



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

DECEMBER 4, 2019 4:00 PM

NORTH HAMPTON TOWN HALL

MINUTES

SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice-Chairman Larry Miller, Member Kathleen Kilgore

ALSO PRESENT: Town Administrator Bryan Kaenrath

AGENDA

Chairman Maggiore welcomed everyone to the special North Hampton Select Board Meeting of December 4, 2019 and called the meeting to order at 4:00 pm, followed by the Pledge of Allegiance.

Chairman Maggiore said the purpose of the meeting is to talk about approval of funds for TW Design for continued Library Concept Design Work.

First Public Comment Session

Giovanni (inaudible) said she wanted a better understanding with respect to the Board regarding the Library and why they are doing a parallel path. She also addressed removing of one of the Public Comment sessions and said this is an opportunity for North Hampton citizens to speak up and it is a right.

Kathleen Kilgore of 220 Atlantic Avenue said this Saturday is the Hampton Christmas Parade starting at the Hampton/North Hampton town line at 1:00 pm and goes all the way to Winnacunnet Road. She said the Annual Tree Lighting would be held at the Bandstand at 4:30 pm on Saturday and Centennial Hall will be open for refreshments after.

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.

Chairman Maggiore said correspondence was received today from Kelly Parrott of 2 Garret Drive with the request it be read in Public Comment, and he read the letter in full. Ms. Parrott stated that she served as a North Hampton Public Library Trustee for 6 years, and in 2013 they formed a Building Committee for a potential new building/renovation project for the Library, choosing Lavallee Brensinger Architects. She said she is not aware of TW Design ever consulting with Library Trustees to review their needs and said the Select Board did not make a formal effort to solicit bids. She said pursuant to RSA 202-A:6 the Library Trustees have entire custody and management of the Public Library and related property, and the Select Board is interfering with the Library's grant of authority in hiring its own consultants to create an alternate design concept. She recommended the Select Board not spend further tax-payer monies with TW Design.

Selectwoman Kilgore recused herself from the Select Board discussion at 4:09 pm.

NEW BUSINESS

9.3 Approval of Funds to TW Design for Continued Library Concept Design Work

Selectman Miller said they met yesterday with architects and reviewed their plan, which does take into account the spacing needs of Library Trustees. He said in order to move forward to get the plan on the Ballot there is a need to further approve some work for TW Designs to prepare documents necessary for the Bond Hearing and an RFP for the 3 contractors receiving the bids. He said he recommends the Select Board approve the total cost for Bond Hearing documents for \$3,100 and a contract RFP for \$3,800 for a total of \$6,900.

Chairman Maggiore said each of the contractors at the meeting yesterday said they could come up with Design Project costs based on what TW Design is offering. Selectman Miller said they can fill in the soft costs of their engineering and come back with 3 different choices to select from and 3 different GMPs. Chairman Maggiore said he understands that the contractors are optimistic they can have the proposals back in time to post for a Bond Hearing.

Selectman Miller said the Town needs to protect itself from a really bad Library design to expand a building not intended for expansion on a piece of land that is too small. He said the Library has custody and control for what it has, as voted in 1973, and has no right to expand the Library on its own. He said the design has no parking and a meeting room for 75 people, and the Town has a chance to build a brand new Library on the Homestead Property with plenty of parking and septic.

Selectman Miller said this whole thing is completely unnecessary and the Town has no reason not to protect its property and its future without becoming a parking lot for the Library. He said in 1972 residents voted "no" on a warrant to expand the Library and in 1973 the Select Board put out a warrant to build the current Library, with the land in the name of the Town. He said he sees no reason not to move forward, and said the Board has a vested and sworn interest to uphold the interests of the Town, not the Library Trustees. He said he asked the Library Trustees to be part of this 3 times and was refused 3 times. He said the Town will take care of the needs of the Library, and he asked Library Trustees once more if they will join in this effort to create a brand new Library, get it on the Ballot, and build it in one year.

Chairman Maggiore said the Select Board has to look out for the interests of everyone in the Town to manage its prudent affairs. He said there are many issues involved on that piece of Town property with 2 buildings on it, and they have Federal permits to be responsive to and questions that have to be answered,

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including tax base expenses that come in. He said the Board is trying to find the best way to move forward and they have unfortunately gotten to a point where they have a cease & desist letter and a possible road to legal action, which they certainly do not want. He asked Selectman Miller to reach out to Library Trustees in some way to find areas where they are united or clearly divided, and to find a way to negotiate through those. He said in the end they are looking to build a new Library and can hopefully unite on that issue.

Selectman Miller added that a new Library on the Homestead owned by the Town is worth \$1 Mil to them in cost avoidance. He said they can then take Town employees out of the Police Building built in 1990, and use the old Library building and save the Town a lot of money, a lot of time, and get a brand new Library. He said the Board has the legal responsibility to protect this Town and they are on a very strong legal basis here. He said he was sorry they had come to this point.

Motion: To approve TW Design's contract dated December 4, 2019 to provide Bond Hearing documents for \$3,100, and prepare contractor RFPs for \$3,800.

Motioned: Selectman Miller

Seconded: Chairman Maggiore

Vote: Motion approved 2-0

Chairman Maggiore said the contract asks to initial the payment schedule, initial the contract design fee costs, and provide a client signature. Town Administrator Kaenrath said he would sign the contract.

Selectman Miller said the last thing they will need after this is done is engineering for placing the building on the Homestead site, which can be done by Ambent Engineering.

Any other Item that may Legally come before the Board

Kathleen Kilgore returned to her seat on the Board at 4:22 pm.

Second Period of Public Comment

Frank Ferraro of Post Road said he agrees the Select Board should look out for the interests of the Town, but they should also avoid unnecessary legal expenses and litigation, and were warned of Superior Court action. He said with 2 competing Warrants neither will pass, and urged the Select Board to find some compromise with Library Trustees. He said they are assuming they can take over the old Library for Town employee use, but as long the building is still occupied it will be under Library control. He asked if Attorney Bennett had been requested to represent the Town if the Library Trustees took them to Superior Court.

Kirsten Larsen Schultz of Post Road said she is baffled at how the Select Board could vote as they did even with a cease & desist order and an unknown lawsuit coming. She thanked Town Administrator Kaenrath for being a great administrator, and said she wished the Town had taken better advantage of his knowledge and resources.

Chairman Maggiore said there will be a regular Select Board Meeting on December 9, 2019 and they will decide then about the December 23rd meeting

ADJOURNMENT

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Chairman Maggiore adjourned the meeting at 4:26 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary