



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

SELECT BOARD MINUTES
WEDNESDAY, OCTOBER 11, 2017
NOTICE OF PUBLIC MEETING
NORTH HAMPTON TOWN HALL
231 ATLANTIC AVENUE
6:00 O'CLOCK PM

NON PUBLIC SESSION I: 6:00 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 (a)
4. 6:55 p.m. Return to Regular Session and Recess to Town Hall, 231 Atlantic Avenue
5. 7:00 p.m. Reconvening of Public Session at Town Hall and Pledge of Allegiance

Chair Maggiore called the meeting to order at 7:26 PM. Those in attendance were Selectman Miller, Selectwoman Kilgore and Interim Town Administrator Michael Tully.

Chair Maggiore led the Pledge of Allegiance.

Chair Maggiore stated a vote that was taken in Non Public Session I that was unanimous, and the Town Administrator would be acting on the decision that was made.

Motion by Selectman Miller to seal the minutes of Non Public Session I. Seconded by Selectwoman Kilgore. Motion carries 3-0.

Chair Maggiore stated a vote was taken in Non Public Session II that was 2 in favor, and 1 abstention. Discussion was held regarding the Interim Town Administrator's contract, and the minutes would not be sealed.

Selectwoman Kilgore stated the board discussed the Deputy Town Administrator and the Emergency Management Director, not the Interim Town Administrator.

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 09/28//2017 in the amount of \$61,565.07
- 7.2 Payroll Manifest of 10/05/2017 in the amount of \$203,542.97
- 7.3 Accounts Payable Manifest of in the amount of \$185,183.04
- 7.4 Approval of Veteran Tax Credit
- 7.5 Approval of Pole Licenses for Eight (8) Poles on Lovering Road: 121/1, 121/2, 121/3, 121/4, 121/5, 121/6, 121/7 and 121/8
- 7.6 Approval of Abatement Recommendation
- 7.7 Approval of Land Use Change Tax

Interim Town Administrator Tully stated item 7.6 should be removed from the Consent Calendar as it did not come to fruition.

Motion by Selectwoman Kilgore to accept the Consent Calendar with the removal of item 7.6, as presented. Seconded by Selectman Miller. Motion carries 3-0.

Chair Maggiore asked to move item 12.1 up on the agenda and the board agreed.

The Select Board presented Building Inspector Kevin Kelley with a Town Clock, and thanked him for his five years of service with the town.

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Mr. Kelley read from a prepared statement that will be attached to these minutes.

8. Correspondence

- 8.1 Correspondence from Jay Somers, Comcast Sr. Manager Government Affairs
- 8.2 Correspondence from State of New Hampshire Department of Safety REP Program
- 8.3 Correspondence from State of New Hampshire Department of Natural and Cultural Resources
- 8.4 Correspondence from Pat McLean Regarding a Dog Park in North Hampton

Chair Maggiore read items 8.1 and 8.4 into the record. After reading Ms. McLean's correspondence the Chair invited her to the podium.

Ms. McLean stated she had recently moved to North Hampton, and the only dog park in the area is located in Portsmouth. She further stated although she did not have any particular spot in mind, she would be willing to help with the project as it brings people together and creates a sense of community.

The Select Board agreed a dog park was a good idea, and they would continue this discussion to a date uncertain.

Interim Town Administrator Tully spoke to correspondence items 8.2 and 8.3, stating a public hearing would be held on October 23, 2017 to accept the funds from the State of New Hampshire Radiological Emergency Preparedness Program.

Chair Maggiore stated the Select Board had sent a letter to Police Chief Fallon of the Somerville Police Department with condolences for the loss of one of their police officers that was in an accident in North Hampton.

Selectwoman Kilgore stated she believed there was another piece of correspondence from Laurel Pohl.

Interim Town Administrator Tully stated he believed Ms. Pohl's correspondence deserved to be a full agenda item on the October 23, 2017 meeting. He further stated he has moved forward to present educational training on RSA 91-A in December and is also working on a policy.

9. Committee Updates

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9.1 Budget Committee

Selectman Miller stated there had been an issue with not posting the meeting in a timely manner, and the Budget Committee chair admitted it was his fault and lack of understanding of the process. A “do over” meeting will be held on October 6, 2017.

