



1
2 **TOWN OF NORTH HAMPTON, NEW HAMPSHIRE**
3 **NORTH HAMPTON SELECT BOARD MEETING**

4 **SEPTEMBER 9, 2019 7:00 PM**

5 **NORTH HAMPTON TOWN HALL**

6 ***DRAFT MINUTES***

7
8
9 **SELECT BOARD MEMBERS PRESENT:** Chairman Jim Maggiore, Vice-Chairman Larry Miller, Member
10 Kathleen Kilgore

11
12 **ALSO PRESENT:** Town Administrator Bryan Kaenrath, Fire Chief Michael J. Tully, Recreation Director Joe
13 Manzi
14

15 **AGENDA**

16
17 Chairman Maggiore welcomed everyone to the September 9, 2019 Select Board Meeting, and called the
18 meeting to order at 7:00 pm, followed by the Pledge of Allegiance. He said they opened the meeting at
19 5:30 with a Non-Public Session, and recessed to a Workshop on Document Management with Ricoh at
20 6:00 pm.
21

22 Chairman Maggiore stated that after the August 26, 2019 meeting a Non-Public Session was held in which
23 a unanimous motion was made asking the Town Administrator to act upon it and the minutes were sealed.
24 He said for the Non-Public this evening there was also a unanimous motion and the Town Administrator
25 will act on its intent, and asked for a motion to seal the minutes.
26

27 **Motion:** To seal the Minutes of the Non-Public Session of September 9, 2019 under RSA 91-A:3 II (a, c).

28 **Motioned:** Selectwoman Kilgore

29 **Seconded:** Selectman Miller

30 **Vote:** Motion approved 3-0
31
32
33

34 *Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by*
35 *NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.*
36

37 *A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and*
38 *a DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North*
39 *Hampton, New Hampshire 03862.*
40

41 **First Public Comment Session**

42

43 George Chauncey of Hobbs Road asked the Select Board if they would hire a professional person, with a
44 legal background, who knows how to write an Ethics Code. He said the current Code was terribly flawed
45 and unfair to anyone who is a defendant. He said it allows the Complainant to read his charges and the
46 panel then determines whether or not to take jurisdiction. He said both sides need to be heard before
47 deliberations, and they needed a good set of Rules & Procedures for the Ethics Committee.

48

49 Frank Ferraro of Post Road said on August 15th the Town received a memo from Town Counsel regarding
50 the role of the Select Board with regard to the Public Library. He said in his summary, Counsel stated that
51 the planning, design, and construction of Library buildings lies exclusively with the Library Trustees. He
52 said the Select Board should have included a copy of this memo as correspondence in the August 26th
53 Select Board packet, should not have continued to discuss a new Library, and Selectman Miller should not
54 be continuing to present his plan to Town committees, but should present it as a private citizen. He asked
55 that the memo be included in full in the minutes of this meeting.

56

57 **Consent Calendar**

- 58 5.1 Payroll Manifest of August 29, 2019 in the amount of \$71,343.98
- 59 5.2 Payroll Manifest of September 5, 2019 in the amount of \$75,994.75
- 60 5.3 Accounts Payable Manifest of September 5, 2019 in the amount of \$146,999.64

61

62 **Motion:** To accept the Consent Calendar as presented in the packet.

63 **Motioned:** Selectwoman Kilgore

64 **Seconded:** Selectman Miller

65 **Vote:** Motion approved 3-0

66

67 **Correspondence**

68 *Correspondence from Town of Hampton*

69

70 Chairman Maggiore said correspondence was received August 27, 2019 from Hampton Town Manager
71 Frederick W. Welch, and he read the letter in full. The letter urged the Town of North Hampton to adopt
72 the *Energy Innovation and Carbon Dividend Act of 2019 HR 763*, as adopted by the Town of Hampton, and
73 enclosed a copy of the resolution for their review and reference. Chairman Maggiore said a complete copy
74 of the resolution was included in the packet.

