



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

MARCH 22, 2021 7:00 PM

NORTH HAMPTON TOWN HALL

Approved April 12, 2021

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.

Select Board Regular Meeting
March 22, 2021

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.

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

Select Board Regular Meeting
March 22, 2021

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

Motioned: Vice-Chair Sununu

Seconded: Chairman Maggiore

Vote: Motion approved by a vote of 3-0

10.3.6 Economic Development Committee

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

Motioned: Vice-Chair Sununu

Seconded: Chairman Maggiore

Vote: Motion approved by a vote of 3-0

10.3.7 Rails to Trails Committee

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

Motioned: Selectman Pinette

Seconded: Chairman Maggiore

Vote: Motion approved by a vote of 3-0

10.3.8 Any other Committee which requires a Select Board Representative

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

10.4 Consideration of Plans Submitted by James Jones

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

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

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

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

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

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

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

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

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

Chairman Maggiore called for a 5-minute recess.

10.5 Select Board Correspondence to Planning Board on Economic Development Committee

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

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

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

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

10.6 Discussion of Nomination from Planning Board

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

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

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

10.7 Discussion of Economic Development Committee

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

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

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

10.8 Committee Appointments Discussion

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

10.9 Discussion and Appointment of Walkway Committee

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

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

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

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

Vote: Motion approved by a vote of 3-0

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

MINUTES OF PRIOR MEETINGS

Approval of the Regular Meeting Minutes of March 8, 2021

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

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

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

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

Select Board Regular Meeting
March 22, 2021

Motion: To approve the Non-Public Meeting Minutes of March 8, 2021 as presented

Motioned: Vice-Chair Sununu

Seconded: Selectman Pinette

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

Any Other Item that may legally come before the Board

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

Second Public Comment Session

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

No public comment.

Next Regular Meeting: April 12, 2021

Adjournment

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

Respectfully submitted,

Patricia Denmark, Recording Secretary