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2 **TOWN OF NORTH HAMPTON, NEW HAMPSHIRE**
3 **NORTH HAMPTON SELECT BOARD MEETING**

4 **FEBRUARY 13, 2023 7:00 PM**

5 **NORTH HAMPTON TOWN HALL**

6 ***DRAFT MINUTES***

7 SELECT BOARD MEMBERS PRESENT: Chairman James Sununu, Vice-Chairman James Maggiore, Selectman
8 Jonathan Pinette

9 ALSO PRESENT: Town Administrator Michael Tully; Building Project Clerk of the Works Marc Jobin
10

11 Chairman James Sununu welcomed everyone to the Select Board Regular Meeting of February 13, 2023
12 and called the meeting to order at 7:08 pm followed by the Pledge of Allegiance. He said the Board is
13 coming from a recessed Non-Public Session.
14

15 **First Public Comment Session**

16 Call 603-758-1447 or email: jsununu@northhampton-nh.gov
17

18 There were no Public Comments.
19

20 **Consent Calendar**

- 21 5.1 Payroll Manifest of January 26, 2023 in the amount of \$115,532.59
22 5.2 Payroll Manifest of February 2, 2023 in the amount of \$87,317.04
23 5.3 Payroll Manifest of February 9, 2023 in the amount of \$210,036.62
24 5.4 Accounts Payable Manifest of February 2, 2023 in the amount of \$216,082.61
25 5.5 Abatement Recommendation
26 5.6 Elderly Tax Deferral
27

28 **Motion:** To accept Consent Calendar items 5.1 – 5.6 as presented.

29 **Motioned:** Jonathan Pinette

30 **Seconded:** Vice-Chair Maggiore

31 **Vote:** Motion approved 3-0
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33 ***Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by***
34 ***NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***
35

36 ***A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and a***
37 ***DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North***
38 ***Hampton, New Hampshire 03862.***

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Correspondence - None

Committee Updates

Vice-Chair Maggiore said the *Heritage Commission* will meet on Thursday and the *Water Commission* has no update.

Chairman Sununu said *Rails to Trails Committee* has not met since our last meeting; *Budget Committee* wrapped up its season with Deliberative Sessions for Town and School and finished any final votes needed to take at those meetings. Everything that went through Budget Committee you will see on Warrant Articles at Town Election in March.

Report of the Town Administrator

Period: January 24, 2023 – February 9, 2023: Finance at 40% with 21 weeks remaining in fiscal year; newest officer Dylan Spence passed entrance fitness test and will begin 16 weeks of Police Training February 27th; Officer Kyle Manlow working with North Hampton School with safety presentation February 15th; Chief Mone said there have been break-ins of vehicles on Route 1; Fire – Engine 1 currently out of service and insurance claim filed; Rec – resignation of Youth Coordinator Dakota Jones; Summer Camp Director interviews begun; Winter Fest February 25th; School Vacation Camp February 27 – March 2; Rails to Trails met with Shaw’s Plaza re trail access; Seacoast Private Well Initiative 10% of Town wells.

Questions: Chairman Sununu asked if the Town would receive copies of any of the well reports; Town Administrator Tully said they will not but it is public information. Chairman Sununu said it would be useful if the Town could see the results and witness the scale of arsenic and PFAS problems.

Items Left on the Table – None

NEW BUSINESS

10.1 Discussion of Cell Tower Project

Chairman Sununu there was a Public Hearing in two sessions and the Town got a lot of feedback from the public on the petition presented to the Select Board using eminent domain to take an easement to access Town property. He said subsequently quite a few petitions have been received, signed by people asking the Town not to move forward with the easement.

Chairman Sununu said this is a controversial issue with significant impact on the property owner in question, but believed there is still a huge public need as defined in the Statutes. He said the silver lining is now much more attention is being paid to this issue and it has brought forward folks suggesting alternatives and property owners now willing to consider.

Chairman Sununu said discussion has been opened with one property owner in particular who spoke at the Public Hearing and other private property owners which would need Zoning Board approval. He said they need to evaluate other proposals and this may induce another abutting property owner to reconsider the request to allow access to cross their property; may have something on next year’s ballot to allow whole legislative body to vote on a specific proposal.