9.2 Economic Development Committee

Selectwoman Kilgore state the EDC had met on October 4, 2017 and had a guest speaker from UNH explain how a scientific survey is done. She further stated the EDC would like to move forward with the survey and asked if the cost of \$6,400 and \$8,500 could be found in this year’s budget to fund it. Selectwoman Kilgore stated doing the survey would help the town move forward with the Route 1 corridor and commercial district. She also stated the North Hampton Business Association would be holding an open forum on October 26, 2017 at the Town Hall.

9.3 Heritage Commission

Chair Maggiore stated he had nothing new to report.

9.4 Water Commission

Chair Maggiore stated a settlement agreement was received and agreed to by the Select Board in the Aquarion Water Company. The settlement allows the town to have a more accurate reflection of the maintenance being done to hydrants. The town had been withholding payment of \$124,000 in hydrant fees, and the settlement reached called for releasing that payment. The board was also satisfied with the water testing that will now be done for water quality. Other items in the agreement were specific to items in Hampton.

9.5 Capital Improvement Committee

This item will be taken up on the agenda.

9.6 Bandstand Committee

Selectwoman Kilgore reported the committee is still promoting their “Buy a Brick” program.

9.7 275th Anniversary Committee

Chair Maggiore stated the celebration was scheduled for October 14, 2017 and gave an itinerary at the events happening throughout the town.

Selectwoman Kilgore stated she would like to have a monthly report from the Recreation Department. She also stated that the North Hampton Business Association is hosting its annual scarecrow contest and encouraged all to vote on their website for best scarecrow.

10. Report of the Interim Town Administrator

10.1 General Report

A copy of Interim Town Administrator Tully’s report are attached.

Chair Maggiore received a consensus of the board to move up agenda item 12.3.

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Public Works Director John Hubbard stated he was before the board to ask permission to waive the purchasing policy for the purchase of guard rails explaining there are only two or three companies that specialize in this business. He further stated he sent out six requests and the only interest he has gotten was from CWS.

Mr. Hubbard stated the monies had been budgeted for in the Road Maintenance Fund.

Motion by Chair Maggiore to waive the conditions of the purchasing policy which requires the seeking of three bids and to present to the Select Board for approval to allow for the project to move forward. Seconded by Selectman Miller. Motion carries 3-0.

11. Items Left on the Table

11.1 Discussion of Economic Development Committee Charge Revisions

Motion by Chair Maggiore to remove this item from the table. Seconded by Selectman Miller. Motion carries 3-0.

12. New Business

12.1 Presentation to Kevin Kelley

(This item was taken up at the beginning of the meeting.)

12.2 Presentation of Capital Improvements Plan Report- Nancy Monaghan

Capital Improvements Committee Chair Nancy Monaghan gave a recap of the highlights for the 2019-2024 report.

Ms. Monaghan stated the top two projects recommended by the committee were a new dump truck and snowplow for the Department of Public Works to replace a truck that is 16 years old. While the truck is still serviceable, it is nearing the end of its life span, and the town no longer has the services of a private contractor to plow the roads.

Ms. Monaghan stated the truck proposed is a seven year lease/purchase and the committee agrees with the department's desire to keep the existing plow truck for back up.

Ms. Monaghan stated that Laurel Pohl, Budget Committee representative to the CIP, suggested the Department of Public Works consider a Capital Reserve Fund for equipment going forward, with a yearly warrant article of \$35,000 and that suggestion is included in the report.

Ms. Monaghan stated the second large project for 2019 is extending the gas line from Lafayette Road to the North Hampton School on Atlantic Avenue and to replace two extremely aging boilers. She further stated warrant articles were approved over the past

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several years resulting in \$150,000 for the project. The total cost of the project is \$372,000 therefore \$222,000 would be needed to complete the project.

Ms. Monaghan stated the Fire Department made a request to replace the Command Vehicle which is used to direct all logistics at emergency scenes. She further noted this vehicle can be paid for through the Fire Department's Revolving fund and therefore there would not be a taxable amount to the residents.

Ms. Monaghan stated the Police Department requested one vehicle. She explained over the past few years different rotation schedules have been tested for the replacement of cruisers to try and keep the fleet from getting too aged, unreliable and costly repairs. Last summer, Chief Maddocks undertook an examination if there might be a better replacement plan and rotation schedule and his new plan asks to buy one cruiser each year with a five year premium policy at a cost of \$1,540 for each vehicle. The schedule will be revisited next year to see if the policy is working favorably.

Ms. Monaghan stated the Town Administration has requested a new van for the Recreation Department specifically designed to transport Senior Citizens. The current van is serviceable however very difficult for seniors to enter and exit. She further stated Selectwoman Kilgore had volunteered to look into getting a van donated.

Ms. Monaghan stated a second request was for the installation of a new septic system at the Town Hall, which will replace the current dry well. The town hall is used as a warming shelter and would not be able to handle a large crowd.

Ms. Monaghan stated the North Hampton Public Library made a request to replace an ancient boiler in the library at a cost of \$13,200. She further stated a \$3.5 million library was also requested, however the CIP committee does not recommend this project for next year because there isn't a location or building plans for said project.

Ms. Monaghan stated the CIP has made the aging town buildings a priority over the past several years, and although the Select Board is not putting forth a warrant article this year, the CIP feels it is top priority given the expenses incurred to maintain the buildings each year. The town has spent \$152,000 last year and this year on building upgrades, primarily at the library. The town faces another \$727,000 in upgrades over the coming years if nothing is done.

Ms. Monaghan stated Laurel Pohl suggested the town consider a Capital Reserve Fund with some contribution made each year.

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(Secretary's Note: Ms. Monaghan's statement regarding the refusal of Laurel Pohl and Selectwoman Kilgore's to sign the Capital Improvements Plan will be attached to these minutes.)

Laurel Pohl, North Road stated she would like to clarify statements made by Ms. Monaghan.

Ms. Pohl stated she did not request a Capital Reserve Fund for the Department of Public Works to smooth out the "peaks and valleys." She stated she had asked the CIP committee for more time to put together a spreadsheet, and that one weekend was not enough time. She further stated the Capital Reserve Fund does not smooth out "peaks and valleys" because the seven year lease/purchase does that. Ms. Pohl stated the savings of approximately \$250,000 over a period of time saves all of the 22 years of financing costs that are funded by lease/purchase agreement.

Ms. Pohl stated the document before the Select Board was rushed, and no process on how to do the CIP was ever agreed upon. She stated the CIP only analyzed and prioritized the current year, and no review was given for the past six year period; they simply passed through what was proposed by the department heads.

Ms. Pohl stated the CIP is a rehash of old documents and that she would not sign something she did not read first. She further stated the revenue source listed on pages 14 and 15 of the CIP are from 2014.

Ms. Pohl asked the Select Board what the process was for receiving correspondence as she had never received acknowledgment her communication was received.

Chair Maggiore stated there is no written policy, and that Interim Town Administrator Tully suggested that this discussion would warrant its own agenda item at the next meeting. He further stated the correspondence was received after the agenda had been sent to the board.

Selectwoman Kilgore stated that Paul had always brought in correspondence received up and until the day of meeting.

Ms. Pohl stated she felt that she was being ignored and would have appreciated an acknowledgment of receipt of her correspondence.

Motion by Selectman Miller to accept the report of the Capital Improvements Committee as presented. Seconded by Chair Maggiore for discussion. Chair Maggiore asked Selectwoman Kilgore if she would offer a minority report as an

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addendum to the CIP. Selectwoman Kilgore stated she would consider that. Discussion ensued with the Select Board stating they have to accept the CIP at this meeting in order to move forward with the budget season. Motion carries with Miller and Maggiore in favor, and Kilgore opposed.

12.3 Approval to Waive Purchasing Policy for Guard Rail Quote for North & Lovering Roads
(Secretary's Note: this item was taken up earlier in the meeting.)

12.4 Approval of Purchase of SCBA (Self Contained Breathing Apparatus)

Interim Town Administrator Tully stated he was able to secure a federal grant to pay for a portion of the 18 units. He stated the members of the department tested three brands and were all in agreement that the Scott Airpaks would be the best for the department. He mentioned the units were also the least expensive of the three and that the department has worked with Fire Tech and Safety for many years.

Interim Town Administrator Tully stated the majority of the grant money will not be used, and asked the Select Board to authorize the purchase of thermal imagers that go inside of the masks. He further stated that \$6,750 of the cost would come from the Warrant Article that was approved last year.

Interim Town Administrator Tully also spoke to the Gear Extractor and Dryer stating they would like to go with the lowest price from Bergeron Equipment at a cost of \$15,612.

Motion by Selectwoman Kilgore to purchase the SCBA along with the optional thermal imager as suggested tonight by the Fire Chief during the meeting and expending \$117,550. Seconded by Selectman Miller. Motion carries 3-0.

