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TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

SELECT BOARD MINUTES  
MONDAY, NOVEMBER 13, 2017  
NOTICE OF PUBLIC MEETING  
NORTH HAMPTON TOWN HALL  
231 ATLANTIC AVENUE  
5:30 O'CLOCK PM

NON PUBLIC SESSION I: 5:31 O'CLOCK P.M.  
EXECUTIVE CONFERENCE ROOM  
TOWN ADMINISTRATIVE OFFICE  
233 ATLANTIC AVENUE

NON PUBLIC SESSION II: 5:50 O'CLOCK P.M.  
EXECUTIVE CONFERENCE ROOM  
TOWN ADMINISTRATIVE OFFICE  
233 ATLANTIC AVENUE

NON PUBLIC SESSION III: 6:10 O'CLOCK P.M.  
EXECUTIVE CONFERENCE ROOM  
TOWN ADMINISTRATIVE OFFICE  
233 ATLANTIC AVENUE

NON MEETING: 6:30 O'CLOCK P.M.  
EXECUTIVE CONFERENCE ROOM  
TOWN ADMINISTRATIVE OFFICE  
233 ATLANTIC AVENUE

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1. 5:30 p.m. Call to Order
2. 5:31 p.m. Non-Public Session I Pursuant to RSA 91-A:3, II (b)
3. 5:50 p.m. Non-Public Session II Pursuant to RSA 91-A:3, II (b)
4. 6:10 p.m. Non-Public Session III Pursuant to RSA 91-A:3, II (b,c)
5. 6:30 p.m. Non-Meeting Pursuant to RSA 91-A:2, I (a)
6. 6:55 p.m. Return to Regular Session and Recess to Town Hall, 231 Atlantic Avenue
7. 7:00 p.m. Reconvening of Public Session at Town Hall and Pledge of Allegiance

Chair Maggiore called the meeting to order at 7:00 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 the board had just recessed from three Non Public Sessions. In session one and two the motions were unanimous to hire a new police officer and a new fire paramedic. In Non Public session three no motions were made.

**Motion by Chair Maggiore to seal the minutes of Non Public Session III. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

Chair Maggiore stated the Select Board held a Non Public meeting on November 6, 2017. He stated a motion taken in the first session was unanimous and Chief Tully was directed to move on that motion. He further stated in non public session two no motions were made.

**Motion by Chair Maggiore to seal the minutes from the Non Public Sessions of November 6, 2017. Seconded by Selectman Miller. Motion carries 3-0.**

## **8. 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.

George Chauncey, Hobbs Road presented the Select Board a petitioned warrant article signed by 25 registered North Hampton voters. The warrant article asks to purchase a van for use by the recreation department and states funds to pay for the van are to come from the undesignated fund balance.

Mr. Chauncey stated he spoke with the Town of Exeter as they are currently in the same situation and received quotes from Londonderry Ford, Grappone Ford and McFarland Ford. He further stated he has had several people commit to donations toward the purchase of the van. One of the donors has offered up to \$5,000 but has a requirement that match donations are received from town residents or town businesses.

Steve Bassett thanked Chief Tully for helping him to secure a location to sell his Christmas trees in the parking lot of the former Staples.

Frank Ferraro stated he assumed that people would not be excluded from speaking during public hearings. Chair Maggiore responded that was correct and the purpose of a public hearing is designated for a time for the Select Board to listen and residents to speak.

## **9. Consent Calendar**

9.1 Payroll Manifest of 10/26/2017 in the amount of \$59,523.49

9.2 Payroll Manifest of 11/02/2017 in the amount of \$67,880.41

9.3 Payroll Manifest of 11/09/2017 in the amount of \$175,612.82

9.4 Accounts Payable Manifest of 11/02/2017 in the amount of \$1,395,262.77

**Motion by Selectwoman Kilgore to accept the Consent Calendar as stated in this agenda. Seconded by Selectman Miller. Motion carries 3-0.**

## **10. Correspondence**

10.1 Correspondence from New Hampshire Municipal Association  
Chair Maggiore read the correspondence into the record.

10.2 Correspondence from State of New Hampshire House of Representatives  
Chair Maggiore stated the State of New Hampshire is looking for the town to appoint an individual to be a member of the Seacoast Commission on Long-Term Goals and Requirements for Drinking Water. He further stated that Tim Harned had offered to volunteer but stated the opening needs to be posted.