75

76 **Discussion:** Selectman Miller said it needed to be rewritten for North Hampton. Selectwoman Kilgore
77 agreed but asked that the letter be put on as an agenda item for the next meeting as the letter was just
78 received today. Selectman Miller asked that the Town Administrator prepare the document for North
79 Hampton and add the item to the next Select Board Meeting.

80

81 **Committee Updates**

82

83 Selectwoman Kilgore said the *Economic Development Committee* met September 4, 2019. She said John
84 Nyhan from the Hampton Chamber of Commerce was to speak about a Regional EDC but was unavailable
85 and would be rescheduled. She said the EDC reviewed the dates and times proposed by Jeff Hyland from
86 Ironwood and they decided the original timeline does not work and made a proposal for an adjusted
87 schedule. She said they discussed the scope of the Village Plan and the consensus was to tell Jeff Hyland
88 they were only looking at the IBR from Cedar to Hobbs, and not extending down Atlantic Avenue. She said

89 they discussed a preliminary draft of Rules & Procedures which she and Jeff Hillier would be working on
90 for a November presentation. She said the next EDC Meeting would be September 26, 2019 for a
91 Workshop orienting new members.

92

93 Chairman Maggiore said there were no meetings for the *Heritage Commission* or the *Water Commission*.

94

95 Selectman Miller said the next *Budget Committee Meeting* was scheduled for Monday, September 16,
96 2019 at 5:00 pm in Town Hall.

97

98 Selectman Miller said the *CIP Committee* met the last Thursday of August and the next meeting would be
99 September 20, 2019.

100

101 **Report of the Town Administrator**

102 *A copy of the Report of the Town Administrator will be attached to these minutes.*

103

104 Town Administrator Bryan Kaenrath said the Audit would begin later this month with Melanson Heath
105 and with 45 weeks left in the current fiscal year they have 84% of the Budget remaining. He said John
106 Schnitzler has completed 99% of his work on Town Hall and they have a painting contract with Apple
107 Painting & Restoration for 3 sides of the building.

108

109 Town Administrator Kaenrath said a deal was reached by the State on Rails to Trails and there would be a
110 meeting September 24, 2019 to discuss next steps. He said a lot of paving had been done and the old
111 pavement on the Homestead Lot was removed and the irrigation system would be installed. He said there
112 was still no word from NHDOT about municipally managing the Philbrick Pond project.

113

114 Town Administrator Kaenrath said they just concluded their last Document Management Presentation
115 with Ricoh, and should set up a workshop to discuss next steps. He said with regard to Wage Range, Carol
116 Granfield of MRI (Municipal Resources Inc.) would go over the results at the September 23, 2019 meeting.

117

118 Questions: Chairman Maggiore asked how the Wage Range results would be presented. Town
119 Administrator Kaenrath said it may be in non-public as they would be discussing employee salaries,
120 positions, and classifications, but that was not yet determined. Chairman Maggiore asked about the Beach
121 and said they were waiting for an engineer at the State level to take a look, and they needed to follow up
122 about options for naturally-occurring beaches.

123

124 **NEW BUSINESS**

125

126 **10.2 Eagle Scout Project Approval** - Recreation Director Joe Manzi & Henry Pallatroni

127

128 Recreation Director Joe Manzi introduced Henry Pallatroni, IV to talk about an Eagle Scout project he
129 wanted to introduce to the Board.

130

131 Henry Pallatroni said he was there to present his idea for his Eagle Scout Project, and said the project must
132 benefit the community or church. He said he was looking to install 2 sets of aluminum bleachers in
133 Dearborn Park at the baseball fields, 4 rows 7.5 feet long, which would seat up to 20 people. He said he
134 was also looking to do some landscaping to place the bleachers on a bed of bluestone rock.

135

136 Questions: Chairman Maggiore said he was proposing one on the first-base side of the softball field and
137 one on the third-base side of the Tee-Ball field. Selectman Miller asked how the project was being funded,
138 and Henry said he was planning two fund-raisers initially. Selectman Miller asked for the timeframe for
139 accomplishment of the project, and Henry said by fall. Selectwoman Kilgore asked if he would be doing
140 the installation and he said he would be guiding other scouts in the trop.

141
142 Selectwoman Kilgore asked if anyone had spoken with Primex, the Town insurance, to make sure they
143 would be covered for this. Recreation Director Manzi said he wanted to come here first and take Select
144 Board recommendations. He said the suggestion is consistent with improvements being made in Dearborn
145 Park and will increase the use of the facilities.

146
147 Selectman Miller asked about seeking donations and Henry said he was planning to seek donations of
148 stone for the landscaping part. Selectwoman Kilgore asked if he would be able to accept donations if
149 residents wished to donate to the project and he said he would. She thanked Henry for coming to the
150 Select Board to make the Town part of his achievement as an Eagle Scout.

151
152 **Motion:** To approve the proposed Eagle Scout Service Project named Bleachers Construction as
153 presented tonight by Henry Pallatroni, IV.

154 **Motioned:** Selectwoman Kilgore

155 **Seconded:** Selectman Miller

156 **Vote:** Motion approved 3-0

157

158 **10.1 Fundraising and Scholarships** – Recreation Director Joe Manzi

159

160 Recreation Director Joe Manzi said he wanted to ask the Board to create a specific line in the Recreation
161 Revolving Account that addresses special events and scholarships provided for families in need for
162 summer camp. He said this year they provided \$150 in scholarships, and hoped to earmark funds
163 specifically to be able to fund-raise and take donations for special events that don't generate revenue.

164

165 Selectman Miller asked if he was looking for how to account for the income, and Recreation Director
166 Manzi said yes, and also to be transparent that X amount of dollars was raised through fund-raisers and
167 donations for X amount of scholarships to show where the donations were going. Selectwoman Kilgore
168 asked if he had spoken with Ryan Cornwell, and said that was a good place to start on how to go about
169 this.

170

171 Chairman Maggiore said he spoke to NHMA and he might have to modify the fund so residents would
172 know this amount is going for this purpose. Selectwoman Kilgore said she liked the idea but said he may
173 need a Warrant Article. Recreation Director Manzi asked about serving alcohol for any fund-raising events
174 not on Town property. Selectman Miller said if they do it in a public place and follow the laws that should
175 be fine, and Selectwoman Kilgore said if it is off-site with proper licensing it should not be an issue.

176

177 Recreation Director Manzi said he send a letter to the Town Administrator this week about his updating
178 the Employee Parks & Recreation pay scale. Chairman Maggiore said it was not noted on the Agenda and
179 probably not the right time to discuss it.

180

181 Selectwoman Kilgore asked if, before announcing the next New Business item, they wanted to move the
182 item to the end of the meeting. Chairman Maggiore said his intent in discussions with Town Administrator

183 Kaenrath about process was for him to summarize the Town Counsel's opinion on how they can proceed.
184 Town Administrator Kaenrath said he thought they could do it now without incident.

185
186 Selectwoman Kilgore recused herself and moved to the public area.

187
188 **10.3 Reimbursement of Legal Fees** – Selectwoman Kilgore

189
190 Town Administrator Kaenrath said he would read a few brief sections from the memo from Steve Bennett.
191 He said the first section is about the process and the second more on the merits of indemnification and
192 reimbursement.

193
194 Town Administrator Kaenrath read from the Town Council opinion that in this case: *Selectpersons Kilgore*
195 *and Maggiore were both parties to the Ethics Complaint giving rise to Selectperson Kilgore's request for*
196 *indemnification. Selectman Miller was also the subject of similar allegations of sexism by Selectperson*
197 *Kilgore, which he denied, and he provided a letter of support. A person is disqualified as a juror in a matter*
198 *if he had anything to gain or lose as a result of the outcome, assisted a party to the action, expressed their*
199 *opinion on the matter or is prejudiced to any degree regarding the case, per RSA 500-A:12.*

200
201 Town Administrator Kaenrath continued that under the circumstances all 3 Selectpersons should recuse
202 themselves from the request for attorney's fees as all participated in the Complainant process. When an
203 entire Select Board is disqualified, RSA-43:8 authorizes the Superior Court to appoint the new board for
204 that case, consisting of qualified persons who previously held that position or qualified persons from
205 another town who have held that position. He said Town Counsel found the case to be an anomaly and
206 more study would be needed on how to proceed. He said a potential motion could be made without
207 recusal of any members of the Board.

208
209 Chairman Maggiore asked if everyone was clear on the process and procedure to move forward.
210 Selectman Miller said it would then be 3 prior Select Board members, and Town Administrator Kaenrath
211 said there is one that may have to recuse himself because of his participation on the Ethics Committee.
212 He said some details are lacking as this is extremely rare. Mrs. Kilgore said as a member of the public she
213 would encourage them to take the next step. Selectman Miller said there was a question he might ask as
214 a citizen and asked Mrs. Kilgore to read the last paragraph of item 2 in the letter.

215
216 Mrs. Kilgore read that section of the letter which said "under the circumstances a decision by the Select
217 Board to deny the request for indemnification would be reasonable, and they could fairly conclude that
218 the Ethics Complaint did not constitute a claim, suit, demand, or judgement based on allegations of
219 negligence or other acts resulting in accidental injury to person or property. The circumstances would also
220 support a finding that the statements made by Selectperson Kilgore giving rise to the ethics complaint
221 were not within the scope of the Selectperson's office."

222
223 Chairman Maggiore said he understood that Mrs. Kilgore can rejoin the Board and they can take up the
224 motion and still be compliant. Town Administrator Kaenrath said it was up to Mrs. Kilgore if she wanted
225 to rejoin the Board for the vote. He said all Board members were under recusal here and asked for a
226 motion that: "A petition be filed with the Superior Court pursuant to RSA-43:8 requesting the Court
227 appoint a board to consider Selectperson Kilgore's request for indemnification and reimbursement." He
228 said this was just on the process of moving forward and to put the matter in the hands of the Superior
229 Court.

230

231 **Motion:** That a petition be filed with the Superior Court pursuant to RSA-43:8 requesting the Court
232 appoint a board to consider Selectperson Kilgore's request for indemnification and reimbursement.

233 **Motioned:** Selectman Miller

234 **Seconded:** Chairman Maggiore

235 **Vote:** Motion approved 3-0 (*Mrs. Kilgore returned to her seat on the Board for the vote.*)

236

237 **10.4 Appointment of Select Board Alternate to Ethics Committee and Process to Notify all Relevant**
238 **Committees of Need to Nominate Alternate Members**

239

240 Chairman Maggiore said the seating of the Ethics Committee was set by original charge approved by
241 Warrant Article, and only 1 alternate was currently seated from the Planning Board. He asked if they
242 needed alternates from other committees and how they wanted to proceed. He said Section 7.03 of the
243 Standing Ethics Committee talks about the establishment of the committee, its purposes and organization,
244 but does not talk about Alternates.

245

246 Selectman Miller said to be clear he asked for an Alternate from this Board not for other committees.
247 Selectwoman Kilgore said she amended it, and if it is not in the Ethics Rules & Procedures they would have
248 to address it by Warrant Article. Chairman Maggiore also said this does not speak to an Alternate, so they
249 would need to change the establishment of the Committee through Warrant Article.

250

251 Selectman Miller said he disagreed as the purpose of the Committee is to the adjudication of problems
252 and if you have no participants you have no Committee. Town Administrator Kaenrath said they also have
253 an Alternate already seated. Chairman Maggiore said he would go to NHMA for their opinion and table
254 the item.

255

256 **10.5 Review of Emergency Operations Procedures** – Chief Tully

257

258 Chairman Maggiore said Chief Tully serves as the Emergency Management Director and he asked him to
259 walk through the process of what happens if there is an emergency so people understand the different
260 roles for individuals in a strictly followed procedure.