Motion by Selectwoman Kilgore to move forward on the purchase of the Gear Extractor and Dryer with the purchase price of \$15,612. Seconded by Selectman Miller. Motion carries 3-0.

Interim Town Administrator Tully stated there would be a small additional charge for plumbing.

12.5 Approval of Purchase of Gear Extractor and Dryer

(Secretary's Note: This item was taken up under item 12.4.)

12.6 Update on Police and Fire Department Budget Workshop

Chair Maggiore stated the board had run out of time at their workshop to discuss the Emergency Management budget and they would take up at their October 17 workshop.

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Interim Town Administrator Tully stated the fire department is looking at an increase of 1.92% with the majority of the increase, 10%, for health insurance costs. He also stated fuel is increased do to changing prices at the pump and there is an increase cost as the Jaws of Life are up for their biannual maintenance.

Interim Town Administrator Tully noted there is a 10% increase in overtime in the police department do to the open shifts. He further noted there would be a 6% savings in the health insurance due to changing demographics within the department. An 11% savings would be realized due to the vehicle leases that were not approved at last year's election. An increase in training has been proposed by Acting Police Administrator French which he believes to be cost effective.

Interim Town Administrator Tully stated two sets of tires will need to be replaced on the cruisers. Lockup and breathalyzer line item will increase due to construction needed in the current unusable cells.

12.7 Appointment of Glen Bosworth as Health Officer

Chair Maggiore stated that the position of Health Officer is vacant due to the resignation of Kevin Kelley, and the position must be filled.

Motion by Selectwoman Kilgore to appoint Glen Bosworth as Health Officer for the Town of North Hampton. Seconded by Selectman Miller. Motion carries 3-0.

12.8 Discussion of Court Order Regarding FY18 Warrant Articles 33 and 35

Chair Maggiore gave the history of the citizens petition warrant articles presented at last year's election. He stated that although two of the warrant articles passed, the Select Board needed clarification if they were legally enforceable. On September 27, 2017 the court rendered its decision stating the town was permanently enjoined (not required) to enforce the provision of Warrant Articles 33 and 35.

Chair Maggiore asked to have the summary judgment attached to the minutes.

Selectman Miller asked for a total for legal expenses related to this case, so that when someone complains about the legal budget they can explain why.

Selectwoman Kilgore stated the judge's decision is based on facts and procedures and she agrees with that. She further stated she felt that maybe "these people" felt it was the only way they could express and have their concerns taken seriously with the Conservation

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Commission and what has happened and whether or not all procedures were followed correctly.

Ms. Pohl suggested that the Select Board work toward a more transparent governance as it is not as apparent as they think. She further asked of the possibility of filming work sessions that are held during the day now that the town has the capability with up to date cameras and equipment.

Shep Kroner, Cedar Road voiced his concerns about the criticism given on the process of the Capital Improvements Plan committee. He stated for change to be effective, changes should be made at the beginning of the process, not at the end.

Mr. Kroner stated there are many trails in North Hampton to take dogs on, and the maps can be found on the Conservation Commission web page.

13. Minutes of Prior Meetings

13.1 Approval of September 25, 2017 Meeting Minutes

Motion by Selectwoman Kilgore to accept the minutes of September 25, 2017 as produced in the Select Board packet. Seconded by Selectman Miller. 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.

Selectwoman Kilgore asked for clarification from Chair Maggiore as to why he signed a recent letter to the editor as "Chair, North Hampton Select Board."

Chair Maggiore stated he was simply identifying himself and that he would write to the newspaper explaining that he was only speaking for himself and not on behalf of the Select Board.

15. Second Public Comment Session

See Item 8, above.

Cynthia Swank, Hobbs Road gave a description of the CIP committee, and stated she was proud of her three years as Chair. She further stated it was a decision of the committee to try to get the report out in time, per RSA, for the budget process. She stated the past four years the report has been done on time.

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Frank Ferraro, Post Road thanked the Chair for stopping personal attacks at this meeting, thanked Mr. O'Hara for including PASA trips in the Friday Folder and stated he knows of two contractors that have done work on buildings that are on the National Register and stated he would share the names if interested.

Laurel Pohl, North Road stated she appreciated Cynthia's comments, and stated fresh ideas are a good thing and that rushing a product is just as bad as not producing a product. She further stated the problems with the CIP committee started at the second meeting and every subsequent meeting, not at the end of the meetings.

16. Adjournment

Meeting adjourned at 10:24 PM.

Respectfully,
Janet Facella

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