



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

**SEPTEMBER 28, 2020 7:00 PM**

**NORTH HAMPTON TOWN HALL**

***APPROVED MINUTES***

MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman Larry Miller

ALSO PRESENT: Town Administrator Michael Tully, Police Chief Kathryn Mone, Senator Tom Sherman

**AGENDA**

Chairman Jim Maggiore welcomed everyone to the September 28, 2020 Regular Select Board Meeting and called the meeting to order at 7:03 pm, followed by the Pledge of Allegiance.

**First Public Comment Session**

*Call 603-758-1447 for Public Comments*

Kirsten Larsen Schultz of 121 Post Road said she was concerned about the number and the severity of accidents occurring at the Route 111/Route 151 intersection. She said DOT will likely not address the issue until 2029, but there is money for umbrella projects within their 10-year plan. She urged the Select Board to work with DOT and RPC for funds to fix this dangerous intersection. She said an online petition has been started demonstrating the support of this community.

**9.1 Swearing-In Ceremony:** Fire Chief Jason Lajoie and Firefighter Samuel Hochswender

Chairman Maggiore welcomed new Fire Chief Jason Lajoie and new Firefighter Samuel Hochswender and said Town Administrator Tully would administer the oath of office with a family member doing the pinning of the badge.

***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.***

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**A recording of the meeting can be found at: [http://www.townhallstreams.com/towns/north\\_hampton\\_nh](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.**

Town Administrator Tully administered the oath of office to new **Fire Chief Jason Lajoie** and Melissa pinned the badge.

Chief Lajoie said he appreciated all the support he received from the Board and the community, and recognized his family for their extreme sacrifice over his career. He also expressed how proud he is of his fellow professional firefighters and paramedics, his pleasure and honor working with them, and for such a great community.

Selectman Miler said we are all very proud of you and your agency and the respect your agency shows to the Town. Chairman Maggiore thanked Chief Lajoie and wished him luck in leading the Department.

Fire Chief Lajoie said he was pleased to introduce the newest Firefighter, Mr. Samuel Hochswender, who comes to us with experience in neighboring towns. He said his first day on shift was September 4, 2020 and he is working on his probationary studies as well as completing a 2-year paramedic program which he is due to complete in November.

Town Administrator Tully administered the oath of office to new **Firefighter Samuel Hochswender**.

Firefighter Hochswender introduced his family and said he was excited to start a career in the great Town of North Hampton, and he hoped to learn every day and continuously learn throughout his career. His father David did the pinning of the badge.

*The Select Board Meeting was recessed for 5 minutes and resumed business at 7:23 pm.*

### **Consent Calendar**

- 3.1 Payroll Manifest of September 17, 2020 in the amount of \$67,186.95
- 3.2 Payroll Manifest of September 24, 2020 in the amount of \$67,671.34
- 3.3 Accounts Payable Manifest of September 17, 2020 in the amount of \$1,296,166.26

**Motion:** To approve the Consent Calendar as presented

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

**Vote:** Motion approved by a vote of 3-0

Discussion: Chairman Maggiore said item 3 is payouts that were contracted for the Town and the School.

**Correspondence** – No Items

*Copies of all Correspondence will be attached to these minutes.*

### **Committee Updates**

Selectman Miller said the *Economic Development Committee* met on September 2, 2020, and the next meeting is tomorrow at 5:00 pm via Zoom or in the Town Hall.

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Chairman Maggiore said the *Heritage Commission* met on Thursday, September 17<sup>th</sup> and discussed the following: (1) Commission would hire Lisa Mausolf, Division of Historical Resources, as consultant to assist in the completion of the application for North Hampton to be designated a Certified Local Government (CLG) by the State of New Hampshire; (2) Creation of a Historical District with the Town-owned property on Atlantic Avenue including Town Hall and the Stone Building, both on the National Registry of Historic Places, the stone wall in front of the new Library, the Police/Town Offices/Fire Station and the existing Library (new Library not included).