261

262 Chief Michael Tully said not every emergency is handled the same and spoke about the operations of the
263 Emergency Operations Center and when it is opened. He said it was a coordination with the Police Chief
264 depending on the type of emergency and the aspects involved. He said in an emergency he generally
265 speaks to the Town Administrator and the Police Chief to determine if the Emergency Operations Center
266 needs to be opened, and the Finance Director is important in long-terms situations to administer
267 emergency costs.

268

269 Chief Tully said if the Emergency Operations Center is activated the Fire Department has a call down list
270 for different emergencies, and said they practice on a biannual basis. He said they may not need a member
271 of the Select Board but have the Town Administrator making sure they are apprised of actions taken and
272 who also acts as the Public Information Officer (PIO). He said Fire and Police personnel practice together
273 and have a backup for each position.

274

275 **10.6 Approval of Select Board Goals**

276

277 Chairman Maggiore said every year the Select Board goes over goals with each department and lists their
278 goals on a whiteboard, and said Selectwoman Kilgore has put the information into a spreadsheet.

279
280 Selectwoman Kilgore said the goals were broken out by department/function area and put in a document
281 to officially approve and refer back to as they move through the year. Selectman Miller said he believed
282 they needed a part-time Building Inspector/Code Enforcement Officer, as not much code enforcement
283 was being done, and wanted to add that to the list. Selectwoman Kilgore said it was already a standing
284 position in the budget and they just needed to fill that position.
285

286 Town Administrator Kaenrath said they had left it unfilled for a trial period and said he had spoken to
287 Travis frequently about the workload. Selectman Miller said he would like to see the 20-hour position
288 filled, and said he would like to see Travis get more training. Town Administrator Kaenrath said the
289 position was already there and just needed to be filled, but Selectman Miller said he wanted it to be a
290 goal. The Select Board agreed to add the goal to fill the part-time Building Inspector/Code Enforcement
291 Officer position to their goals by consensus.
292

293 **Motion:** To approve the Select Board Goals as amended above.

294 **Motioned:** Selectwoman Kilgore

295 **Seconded:** Selectman Miller

296 **Vote:** Motion approved as amended 3-0
297

298 **10.7 Review of Organizational Chart**

299

300 Selectwoman Kilgore said she worked with Town Administrator Kaenrath on this chart and also with Paul
301 Apple. She said it lays out the organization of the Town with the legislative body, elected body, appointed
302 commissions and committees, and Town employees and shows the chain of command. She felt the
303 information was important and should be posted on the website, and Chairman Maggiore said it should
304 also go out to everyone listed.
305

306 Town Administrator Kaenrath made a correction that Michael Tully was the Deputy Town Administrator,
307 and Jan Facella was technically not another Assistant Town Administrator but was Human
308 Resources/Administration and Welfare Director. Chairman Maggiore asked if the names for those three
309 administrators should be removed as they will change. Selectwoman Kilgore agreed to make those
310 changes to the Organizational Chart.
311

312 **10.8 Review of Appropriate Town Email Use**

313

314 Selectwoman Kilgore said with the email security breach they had last year the Board has moved to using
315 Town emails for Town business and not use personal emails. She asked if that should include other boards
316 and committees as well and asked Town Administrator Kaenrath if they had the capacity. Town
317 Administrator Kaenrath said it would involve more users which would be more expensive and getting
318 compliance would be tough.
319

320 Selectman Miller questioned the cost and whether people would use the emails. Town Administrator
321 Kaenrath said as far as IT expenses, expanding to the government cloud is already substantially increasing
322 the per-user fee. He said he could get the numbers and would talk to PCG (Portsmouth Computer Group).
323

324 **10.9 Update on Library Building Plans**

325

326 Selectwoman Kilgore recused herself from the discussion and moved to the public area.

327
328 Selectman Miller said he would be giving his proposal to the Budget Committee on September 16th and
329 the Library Trustees would be presenting their proposal. He said the CIP Committee listened to his
330 proposal and decided not to recommend the Library Expansion. He said his eventual goal is to get to the
331 Fire Station and build as little as possible to get something done.

