



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

MARCH 22, 2021 7:00 PM

NORTH HAMPTON TOWN HALL

DRAFT MINUTES

MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman Jonathan Pinette

ALSO PRESENT: Justin Richardson, Esq; Recreation Director Joe Manzi

VIA ZOOM: Town Administrator Michael Tully; Rob Miller, Esq; Kerry Houlihan, Esq

AGENDA

Chairman *pro tem* Jim Maggiore welcomed everyone to the March 22, 2021 Regular Select Board Meeting and called the meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

Chairman *pro tem* Maggiore said they were coming out of Non-Public with no motions taken.

Motion: To seal the minutes of the Non-Public Meeting of March 22, 2021.

Motioned: Vice-Chair *pro tem* Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

First Public Comment Session

Call 603-758-1447; email jmaggiore@northhampton-nh.gov

No Public Comments

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.

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Recreation Director Joe Manzi

Chairman *pro tem* Maggiore asked to go off the agenda to recognize Recreation Director Joe Manzi for his efforts to ensure the health and well-being of all North Hampton residents through recreational programming. Despite the pandemic, he made sure there was a summer recreation program, provided after-school activities, and secured recreational programming at Lafayette in a vacant storefront to have a safe place for kids in North Hampton.

Vice-Chair *pro tem* Sununu said his hard work is appreciated and his ability to go above and beyond to make something happen has been a huge benefit to the Town. Selectman Pinette thanked Joe on behalf of the community.

Joe Manzi said he is humbled and embarrassed yet appreciative of all the kind words. He said the Egg Scramble will be held this Saturday on the grounds of the North Hampton School; registration online: northhampton@northhamptonnh.recdesk.com.

Consent Calendar

- 5.1 Payroll Manifest of March 11, 2021 in the amount of \$232,303.40
- 5.2 Payroll Manifest of March 18, 2021 in the amount of \$79,272.07
- 5.3 Accounts Payable Manifest of March 18, 2021 in the amount of \$1,101,767.69
- 5.4 Permission for United Church of Christ to Use the Town Common

Motion: To approve the Consent Calendar as presented

Motioned: Vice-Chair *pro tem* Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

Correspondence – No items

Copies of all Correspondence will be attached to these minutes.

Committee Updates

Chairman *pro tem* Maggiore said the *Heritage Commission* had a regular meeting. The *Water Commission* is still working on current issues.

Vice-Chair *pro tem* Sununu said the *Rails to Trails Committee* will meet in a few weeks.

Report of the Town Administrator

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

Report from March 9 to March 19, 2021: Finance: 33% of Budget remaining and 17 weeks remaining in fiscal year; Police will be fully staffed upon Police Academy completion; Fire Deputy Cook collaborated with Hampton Fire Department to schedule vaccinations for all SAU21 and SAU90 staff members; summer camp runs 9 weeks starting in June; waiting to hear from the State on Beach Stickers; Education Funding Commission 2.0 set an estimated Budget with North Hampton's portion being \$2,000 for this year and the same for next year; Philbrick Pond MOU signed and sent to NH DOT.

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Items Left on the Table

NEW BUSINESS

10.1 Public Oath of Jonathan Pinette as Select Board Member

Town Administrator Michael Tully administered the Oath of Office to new Select Board member Jonathan Pinette. Mr. Pinette thanked everyone and said he is looking forward to working with the current Board.

10.2 Election of Select Board Officers

Select Board Chairman:

Motion: To nominate Jim Maggiore as Select Board Chairman.

Motioned: Vice-Chair *pro tem* Sununu

Seconded: Selectman Pinette

Vote: Motion approved 3-0

Select Board Vice-Chairman:

Motion: To nominate James Sununu as Select Board Vice Chairman.

Motioned: Chairman Maggiore

Seconded: Selectman Pinette

Vote: Motion approved 3-0

10.3 Discussion of Committee Assignments

10.3.1 Budget Committee:

Motion: To appoint James Sununu as Select Board Representative to the Budget Committee.

Motioned: Selectman Pinette

Seconded: Chairman Maggiore

Vote: Motion approved by a vote of 3-0

10.3.2 Planning Board

Motion: To appoint James Maggiore as Select Board Representative to the Planning Board.

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

10.3.3 Heritage Commission

Motion: To appoint James Maggiore as Select Board Representative to the Heritage Commission.

Motioned: Selectman Pinette

Seconded: Vice-Chair Sununu

Vote: Motion approved by a vote of 3-0

10.3.4 Water Commission

Chairman Maggiore is the Select Board Representative to the Water Commission by Statute.