Chairman Sununu said the Board is not prepared to move forward at this point with the petition for eminent domain, and will continue to work on this issue and explore other avenues. Selectman Pinette

88 said he had nothing to add, and said the Board will defer for more information and not move forward with
89 eminent domain at this time. Vice-Chair Maggiore said the public was loud and clear at the Public Hearing
90 and he agreed with not moving forward.
91

92 Town Administrator Tully reminded the Board that legally they did say the final decision would be on
93 February 27, 2023.
94

95 **10.2 Update on Building Project**

96 Marc Jobin gave an update on the Building Project and said there has been great progress in the last few
97 weeks. The old building has come down and was removed in entirety; foundation for new building is going
98 well, with perimeter almost complete and back-filled; will start elevator foundation later this week then
99 block walls going up for elevator. All under-slab utilities being done and trap-drains in Apparatus Bay; pour
100 slabs in 3-4 weeks then on to framing. Still shooting for end-of-year completion.
101

102 **10.3 Discussion of PFAS Remediation Grant**

103 Town Administrator Tully said the Public Hearing to accept the \$40,000 grant funds has already been
104 advertised for March to accept the grant funds and finish Grant paperwork; aiming for spring start but
105 may be delays along the way with multiple contractors. He said the \$40,000 is a 100% complete grant
106 with no cost to the Town.
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108 **MINUTES OF PRIOR MEETINGS**
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110 **12.1 Approval of Regular Meeting Minutes of January 23, 2023**

111 **Motion:** To accept the Regular Meeting Minutes of January 23, 2023 as presented.

112 **Motioned:** Selectman Pinette

113 **Seconded:** Vice-Chair Maggiore

114 **Vote:** Motion approved 3-0
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116 **12.2 Approval of Minutes of the Non-Public Meeting of January 23, 2023**

117 **Motion:** To accept the Minutes of the Non-Public Meeting of January 23, 2023

118 **Motioned:** Selectman Pinette

119 **Seconded:** Vice-Chair Maggiore

120 **Vote:** Motion approved 3-0
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122 **12.3 Approval of Continuation of Public Hearing Minutes of February 2, 2023**

123 **Motion:** To approve the Continuation of Public Hearing Minutes of February 2, 2023.

124 **Motioned:** Vice-Chair Maggiore

125 **Seconded:** Selectman Pinette

126 **Vote:** Motion approved 3-0
127

128 **Any Other Item that may legally come before the Board**
129

130 **Second Public Comment Session**

131 *Call 603-758-1447 or email: jsununu@northhampton-nh.gov*
132

133 **Amy Bucklin Faley** said she arrived an hour early and felt things were made confusing on purpose; she
134 said she did not understand things but was going to learn and sees a lot of issues and wants to fix them
135 or help stop them. She agreed there is a need for cell service and said there are a lot of elderly people in
136 this town. She stated that the whole eminent domain thing was not the way to go and asked what the

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137 end-goal was here. Chairman Sununu said the goal is to have a Cell Tower providing cell service to cover
138 gaps in service in North Hampton.

139

140 Ms. Faley said the Board is not going forward with eminent domain but asked for clarification that nothing
141 will happen right now and said she did not trust the system; Chairman Sununu said nothing will happen
142 now. Town Administrator Tully apologized to Ms. Faley for getting here early but said they are required
143 to post a public meeting to go into Non-Public Session.

144

145 **Lori Cotter** of 168 Mill Road thanked the Board for putting this issue off for more information. She said
146 she was volunteering to be on a board of citizens to look into alternatives and asked that the petition to
147 the Select Board be read to her.

148

149 Chairman Sununu read the cover letter and the petition in full. Ms. Cotter said she did not hear the words
150 “eminent domain”, and Chairman Sununu said those words were not in there.

151

152 **Amy Margolis** of 130 Woodland Road said Monday the Town came to her property and liked the location
153 of a cell tower on my premises and did not think one should be worried about eminent domain issues.
154 She said she stepped up and her land seems to be on process with the Board.

155

156 **Kirsten Larsen Schulz** of Post Road said she also submitted a petition with 77 signatures and asked the
157 status of her petition. Chairman Sununu said it was acknowledged and received in a Public Meeting. She
158 asked if it was on the website and Town Administrator Tully gave her a printed copy; she asked for a copy
159 of the signatures as well.

160

161 **Frank Ferraro** of Post Road thanked the Board for stepping back and considering other options. He said
162 eminent domain is dividing the Town. He said he understood in the ordinance that the Town needed to
163 own or control the land and Town Attorney Bennett said that a lease could possibly meet those
164 requirements.

165

166 Chairman Sununu said the Town is aware of that and has spoken with potential property owners regarding
167 leasing.

168

169 **Next Regular Meeting:** February 27, 2023

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171 **Recess Meeting**

Chairman Sununu said this meeting will be recessed for the Board to go back into Non-Public Session.

Chairman Sununu recessed the meeting at 7:54 pm.

172

173 Respectfully submitted,

174 Patricia Denmark, Recording Secretary