332
333 Selectman Miller said he spoke with a contractor about the Fire Station who said building over the existing
334 structure was economically not possible, and recommended the Fire Department temporarily move
335 operations and the old building be completely demolished. He said the purpose here is to get something
336 to pass on the ballot and do what is best for the Town.

337
338 Selectman Miller said expanding the Library in place would have to go to the Planning Board, and pointed
339 out that the distance between the newly constructed Library and the Town Clerk's office would be 12
340 feet, including a handicapped ramp. He said that will leave two buildings crowded on a sub-standard lot,
341 and asked if they really wanted to spend \$2.6 Mil do that with no parking when they can go to the
342 Homestead property.

343
344 Chairman Maggiore asked if there was any update on a possible joint meeting, and Town Administrator
345 Kaenrath said the joint meeting would be held on September 23, 2019 at 6:00 pm.

346
347 **10.10 Eversource Energy Savings Proposal** – Chief Tully

348
349 Chief Tully said he presented this energy audit report 6 months ago, but the Board wanted to think it over.
350 He said he went back to Eversource and AECOM, who would be doing the work, and they found the
351 numbers were too generous and they would no longer stand behind the proposal. He said the numbers
352 for the Recycling Center did not have enough of a payout and he asked them to take the Recycling Center
353 out and add other Town Buildings.

354
355 Chief Tully said the new numbers included a breakdown of the Fire Department, the Police Department
356 building, the Stone Building, and the Highway Department. He said as an example, the Fire Department
357 would involve an investment of \$3,400 with payback in 1.9 years. He said it was a 50/50 match with
358 Eversource, with AECOM doing the work, and the Town would pay half and Eversource would pay the
359 rest. He said the total investment for the Town was \$11,700.

360
361 Selectman Miller asked about a timeframe for the offer and Chief Tully said they did not put a date on it
362 but he would like to have it done this fall. He said they could do it out of the Building Maintenance Capital
363 Reserve Fund and transfer any money left over back at the end of the year. Selectwoman Kilgore said the
364 price tag is \$23,442.14. Chief Tully said they could pick and choose as it was broken down by building.

365
366 Chairman Maggiore asked if it made sense now to move ahead with the Highway and Stone Buildings, as
367 they were currently in discussion about what to do with Police, Town Administration, and Fire. Chief Tully
368 said he did not see replacement of those buildings happening before payback in savings on all the
369 buildings. Selectman Miller asked Chief Tully if he had talked to other department managers about this
370 and Chief Tully said he had spoken to John Hubbard but had not gone into depth about the price.

371
372 Selectman Miller asked the amount currently available in the Building Maintenance Fund, and Town
373 Administrator Kaenrath said there was approximately \$200,000 to \$250,000 in the Capital Reserve Fund.

374 Selectwoman Kilgore said funds were earmarked for the Fire Department boiler which was completed,
375 and Town Administrator Kaenrath said the work on Town Hall was also a bit under budget.

376

377 **Motion:** To move forward on the Energy Savings Proposal from Eversource NH Small Commercial Turnkey
378 Program not to exceed \$23,442.14.

379 **Motioned:** Selectwoman Kilgore

380 **Seconded:** Selectman Miller

381

382 Discussion: Chief Tully said \$23,442.14 was the total price and the Town was only responsible for half and
383 Eversource would pay the other \$11,721.07. He said he would like a little leeway on the figure as things
384 could have been missed in the walkthrough.

385

386 **Motion:** To move forward on the Energy Savings Proposal from Eversource NH Small Commercial Turnkey
387 Program not to exceed \$14,000.

388 **Motioned:** Selectwoman Kilgore

389 **Seconded:** Selectman Miller

390 **Vote:** Motion approved 3-0

391

392 Selectwoman Kilgore asked if they should have included that the funds would be taken out of the Building
393 Maintenance Reserve Fund, and Chairman Maggiore said they needed a motion to reconsider their last
394 motion.

395

396 **Motion:** To reconsider the last motion.

