



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

**SELECT BOARD DRAFT MINUTES
MONDAY, MARCH 12, 2018
NOTICE OF PUBLIC MEETING
NORTH HAMPTON TOWN HALL
231 ATLANTIC AVENUE
6:00 O'CLOCK PM**

**NON PUBLIC SESSION I: 6:01 O'CLOCK P.M.
EXECUTIVE CONFERENCE ROOM
TOWN ADMINISTRATIVE OFFICE
233 ATLANTIC AVENUE**

**NON PUBLIC SESSION II: 6:30 O'CLOCK P.M.
EXECUTIVE CONFERENCE ROOM
TOWN ADMINISTRATIVE OFFICE
233 ATLANTIC AVENUE**

1. **6:00 p.m. Call to Order**
2. **6:01 p.m. Non-Public Session I Pursuant to RSA 91-A:3, II (a)**
3. **6:30 p.m. Non-Public Session II Pursuant to RSA 91-A:3, II (i)**
4. **6:55 p.m. Return to Regular Session and Recess to Town Hall, 231 Atlantic Avenue**

Chair Maggiore called the meeting to order at 7:05 PM. Those in attendance were Selectman Miller, Selectwoman Kilgore, Interim Town Administrator Tully and Town Administrator Kaenrath.

5. **7:00 p.m. Reconvening of Public Session at Town Hall and Pledge of Allegiance**

Chair Maggiore led the Pledge of Allegiance.

Chair Maggiore stated the board had just recessed from two Non Public Sessions, no motions were taken in either session, and there was not a need to seal the minutes.

Chair Maggiore read correspondence received from the Secretary of State's office regarding a State of New Hampshire rule that states Moderator's do not have the authority to postpone an election; only the Secretary of State.

(Scrivener's Note: At the time of this meeting, a blizzard was forecasted for election day)

Chair Maggiore welcomed the town's new Town Administrator, Bryan Kaenrath. Mr. Kaenrath thanked the board for the opportunity to serve the community and looked forward to getting to know everyone.

Chair Maggiore thanked Interim Town Administrator Tully and his expressed appreciation for his service over the past six months while a permanent Town Administrator was found.

Chief French announced that Joshua Stokel had been promoted to Deputy Police Chief and a formal swearing in ceremony would take place at the next Select Board meeting on March 28, 2018.

Deputy Police Chief Stokel thanked Chief French as well as the Select Board for the opportunity to serve the community as Deputy Chief.

6. First Public Comment Session

Public Comment is an opportunity for residents to ask questions, request information and make comments on issues facing the Town. Individuals will be given not more than three (3) minutes to speak, and people who have already spoken will be asked to wait until everyone has had the chance to speak once. The total time devoted to this agenda item is fifteen (15) minutes. Individuals who are not able to speak during the First Public Comment Session will be given first opportunity to speak during the Second Public Comment Session at the end of the Meeting.

No comments.

7. Consent Calendar

- 7.1 Payroll Manifest of 03/01/2018 in the amount of \$64,568.18
- 7.2 Payroll Manifest of 03/08/2018 in the amount of \$177,093.24
- 7.3 Accounts Payable Manifest of 03/08/2018 in the amount of \$72,803.66
- 7.4 Approval of Cash Transfers
- 7.5 Approval of Elderly Exemption Application
- 7.6 Approval of Denial of Elderly Exemption Application
- 7.7 Approval of Service Connected Total Disability Credit Application
- 7.8 Special Counsel Conflict of Interest Waiver and Representation Agreement

Chair Maggiore asked to move item 7.8 to New Business.

Motion by Selectman Miller to approve the Consent Calendar with the change to move item 7.8 under new business. Seconded by Selectwoman Kilgore. Motion carries 3-0. Chair Maggiore noted that the March 8 accounts payable manifest included payments to the New Hampshire Retirement System of \$62,000 and HealthTrust in the amount of \$50,000.

8. Correspondence

- 8.1 Correspondence from Representative Renny Cushing
 - 8.2 Correspondence from State of New Hampshire Department of Revenue Administration
- Chair Maggiore read both items and Selectwoman Kilgore asked to have both items posted on the website.