Chairman Maggiore said the CLG Sub-Committee will meet with the Division of Historical Resources and Lisa Mausolf on October 1<sup>st</sup> to review the proposed Historical District and CLG information, and the Heritage Commission will then request official approval from the Select Board at the Select Board Meeting in 2 weeks. He said the Select Board gave unanimous consent on March 22, 2020 for the Heritage Commission to continue the work to present a case for creating the CLG; a full presentation will be coming up when completed.

Chairman Maggiore said the *Water Commission* has a pending issue on October 1, 2020 to be covered during a non-meeting with Counsel.

Selectman Miller said the *Budget Committee* met last on September 21, 2020 and the next meeting is October 5, 2020 for the Town's year-end Budget and a Default Budget.

Vice-Chair Sununu said the *CIP Committee* met on Friday to wrap up, and approved its final report which is being signed and delivered to the Select Board by its deadline of October 1, 2020.

**Public Hearing** – Acceptance of Grant Funds in the amount of \$26,126.00 from the State of New Hampshire Recreational Trails Program for the Oliver Brook Trail to Little River Conservancy  
(Call 603-758-1447 for Public Comments)

Chairman Maggiore read the Public Hearing Notice for Hearing in full and asked for questions/comments on funds being received. Town Administrator Tully thanked Conservation Commission Chairman Lisa Wilson for all her hard work getting the project paid for by Grant.

Chairman Maggiore opened the Public Hearing at 7:30 pm.

As no one from the public came forward or called in, Chairman Maggiore closed the Public Hearing at 7:31 pm.

**Motion:** Move to accept Grant Funds in the amount of \$126,126.00 from the State of New Hampshire Recreational Trails Program for the Oliver Brook Trail to Little River Conservancy.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

**Vote:** Motion approved by a vote of 3-0

### **Report of the Town Administrator**

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

Town Administrator Tully said the Town Audit is tomorrow with a timeline of 2 months; the Budget Workshop for FY2021-2022 is scheduled for October 1, 2020 at 10:00 am; boards should review

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Department Head Budgets and set Default Budget to be presented to the Budget Committee October 5, 2020. Police are working with the School to facilitate safe traffic; Director Manzi working on Halloween guidelines; Rye and North Hampton Fire Departments have established new automatic response guidelines for improved services; positions on Rails to Trails advertised.

Town Administrator Tully said Document Management pricing for just Planning & Zoning from Ricoh totals \$13,602, of which \$3,700 is the yearly annual cost for software. He said he reached out to other Town Administrators to see how they are handling this more cost effectively; there is another Document Management Project (not from Ricoh) for GIS Tax Maps with an interactive page on the website. The next Select Board Meeting is scheduled for October 12<sup>th</sup> which is a holiday they may want to consider moving.

Questions/Comments: Vice-Chair Sununu said Recreation is establishing some after-school programs and setting up some equipment in Dearborn Park. Chairman Maggiore apologized to everyone, and said he did not understand the Document Management presentation as they have come to understand it now, with the cost for each program more than is available in the fund to expend for Document Management. Town Administrator Tully agreed, and said when you start doing the math this approach is not going to work, and more investigation is needed.

### **Items Left on the Table**

### **NEW BUSINESS**

Chairman Maggiore asked that item 9.6-Legislative Update with Senator Tom Sherman be moved up and followed by item 9.5-Discussion of Route 111 and Route 151 Intersection; the Board was in agreement.

### **9.6 Legislative Update for 2020** – Senator Tom Sherman

Senator Tom Sherman said he was the State Senator for District 24 which includes North Hampton. He said he would not go into Municipal Aid, Education Grants, and CARES Act Funds, but report the work of the Senate and the House.

House Bill 111: With the need for remote learning and telemedicine, broadband and internet access are needed throughout the State. The State has seen advances in Telemedicine, making it the same as an in-office visit for reimbursement, Telephonic, and Mental Health Telemedicine, changing the way we deliver healthcare; the CARES Act has funded increases in broadband.