397 **Motioned:** Selectwoman Kilgore

398 **Seconded:** Chairman Maggiore

399 **Vote:** Motion approved 3-0

400

401 **Motion:** To accept the Energy Savings Proposal from Eversource NH Small Commercial Turnkey Program
402 not to exceed \$14,000, to be paid from the Building Maintenance Capital Reserve Fund.

403 **Motioned:** Selectwoman Kilgore

404 **Seconded:** Selectman Miller

405 **Vote:** Motion approved as amended 3-0

406

407 **ACCEPTANCE OF MINUTES OF PRIOR MEETINGS**

408 **Acceptance of the Minutes of the Select Board Meeting of August 26, 2019**

409

410 Selectwoman Kilgore said she had some changes and requested a full transcription of the tape from
411 1:39:55 to 2:07:49 involving her agenda item requesting indemnification. Chairman Maggiore said that
412 the minutes were a reflection of what happened and were not verbatim. Selectwoman Kilgore said there
413 were things missing, and said her response to Chairman Maggiore about recusal was not included and her
414 moving to the public was not noted. Chairman Maggiore said she could summarize her changes and table
415 the minutes until the next meeting on September 26th, and Selectman Miller agreed.

416

417 **Any Other Item that may Legally come before the Board**

418

419 Chairman Maggiore thanked the community for commenting about an error he made at the last meeting.
420 He said resident Frank Ferraro asked for a Point of Order at the last meeting, which is a perfectly

421 acceptable motion but it does need to be made by a Select Board member. He said he was wrong to state
422 it could come from the Public and apologized for his error.

423
424 Selectwoman Kilgore said she wanted to remind everyone that Wednesday is September 11th and there
425 will be a Memorial Service held in front of the American Legion in Hampton, NH. She said 5-6 names of
426 New Hampshire residents would be added who lost their lives in the military. She encouraged everyone
427 to pay their respects at American Legion Post 35 from 6:00 to 7:00 pm.

428
429 **Second Public Comment Session**

430
431 Frank Ferraro of Post Road said he disagreed with Town Counsel's opinion on Roberts Rules of Order but
432 would apologize for raising the Point of Order. He said with regard to the Wage Survey he assumed it was
433 to establish job positions and salary ranges and should not qualify for a non-public meeting. He said with
434 regard to the Ethics Committee and Alternates he agreed it would need to go to Warrant to be changed.
435 He also asked that the Planning Board be notified that they cannot have an alternate as it is not allowed
436 by charter.

437
438 Mr. Ferraro said in light of Counsel's opinion on the Select Board's lack of any authority on the Library, he
439 wondered why a Selectperson was advocating for something over which they had no authority, and should
440 have spoken as a public citizen. He suggested to Mr. Miller that he look into the Town of Greenwich, CT
441 as a reference as they moved their Fire Department to another location and tore down the existing facility.

442
443 Casey O'Kane of Atlantic Avenue said he echoed George Chauncey's comments about someone of
444 authority looking at the Ethics Committee situation. He said if they could find an enabling statute they
445 could start there, and said the current Ethics Committee document was terribly constructed. He said with
446 regard to the reimbursement of legal fees requested by Kathy Kilgore, the Counsel gave advice first on
447 the procedure and secondly on the merit. He said several times people noted that they were only
448 discussing procedure and not merit, but referred to the merits many times and then got Mrs. Kilgore to
449 read from the opinion on merits.

450
451 Nancy Monaghan of Atlantic Avenue said she wanted to clarify a comment made by Mr. Ferraro, and said
452 while it is true the Library as a municipal building is not required to follow the Zoning Ordinance of the
453 Town, the Planning Board is required by RSA to hold a Public Meeting.

454
455 John Savastano said he and Town Administrator Kaenrath were coming up with a number of ideas to have
456 better stagecraft to looking more professional. He pointed out the logo carpet installed on the floor
457 between the tables, and said there were a few other ideas in the works.

458
459 **Adjournment**

460
461 Chairman Maggiore adjourned the meeting at 8:57 pm.

462
463 Respectfully submitted,

464 Patricia Denmark, Recording Secretary