



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)*

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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

96 9.3 Water Commission  
97 Chair Maggiore stated he had no updates for the Heritage Commission or the Water Commission.  
98

99 9.4 Bandstand Committee  
100 Selectwoman Kilgore stated brick orders were still being taken at this time.  
101

102 **10. Report of the Interim Town Administrator**

103 10.1 General Report  
104 A copy of the Interim Town Administrator's report is on file at the Town Offices.  
105

106 Selectwoman Kilgore asked why the Town Report was not in PDF format on the website as she has had  
107 residents state they would like to be able to print a copy.  
108

109 Interim Town Administrator Tully stated he would look into this.  
110

111  
112 **11. Items Left on the Table**

113 11.1 Discussion of Document Management System  
114

115 11.2 Discussion of Cable Revolving Fund  
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117 Chair Maggiore stated monies received from franchise fees, through a contract with Comcast, go into the  
118 Cable Revolving Capital Reserve Fund. The fund was modified a number of years ago so the town could  
119 use up to 25% of what he thought was that year's franchise fees, for IT purchases.  
120

121 Selectwoman Kilgore stated as long as Channel 22 is fully funded.  
122

123 Interim Town Administrator Tully stated the funds in the Cable Revolving Capital Reserve Fund roll over  
124 each year; in other words, the town does not lose them if they are not spent.  
125

126 Selectwoman Kilgore stated she takes issue with the lack of transparency in the way the funds are reported.  
127 She would like to see how much is spent on Channel 22 and how much is spent on IT purchases separated.  
128

129 Finance Director Cornwell stated he could provide her with a spreadsheet as to what was spent and what is  
130 available in the fund as she requested, but the official records must show the Capital Reserve Fund as one  
131 fund with all monies together.  
132

133 11.3 Discussion of Draft Select Board Rules and Procedures  
134

135 **Motion by Selectwoman Kilgore to move item 11.2 off of the table and on to new business. Seconded**  
136 **by Selectman Miller. Motion carries 3-0.**  
137

138 The Select Board agreed by consensus to leave the Draft Select Board Rules and Procedures on the table.  
139

140 Chair Maggiore announced item 12.2 under New Business will be rescheduled to a later meeting.  
141

142 The Select Board agreed by consensus to move item 12.8 up on the agenda.  
143

144 **12. New Business**

145 12.1 Introductions of Town Administrator and Deputy Police Chief  
146 *(Scrivener's Note: This item was taken up at the beginning of the meeting.)*  
147

148 12.2 Recognition of Fire Department Members  
149 *(Scrivener's Note: Postponed to a later date.)*  
150

151 12.3 Discussion of Request for Proposals (RFP) for Annual Finance and Compliance Audit

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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.

207 **Motion by Selectwoman Kilgore to nominate Glenn Martin to complete the term of Bob**  
208 **Schoenberger. Seconded by Selectman Miller. Motion carries 3-0.**  
209

210  
211 12.8 Presentation of Charge of Dog Park Committee – Pat McLean

212  
213 Ms. McLean updated the Select Board on the committee’s latest work noting they discussed Rules and  
214 Regulations for the dog park, liability insurance, fund raising and would like the Select Board’s approval to  
215 advertise for a land donation, as they have yet to find a piece of land that would be suitable.  
216

217 Ms. McLean stated she wished to have the dog park a “town supported thing.”  
218

219 **Motion by Selectman Miller to support, advertise and encourage the committee to look for a donated**  
220 **piece of land. Seconded by Selectwoman Kilgore. Motion carries 3-0.**  
221

222 12.9 Discussion of Property Settlement Involving 205 Lafayette Road

223  
224 Chair Maggiore stated the town had been negotiating with a property owner regarding land use issues. He  
225 further stated if the board voted affirmatively on the proposed agreement, the document would then be a  
226 public document.  
227

228 **Motion by Chair Maggiore to authorize the Board of Selectman to approve and sign the settlement**  
229 **agreement and mutual release between the Town of North Hampton and James A.C. Jones, known**  
230 **as “the agreement” to resolve outstanding zoning cases and other litigation involving the Town of**  
231 **North Hampton and James A.C. Jones as set forth in the agreement and to be signed this date**  
232 **subject to the delivery of a duly signed copy by Mr. James A.C. Jones to counsel for the Town of**  
233 **North Hampton within 14 days unless extended by the board. A copy of the agreement shall be**  
234 **maintained and available at the Town Office of the Town Clerk for a period of 10 years as provided**  
235 **by NH RSA 91-A:4 VI. Seconded by Selectwoman Kilgore. Motion carries 3-0.**  
236

237 A copy of the settlement will also be kept on file in the Town Administrative Offices for a period of 10  
238 years.  
239

240 12.10 Special Counsel Conflict of Interest Waiver and Representation Agreement

241 Chair Maggiore stated he asked to move this item under new business as on page three of the waiver it  
242 discussed, and strongly urged the town, to discuss the agreement with independent counsel and he felt that  
243 would be appropriate.  
244

245 The consensus of the Select Board agreed to send the document to Attorney Bennett for his review, and  
246 place on the next Consent Calendar of March 28, 2018.  
247

248  
249 **13. Minutes of Prior Meetings**

250 13.1 Approval of February 26, 2018 Meeting Minutes

251 Selectwoman Kilgore stated she would like the consent calendar minutes to reflect the amounts discussed  
252 in the accounts payable manifests in a quick bullet point of the amounts.  
253

254 **Motion by Selectman Miller to approve the February 26, 2018 minutes as presented. Seconded by**  
255 **Selectwoman Kilgore. Motion carries 3-0.**  
256

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

258 The Board reserves the right to take action on any item relative to the prudential administration of the  
259 Town’s affairs, which circumstances may require.  
260

261 **15. Second Public Comment Session**

262 See Item 6, above.

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

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

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

269 Chair Maggiore reminded everyone that voting would take place tomorrow, Tuesday, March 13, 2018 from  
270 8AM to 7PM at the North Hampton School.

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272 **16. Adjournment**

273 Meeting adjourned at 9:00PM.

274

275 Respectfully submitted,

276 Janet L. Facella

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