Chair Maggiore read a thank you note received on this date from the Somerville Massachusetts Police Department thanking all involved for their fallen police officer.

## **11. Committee Updates**

### 11.1 Budget Committee

Selectman Miller stated the school presented their budget and felt it was well received. The town will present their budget on November 20, 2017.

### 11.2 Economic Development Committee

Chair Maggiore stated they would be taking this item up under new business.

### 11.3 Heritage Commission

Chair Maggiore stated there were no new items.

### 11.4 Water Commission

Chair Maggiore stated there were no new updates.

### 11.5 Capital Improvement Committee

Selectwoman Kilgore stated the CIP report was presented to the Budget Committee at their last meeting.

### 11.6 Bandstand Committee

Selectwoman Kilgore stated the annual Christmas Tree Lighting at the bandstand will take place on Saturday, December 2, 2017 at 4:30PM. Refreshments will follow the lighting and caroling at Centennial Hall. Selectwoman Kilgore stated that brick sales for the bandstand are ongoing.

### 11.7 275<sup>th</sup> Anniversary Committee

Chair Maggiore stated the dinner at the Throwback Brewery was a great success, and there will be one more event at the United Church of Christ on Sunday, November 26, 2017 where there will be a non-denominational service held.

## **12. Public Hearing**

12.1 To Consider the Acceptance of Unanticipated Revenue in the Amount of \$4,110.70 awarded to the Town, to for DWI Patrol Grant and Distracted Driving Grant

Chair Maggiore opened the Public Hearing at 7:39 PM.

Chief French spoke to the grant monies received and stated the 25% match by the town would come from administrative work associated with the administration of the grant.

Chief French stated the grant requires a full time, North Hampton police officer and overtime costs will be reimbursed to the overtime line in the police department budget.

Chair Maggiore closed the Public Hearing at 7:44 PM.

**Motion by Selectwoman Kilgore to accept the funds of \$4,110.70 from the New Hampshire Office of Highway Safety for North Hampton's DWI patrols. Seconded by Selectman Miller. Motion carries 3-0.**

**13. Report of the Interim Town Administrator**

13.1 General Report

**14. Items Left on the Table**

**15. New Business**

15.1 Discussion of Tax Rate Setting and Utility Values – Scott Marsh

Scott Marsh from the town's contracted assessing firm Municipal Resources Incorporated explained to the Select Board that the town was still waiting for the state to submit three small utility values, and is thereby holding up filing of form MS-1 and producing the tax bills. He further stated the amount of \$8,200 is what was assessed for the utilities last year, and asked that the Select Board contact Stephen Hamilton, Director at the Department of Revenue Administration to get approval to use last year's values on these properties in order to move the tax bill process along.

Mr. Marsh stated there would not be any affect on the tax rate as the value is a small amount compared to the town's overall valuation of just over one billion dollars.

Interim Town Administrator Tully noted that the county tax bill of over one million dollars is due in December and if tax bills aren't sent out quickly, the town will have to break a CD at the bank in order to pay that bill as well as others.

**Motion by Selectman Miller to accept the valuation of \$8,200 for the three utilities with the Department of Revenue's acceptance. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

15.2 Discussion of Correspondence Received from NHDES re: North Hampton Rod & Gun Club - Muriel Robinette, GZA GeoEnvironmental, Inc.

Muriel Robinette from GZA GeoEnvironemental stated the report from the New Hampshire Department of Environmental Services agreed with all but one of GZA's comments regarding expanding the water testing because they felt it was more important to focus right away on the remedial action plan and clean up at the site.

Ms. Robinette stated the NHDES's report requires action on several items by the gun club within the next 120 days.

(Secretary's Note: A copy of the letter from the New Hampshire Department of Environmental Services can be found attached to these minutes.)

Selectman Miller asked Ms. Robinette if she felt the requirements of the gun club are a reasonable response to the town's concerns.

Ms. Robinette stated their responses are very typical in the way the agency deals with a contaminated property that has several moving parts. She further stated they are clearly recognizing the degree of the size and complexity of the trap range and the sediment contamination.

Selectman Miller asked Ms. Robinette if the town should be satisfied at this point with what the DES is insisting on being done. Ms. Robinette stated that what they have required is very typical for lead contaminated rifle ranges around the state. She further stated it is yet to be determined on the trap range as they are recognizing that is something that cannot be dug up and hauled away. She further stated she doesn't believe the town has enough information yet to answer that question with respect to the trap range.

