutter to the Homestead Property and will recuse herself from conversations and votes for anything that goes on the Homestead Property. She said she could speak from the podium as a resident.

Second Public Comment Session

Mr. George Chauncey of Hobbs Road said Ron Lamarre had given him the same answer about the sprinkler system and said he could stage the construction in the parking lot. But he asked where Library personnel would park in that case.

Next Meeting: The next Regular Select Board Meeting will be held on July 22, 2019 at 7:00 pm in the North Hampton Town Hall.

Adjournment

Chairman Maggiore adjourned the meeting at 8:14 pm.

Respectfully submitted,

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Patricia Denmark, Recording Secretary