House Bill 1264: A huge win for North Hampton, Rye, and the 5-town area of cancer clusters as well as for the State; includes Senate Bill 287 which basically took what the State said through toxicology for safe PFAS levels (Coakley Landfill); the State is now tied with New Jersey for lowest PFAS levels in the country; both Aquarion Water and Rye Water District are well below the level. The Attorney General has assembled a team and they are currently in litigation with companies who manufactured these chemicals and knew about their toxic side-effects in the early 1960s. Senator Sherman said he also sponsored a bill which protected Firefighters by removing PFAS from fire-fighting foam. House Bill 494 is telling Coakley they have to clean it up, and the impact of Coakley here is Little River with no significant surface-level contamination.

Senator Sherman said for the Rail Trail, Hampton Falls agreed to sponsor the segment through Seabrook and said the segment through the marshes is spectacular along the rail bed. Rye Harbor is pulling moorings

and will start dredging November 15<sup>th</sup> with funds expended through the State Budget; construction to repair Portsmouth State Pier has also started and will be a huge boost for commercial fishermen. Committees that might affect the Seacoast: Chair of House & Human Services, Vice-Chair of Drinking Water/Ground Water Advisory Commission which approved project in Rye and other towns using funding from MTBE settlement, a heavily leveraged fund including other Federal and State funding, a huge benefit to towns trying to remediate water systems.

Senator Sherman said he is Chair of the State Health Assessment/State Health Improvement Plan to study environmentally triggered chronic illness, find correlations, and try to mediate. He said Coastal Marine & Natural Resources are critical to the Seacoast, and said the Seacoast Drinking Water Commission is focused on the Seacoast aquifer and supported by RPC. He said he was appointed to the Select Committee on 2020 Election Support which made recommendations on how to use the \$3.2 Mil in CARES Act funding, with a unanimous recommendation to be able to check off COVID for an Absentee Ballot and allow early partial processing of Absentee Ballots.

Senator Sherman said he was also appointed to the State Disaster Medical Advisory Committee (SDMAC) on how to optimize the use of limited resources if short on PPE, equipment, or facility, prioritize triage, and are now looking into how to distribute vaccines. He said he co-founded the COVID Policy Alliance Senior Support Team, a group of mostly volunteers with medical background, and provided remote support to 55 Nursing Home facilities. For local businesses and people facing unemployment, they are ensuring they get any assistance they are entitled to under the CARES Act.

Senator Sherman said from a physician's standpoint the 2 most critical issues this fall are School and the Elections in terms of safety and COVID. Because of New Hampshire's response they are not seeing a huge uptick, especially here on the Seacoast.

Selectman Miller thanked Senator Sherman and asked if he would be staying for the next item. Senator Sherman said he intended to stay and said they have had huge success in Greenland by removing a passing lane on Route 33 after 2 horrible accidents this summer, one a fatality. He said they are starting with a corridor study through that area and already have Stratham and Greenland on board. He said he would bring the same advocacy to North Hampton if they decide to move forward with looking at that intersection.

#### **9.5 Discussion of Route 111 and Route 151 Intersection**

Chairman Maggiore said there was a serious accident at the intersection of Route 111 and Route 151 a few weeks ago. He thanked Town Administrator Tully for working quickly to provide all the information needed for further investigation.

Town Administrator Tully said in the fall of 2018 we worked with RPC to request a Road Safety Audit for this intersection. He said this intersection tends to cause a lot of T-bone accidents (front of one vehicle striking the side of another vehicle) which tend to be high injury types of accidents. He said the Town applied for a Road Safety Audit, provided heat-sync maps on accidents, compared accident history and forwarded the information to the State and were refused. He said they complained and were told the accident history was not "serious enough". He said the State finally agreed to meet us at the intersection, and they looked at the multiple red lights, stop signs, and early warnings.