10.3.5 Capital Improvements Committee

133 **Motion:** To appoint Jonathan Pinette as Select Board Representative to the Capital Improvement
134 Committee.

135 **Motioned:** Vice-Chair Sununu

136 **Seconded:** Chairman Maggiore

137 **Vote:** Motion approved by a vote of 3-0

138

139 10.3.6 Economic Development Committee

140 **Motion:** To appoint Jonathan Pinette as Select Board Representative to the Economic Development
141 Committee.

142 **Motioned:** Vice-Chair Sununu

143 **Seconded:** Chairman Maggiore

144 **Vote:** Motion approved by a vote of 3-0

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146 10.3.7 Rails to Trails Committee

147 **Motion:** To appoint James Sununu as Select Board Representative to the Rails to Trails Committee

148 **Motioned:** Selectman Pinette

149 **Seconded:** Chairman Maggiore

150 **Vote:** Motion approved by a vote of 3-0

151

152 10.3.8 Any other Committee which requires a Select Board Representative

153 Selectman Pinette said he is currently Vice-Chair of the Zoning Board and would like to remain a member.
154 Chairman Maggiore said the Select Board is not appellate to the Zoning Board and there is no conflict of
155 interest.

156

157 10.4 Consideration of Plans Submitted by James Jones

158 Chairman Maggiore said in 2018 the Select Board and Counsel engaged with Mr. James Jones and Counsel
159 to negotiate a settlement agreement about outstanding issues in the Town which was agreed upon.

160

161 Town Counsel Justin Richardson said the Board has 2 sets of plans which is the last step in the settlement
162 agreement to resolve properties where zoning issues were raised by the prior Building Inspector. This
163 settlement resolves all of those zoning issues comprehensively, and the last contingency is for the Select
164 Board is to approve these plans which will finalize provisions in the settlement agreement as a Court
165 Order. The Settlement Agreement requires this Board to approve it if they find these 2 sets of plans
166 reasonably acceptable.

167

168 Town Counsel Richardson said the plans were reviewed by Town Engineer John Chagnon of Abbott
169 Engineering who signed off on all items being met except for a few steps needed for recording which can
170 occur after Select Board evaluation and consideration of the plans today. He recommended that the Select
171 Board consider approving the plans and believes this Settlement Agreement promotes the purposes and
172 visions of the Zoning Ordinance, requires completion on a date certain, and will benefit the Town.

173

174 Rob Miller, counsel to Mr. James Jones, echoed the statements of Attorney Richardson and said hopefully
175 this is the end of a long road involving disputed and complicated legal issues which ultimately led to a
176 good compromise after a lot of hard work. Kerry Houlihan, Counsel to Joe Roy, said she had no problem
177 moving forward with these plans and would like to get this resolved.

178

179 Discussion: Vice-Chair Sununu said there were a number of discussions and they had some requests and
180 conditions which they asked to be met. He said he understands all updates to the agreement have been

181 completed and he is prepared to go forward and asked Attorney Richardson about some final conditions
182 listed in his letter. Selectman Pinette agreed and said after review he felt it was a good deal for the Town
183 and he is in favor.

184
185 Town Counsel Richardson said the conditions being recommended were sent out to Attorney Houlihan
186 and Attorney Miller. He said conditions 2 and 3 are typographical changes, and condition 1 was originally
187 a period of 60 days proposed for recording which was changed to 120 days; the other provisions follow
188 what is already in the agreement and clarify next steps after the Select Board vote. Attorney Miller said
189 he had no issues with the conditions but added that things might get slowed down due to COVID.

190
191 **Motion:** Move that the Select Board approve the Reclamation Plan last revised February 17, 2021 and
192 the Nursery Plan last revised March 22, 2021 pursuant to the terms of the Settlement Agreement signed
193 by the Town on October 12, 2018 and by James Jones on October 29, 2018, subject to terms and
194 conditions put forth by the Town's Legal Counsel Justin C. Richardson dated March 22, 2021.

195 **Motioned:** Vice-Chair Sununu

196 **Seconded:** Selectman Pinette

197 **Vote:** Motion approved by a vote of 3-0

198

199 Chairman Maggiore called for a 5-minute recess.

200

201 **10.5 Select Board Correspondence to Planning Board on Economic Development Committee**

202

203 Chairman Maggiore said the Economic Development Committee (EDC) presented recommendations to
204 the Select Board last week, one of which was to forward their suggestions to the Planning Board to review
205 all planning and zoning recommendations. The Planning Board already has the report from Ironwood and
206 all background materials, and the Select Board has drafted a letter.