9. Committee Updates

- 9.1 Economic Development Committee
Selectwoman Kilgore stated the surveys had been mailed to all residents and businesses and the results are to be provided at the beginning of May.

- 9.2 Heritage Commission

9.3 Water Commission

Chair Maggiore stated he had no updates for the Heritage Commission or the Water Commission.

9.4 Bandstand Committee

Selectwoman Kilgore stated brick orders were still being taken at this time.

10. Report of the Interim Town Administrator

10.1 General Report

A copy of the Interim Town Administrator's report is on file at the Town Offices.

Selectwoman Kilgore asked why the Town Report was not in PDF format on the website as she has had residents state they would like to be able to print a copy.

Interim Town Administrator Tully stated he would look into this.

11. Items Left on the Table

11.1 Discussion of Document Management System

11.2 Discussion of Cable Revolving Fund

Chair Maggiore stated monies received from franchise fees, through a contract with Comcast, go into the Cable Revolving Capital Reserve Fund. The fund was modified a number of years ago so the town could use up to 25% of what he thought was that year's franchise fees, for IT purchases.

Selectwoman Kilgore stated as long as Channel 22 is fully funded.

Interim Town Administrator Tully stated the funds in the Cable Revolving Capital Reserve Fund roll over each year; in other words, the town does not lose them if they are not spent.

Selectwoman Kilgore stated she takes issue with the lack of transparency in the way the funds are reported. She would like to see how much is spent on Channel 22 and how much is spent on IT purchases separated.

Finance Director Cornwell stated he could provide her with a spreadsheet as to what was spent and what is available in the fund as she requested, but the official records must show the Capital Reserve Fund as one fund with all monies together.

11.3 Discussion of Draft Select Board Rules and Procedures

Motion by Selectwoman Kilgore to move item 11.2 off of the table and on to new business. Seconded by Selectman Miller. Motion carries 3-0.

The Select Board agreed by consensus to leave the Draft Select Board Rules and Procedures on the table.

Chair Maggiore announced item 12.2 under New Business will be rescheduled to a later meeting.

The Select Board agreed by consensus to move item 12.8 up on the agenda.

12. New Business

12.1 Introductions of Town Administrator and Deputy Police Chief

(Scrivener's Note: This item was taken up at the beginning of the meeting.)

12.2 Recognition of Fire Department Members

(Scrivener's Note: Postponed to a later date.)

12.3 Discussion of Request for Proposals (RFP) for Annual Finance and Compliance Audit

Finance Director Cornwell stated he had worked with Anne Kenny in putting together the Request for Proposal with a goal of having the completed audit by November 30, 2018 as requested in the Select Board's goals. Mr. Cornwell further stated he had a list of six municipal auditing firms he would be sending the RFP out to. He stated a municipal audit is a specialty and a very small amount of firms perform this service.

Selectwoman Kilgore stated she wished to have the Request for Proposals sent to at least 10 vendors so there is a good pool to choose from.

The Select Board agreed to move forward with submitting the proposals to 10 vendors.

12.4 Discussion of Approval of Non Public Minutes

Interim Town Administrator Tully stated there were two ways in which the board could approve non public minutes.

One option would be for the Town Administrator to make copies of the non public minutes and bring them to a Select Board meeting and distribute to the board. If there were a need to discuss the minutes further, the board would have to go back into non public session to discuss. After the meeting, the Town Administrator would collect the minutes so they are not circulated to the public.

Option two would suggest the board come into the Town Offices to review the minutes on an individual basis whereby the board could review for the meeting in which they would be voting on them. All minutes would remain in the binder in the Town Administrator's office.

The Select Board agreed the better solution would be to review the non public minutes in the town offices. They also suggested adding two non public meeting minutes to each agenda going forward in order to catch up with the backlog.

12.5 Discussion of Meeting Date for Board of Health

Selectman Miller stated the board is supposed to meet on a quarterly basis as the Board of Health, and suggest scheduling at a meeting after April 5.

Interim Town Administrator Tully stated he would set the meeting date and relay the information to the board.