Chair Maggiore asked Ms. Robinette what action by the Select Board would be prudent at this point.

Ms. Robinette stated the board might want to ask to review the Standard Operating Procedure for the liming, since that is a sensitive area and relates to the ongoing operations of the shooting area.

#### 15.3 Discussion of Interim Police Administrator Hours/Duties

Selectwoman Kilgore stated she had asked for this to be placed on the agenda when she learned the Interim Police Administrator would be speaking to a group at the library later in the month. She further stated we have him on a limited basis and that the Select Board had agreed at the beginning of the process and on the former Town Administrator's advice, they wouldn't require him to attend their meetings. The board agreed his services would be better used in the department.

Selectman Miller stated if the Interim Police Administrator felt it was a good initiative to speak to the group or any civic group he did not see a problem.

Chair Maggoire reviewed the Interim Police Administrator's contract and stated the scope of his work as a "non sworn advisor" includes the administrative affairs of the department which would normally be handled by the Chief. He further stated he agreed with Selectman Miller and that if any group asked him to speak it is part of what the duties of a Chief is; if it were to advocate on a particular side of a political agenda that would be completely different.

Chair Maggiore verified with Mr. French that he would only be speaking and giving information about the department. He further asked Mr. French if this speaking engagement would cause any overtime.

Mr. French stated he traditionally works on Thursday evenings so he will be at the station the evening the presentation is scheduled. He further stated he believed it was an important function of the police administration as it is presenting information on the current department and its activities as well as receiving information back from the citizens that are served.

#### 15.4 Discussion of Winnacunnet High School Extended Learning Opportunities Program

This item was removed from the agenda as the speaker would not be attending due to illness.

#### 15.5 North Hampton Public Library Proposed FY19 Budget

Susan Grant, Director of North Hampton Public Library gave an overview of materials checked out, programs offered, and use of the building over the past year. Director Grant stated the library budget being put forth for consideration contained a 1.13% increase over last year which is attributable to salaries and health insurance.

Director Grant stated the library receives charitable donations each year and are able to use those donations to help lower the budget in some areas.

Director Grant reviewed the library budget line by line.

Selectwoman Kilgore asked Director Grant if she was concerned about lowering the budget for programs, and Director Grant stated she wasn't because money from the Dan & Blythe Brown Fund can be used to fund those programs.

- 15.6 Discussion of Dog Park Committee
  - 15.6.1 Pat McLean – Chair Pro Tempore
  - 15.6.2 Seat Committee Members, Nominate Chair
  - 15.6.3 Charge of Committee

Chair Maggiore stated the board has received interest from 12 residents wanting to serve on the dog park committee.

Ms. McLean stated she was confused what the charge is why volunteers have to be appointed.

Interim Town Administrator Tully stated the committee is a subcommittee of the Select Board and will be given the charge by them. He further stated the members must be appointed because it is not a community group working to gather information it is actually a sub group of the Select Board so different laws and rules apply.

Ms. McLean stated she was looking for someone who would be knowledgeable regarding town land availability to help guide her.

Chair Maggiore stated he had done some research regarding a charge for a dog park committee and made his suggestions to the board.

Selectwoman Kilgore asked if all twelve volunteers would be seated on the committee. Selectman Miller suggested that they would be and if more volunteers come forward they could join as well.

**Motion by Chair Maggiore to nominate Jalisa Bush, Chelsea Davies, Rhonda Martin, Marlene Bernardo, Joanne Lamprey, Philip Thayer, Susan McCullam-Barry, Michael Trotta, Anne Nettleton, Paige Libby and Janet Allen to the North Hampton Dog Park Committee for a term of one year. Seconded by Selectman Miller. Motion carries 3-0.**

Chair Maggiore suggested using the Draft Charge of the committee as a starting point. He further advised Ms. McLean not to do any business via email.

15.7 Advertising of Open Positions on Boards, Committees and Commissions

Chair Maggiore stated it has been suggested that when there is an open position on a board, committee or commission that the position be advertised.

Chair Maggiore stated there were questions and comments from some boards that are governed by RSA. He further stated this is in no way, shape or form to control how committees handle their nominations, consideration of those nominations, handle the submissions to the board or committee for approval, that this is merely a clearing house for the posting of the open positions.