207

208 Selectman Pinette asked if recommendations from the Planning Board would come back to the Select
209 Board. Vice-Chair Sununu said a number of the EDC recommendations involve Planning and Zoning
210 Ordinance changes and it is up to the Planning Board to consider and decide such changes, which would
211 go forward as a Warrant Article Ordinance Change and would not come back to the Select Board.

212

213 **Motion:** Move that the Select Board approve the letter as presented.

214 **Motioned:** Vice-Chair Sununu

215 **Seconded:** Selectman Pinette

216 **Vote:** Motion approved by a vote of 3-0

217

218 **10.6 Discussion of Nomination from Planning Board**

219

220 Chairman Maggiore said the Planning Board has nominated Valerie Gamache for a 3-year term as
221 Commissioner to the Rockingham Planning Commission to replace Phil Wilson

222

223 **Motion:** Move to approve the nomination of Valeri Gamache as presented.

224 **Motioned:** Vice-Chair Sununu

225 **Seconded:** Selectman Pinette

226 **Vote:** Motion approved by a vote of 3-0

227

228 **10.7 Discussion of Economic Development Committee**

229
230 Chairman Maggiore asked if there should be another charge for the Economic Development Committee
231 or if they should continue at their own discretion.
232

233 Vice-Chair Sununu felt it was worth a conversation with several members of EDC regarding ideas.
234 Selectman Pinette agreed and said the Committee is waiting to see what the Planning Board does with
235 the proposal and nothing further is scheduled at this point.
236

237 Town Administrator Tully said he would speak with the EDC Chairman and report back to the Board.
238

239 **10.8 Committee Appointments Discussion**

240
241 Town Administrator Tully said it was the time of year to review appointments and positions on various
242 boards and committees. He said he emailed all committee chairs to determine the number of open
243 positions, get recommendations on appointees, and will bring that to the Board after any positions are
244 advertised over the next week and do at the next meeting April 12, 2021. He also asked how the Board
245 felt about doing all appointments now to bring them all onto the same schedule.
246

247 **10.9 Discussion and Appointment of Walkway Committee**

248
249 Chairman Maggiore said as the new Library is being constructed the possibility arose of closing off the
250 circular drive in the front of the Stone Building to vehicular traffic and making it a walkway. It would be
251 aesthetically pleasing, improve safety, and benefits the Library parking lot. It was decided that a Walkway
252 Committee comprised of 2 Heritage Commission members, a Select Board Member, a Library Trustee, the
253 Town Clerk or her appointee, and 2 members of the public would be formed.
254

255 Town Administrator Tully said there are now 3 volunteers from the public and asked if the Select Board
256 would be averse to having 3 members.
257

258 **Motion:** Motion to approve 3 members of the public to the Walkway Committee.

259 **Motioned:** Vice-Chair Sununu

260 **Seconded:** Selectman Pinette

261 **Vote:** Motion approved by a vote of 3-0
262

263 Town Administrator Tully said to set Donna Etela as *pro tem* Chair of the Walkway Committee and she can
264 call the meeting.
265

266 **MINUTES OF PRIOR MEETINGS**

267

268 **Approval of the Regular Meeting Minutes of March 8, 2021**

269

270 **Motion:** To approve the Regular Meeting Minutes of March 8, 2021 as presented.

271 **Motioned:** Vice-Chair Sununu

272 **Seconded:** Selectman Pinette

273 **Vote:** Motion approved by a vote of 2-0, with 1 abstention
274

275 **Approval of the Non-Public Meeting Minutes of March 8, 2021**

276

277 **Motion:** To approve the Non-Public Meeting Minutes of March 8, 2021 as presented
278 **Motioned:** Vice-Chair Sununu
279 **Seconded:** Selectman Pinette
280 **Vote:** Motion approved by a vote of 2-0, with 1 abstention

281

282 **Any Other Item that may legally come before the Board**

283

284 Chairman Maggiore said regarding the petition brought forward at the last meeting by residents in the
285 Glendale area about construction noise, he asked that the Select Board consider at the next meeting
286 possibly taking responsibility for this and consider the issues raised by the petition and have a discussion.

287

288 **Second Public Comment Session**

289 *Call 603-758-1447; email jmaggiore@northhampton-nh.gov*

290

291 No public comment.

292

293 **Next Regular Meeting:** April 12, 2021

294

295 **Adjournment**

296

297 Vice-Chair Sununu made a motion to adjourn which was seconded by Selectman Pinette. The motion was
298 approved by a vote of 3-0 and the meeting was adjourned at 8:05 pm.

299

300 Respectfully submitted,

301

302 Patricia Denmark, Recording Secretary

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304