12.6 Discussion of "Request for Appointment with Select Board" Form

Interim Town Administrator Tully stated during his time as the "ITA" there were things that came along that he felt could be improved upon, and this form was one of them.

Interim Town Administrator Tully explained it is often hard to keep track of agenda items for meetings two or three away and this form would help in missing items that should have gone on an agenda, as well as preparing board members for the meeting.

Selectwoman Kilgore asked to have the form available on the website.

After discussion, there was a consensus of the board to continue using the form, as well as placing it on the website.

12.7 Appointment to the Economic Development Committee

Chair Maggiore stated there had been a vacancy created by Bob Schoenberger and Glenn Martin has volunteered to fill the vacancy.

Motion by Selectwoman Kilgore to nominate Glenn Martin to complete the term of Bob Schoenberger. Seconded by Selectman Miller. Motion carries 3-0.

12.8 Presentation of Charge of Dog Park Committee ó Pat McLean

Ms. McLean updated the Select Board on the committee's latest work noting they discussed Rules and Regulations for the dog park, liability insurance, fund raising and would like the Select Board's approval to advertise for a land donation, as they have yet to find a piece of land that would be suitable.

Ms. McLean stated she wished to have the dog park a town supported thing.

Motion by Selectman Miller to support, advertise and encourage the committee to look for a donated piece of land. Seconded by Selectwoman Kilgore. Motion carries 3-0.

12.9 Discussion of Property Settlement Involving 205 Lafayette Road

Chair Maggiore stated the town had been negotiating with a property owner regarding land use issues. He further stated if the board voted affirmatively on the proposed agreement, the document would then be a public document.

Motion by Chair Maggiore to authorize the Board of Selectman to approve and sign the settlement agreement and mutual release between the Town of North Hampton and James A.C. Jones, known as "the agreement" to resolve outstanding zoning cases and other litigation involving the Town of North Hampton and James A.C. Jones as set forth in the agreement and to be signed this date subject to the delivery of a duly signed copy by Mr. James A.C. Jones to counsel for the Town of North Hampton within 14 days unless extended by the board. A copy of the agreement shall be maintained and available at the Town Office of the Town Clerk for a period of 10 years as provided by NH RSA 91-A:4 VI. Seconded by Selectwoman Kilgore. Motion carries 3-0.

A copy of the settlement will also be kept on file in the Town Administrative Offices for a period of 10 years.

12.10 Special Counsel Conflict of Interest Waiver and Representation Agreement

Chair Maggiore stated he asked to move this item under new business as on page three of the waiver it discussed, and strongly urged the town, to discuss the agreement with independent counsel and he felt that would be appropriate.

The consensus of the Select Board agreed to send the document to Attorney Bennett for his review, and place on the next Consent Calendar of March 28, 2018.

13. Minutes of Prior Meetings

13.1 Approval of February 26, 2018 Meeting Minutes

Selectwoman Kilgore stated she would like the consent calendar minutes to reflect the amounts discussed in the accounts payable manifests in a quick bullet point of the amounts.

Motion by Selectman Miller to approve the February 26, 2018 minutes as presented. Seconded by Selectwoman Kilgore. Motion carries 3-0.

14. Any Other Item that may legally come before the Board

The Board reserves the right to take action on any item relative to the prudential administration of the Town's affairs, which circumstances may require.

15. Second Public Comment Session

See Item 6, above.

Rick Stanton, Walnut Avenue suggested three potential pieces of land for the proposed dog park:

- North off the tennis courts at Dearborn Park;
- Town owned land of 14 acres off of Mill Road donated for a potential site for a cellular tower;
- Town owned land adjacent to the Coakley Landfill with a right of way off of Lafayette Terrace.

Chair Maggiore thanked Michael Tully for a job well done during his time as the Interim Town Administrator. Selectman Miller and Selectwoman Kilgore echoed their thanks and appreciation.

Chair Maggiore reminded everyone that voting would take place tomorrow, Tuesday, March 13, 2018 from 8AM to 7PM at the North Hampton School.

16. Adjournment

Meeting adjourned at 9:00PM.

Respectfully submitted,
Janet L. Facella