Chief Tully stated it isn't the Select Board's intent to interfere with how boards and committees are run, and it is simply a chance for anyone who would like to volunteer that they are informed.

15.8 Award Bid on 2004 Town Vehicle

Chief Tully stated the vehicle, which was formerly used by the Building Department, and prior to that a police cruiser, received only one bid. Chief Tully stated the vehicle was too costly to repair and could not be inspected without major repair work to be done.

**Motion by Selectman Miller to accept Mr. Kotsanso's bid of \$2,000 in as is condition with pick up of two weeks at his cost. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

15.9 Discussion of Contract for Economic Development Committee Town Survey  
Selectwoman Kilgore stated the board only has one bid as it is a unique item and no additional sources could be located to quote the same product.

Selectwoman Kilgore asked that the board accept the quote and grant the Economic Development Committee an exception of the purchasing policy that requires three bids.

Chair Maggiore inquired as to the price of the cost per completed interview of \$13.40 which comes out to approximately 477 completed responses. Chair Maggiore asked Selectwoman Kilgore if that is what they anticipate or is that the number of homes they are going to. He further stated this is a scientific survey whereby they have to go out to a certain percentage of each demographic of the town. Chair Maggiore stated they are anticipating approximately 176 more responses than the town has been getting.

**Motion by Chair Maggiore to approve the contract from the University of New Hampshire Survey Center in an amount not to exceed of \$6,400 for the purpose of executing a survey date November 6, 2017. Seconded by Selectman Miller. Motion carries 3-0.**

15.10 Discussion of FY19 Proposed Town Operating and Default Budget  
Chief Tully presented the Select Board with a Power Point presentation of the highlights of the proposed FY19 operating and default budgets. **A copy will be attached to these minutes.**  
**Motion by Selectman Miller to approve the Operating Budget for FY19 in the amount of \$7,121,437. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

**Motion by Selectwoman Kilgore to approve the Default Budget for FY19 in the amount of \$6,988,342. Seconded by Selectman Miller. Motion carries 3-0.**

Chief Tully stated the Budget Books are substantially completed and expects them to be completely ready for pick up by the Budget Committee sometime tomorrow or the next day.

The Select Board discussed the Budget Committee meeting scheduled for November 20, 2017 and all members were in agreement that a concurrent meeting should be posted.

15.11 Discussion of Undesignated Fund Balance  
Chair Maggiore distributed a copy of his draft suggestions of how to use the Undesignated Fund Balance to help offset taxes.

Chair Maggiore explained the Undesignated Fund Balance policy recommends the balance to sit at 8% and the town currently is in excess of that with an estimated, unaudited figure of \$737,000.

Chair Maggiore stated one proposal he came up with would be to take the items captured by the Capital Improvements Plan and use the money in excess of the 8% and invest in those projects and therefore not increase the tax rate due to warrant articles.

Chair Maggiore suggested the board members take the time to read his materials and that they table this discussion until November 27, 2017.

**Motion by Chair Maggiore to table this agenda items until November 27, 2017. Seconded by Selectman Miller. Motion carries 3-0.**

15.12 Response to Casey O’Kane’s Questions from October 23, 2017 Select Board Meeting  
Chair Maggiore reviewed the research he had done in order to answer Casey O’Kane’s questions.

**Per request of Selectwoman Kilgore, this information will be attached to the minutes.**

**16. Minutes of Prior Meetings**

16.1 Approval of October 23, 2017 Meeting Minutes

**Motion by Selectman Miller to approve the October 23, 2017 minutes as presented. Seconded by Chair Maggiore. Motion carries 3-0.**

**17. 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.

**18. Second Public Comment Session**

See Item 8, above.

Laurel Pohl stated if a line item such as the Social Services lines were zeroed out, funds cannot be transferred from a Warrant Article into the budget and cautioned against doing so.

Laurel Pohl asked what happens to the Welfare Director’s job if the Welfare line is cut.

Chair Maggiore stated the Welfare department is not being cut.

Casey O’Kane thanked Chair Maggiore for his information, stating he would review and more than likely be back before the board.

Selectwoman Kilgore asked if the board would support allowing the Winnicunnet Warriors football team to use the town hall for their dinner before the State Championship game. All three members were in agreement and each donated \$25 towards the cost of the rental of the town hall.

**19. Adjournment**

Meeting adjourned at 10:00 PM.

Respectfully,  
Janet L. Facella