Town Administrator Tully said they next researched lighted stop signs, which are not allowed in the State, and offered to pay for and install the lighted stop sign, asking that it be used as a Pilot Project for comparison; Bill Lambert agreed to allow it as a Pilot Program for lighted signs. He said the State then went forward working with UNH, and a student engineering project studied the area investigating different aspects, and presented their final recommendations to the public. He said the engineering project did not necessarily meet State Standards and would have to go through DOT engineers.

Town Administrator Tully said unfortunately there was another serious accident in that intersection, and the Town is continuing to push this. He said they are hindered by the point that these are both State roads. He said if Senator Sherman can lend us a hand in taking care of this before another serious accident and help us protect our Community that would be huge.

Discussion: Selectman Miller said because they are State roads there is only so much the Town can do; Chief Mone installed the warning sign on Mill Road. Town Administrator Tully said they will continue to push for things they can do, and said they need more time on the Pilot Project of lighted signs on State roads to get a history to prove it works. He said what needs to happen is a serious study by the State.

Vice-Chair Sununu agreed that in the near term they can only use more and different signage that is allowable, and in the medium term go back to DOT. He said Senator Sherman can help us navigate and get DOT engaged. He said the study the UNH engineering students did had some ideas. Town Administrator Tully said a majority of the accidents happen when someone is coming east on Route 111, and either thinks the car coming down the hill is turning right and it doesn't, or they do not stop or see a car coming from the south.

Senator Sherman agreed with Vice-Chair Sununu about short-term, long-term, and medium-term plans, and said that is exactly what we are doing in Greenland along Route 33, and with serious accidents you have to do something immediately. He said commercial trucks pull up perpendicular to the Route 111/Route 151 intersection rather than at an angle the way the road sends you, so they can actually see right and left, but cars do not do that. He said there is a huge visibility issue and signage is a stop-gap. He said if either road is due for resurfacing, the Town has a chance at a medium-term solution; even a stoplight to slow traffic through there

Senator Sherman said he can sponsor a meeting in the next couple of weeks and call the Commissioner; for every problem she can find 10 more in the State that are worse; with revenues down, DOT is getting clobbered through budgetary shortfalls. He said he would be happy to sponsor a meeting with a Select Board member there, DOT, Chief Mone, and RPC, and said he would be looking at a spectrum of intervention with a site visit necessary. He said they can work with RPC to get this in the 10-year plan for a study and go back to the Road Safety Audit, which he would push hard for.

## **9.2 Discussion of Request for Proposals of Town Campus**

Chairman Maggiore said Town Administrator Tully put together a draft RFP for an architectural-design-construction study of Town municipal facilities for future development; Police/Town Administration, Fire, and old Library. Town Administrator Tully said he was looking for input from the Board.

Vice-Chair Sununu said he had no substantial changes to propose, and said a walk-through and questions will be very important and sessions with whoever is chosen. Selectman Miller said any idea is worth

listening to, and we should also make sure they know the Rail Trail is going to happen. Chairman Maggiore said he sent his ideas over to Town Administrator Tully.

Town Administrator Tully said he would go back through and make sure all dates make sense, and said they are still looking at a late January timeframe to have this back. He said he would get it out to as many places as possible, already had a few interested parties, and would get it out to the public and on the website. There was consensus of the Board to start the process.

### **9.3 Discussion of Additional Resident Beach Parking**

Town Administrator Tully said the idea came from a Town resident, and said he talked with Chief Mone about the idea and she will talk about a timeline and what we see going forward if the Board is interested. He said they received quite a few complaints about lack of resident parking at the Beach; people like to walk on the beach and on the walkway. He said they started looking at Causeway and spoke with Director Hubbard who said he could get it into shape, and Chief Mone looked at how we can change our ordinance. They are thinking they can fit 8-12 resident-only parking spaces on one side of Causeway and use the same Beach stickers.

Chief Mone said the Parking Ordinance was last amended in 2011, and this would be Amendment 11: the west side of Causeway from the Rye Town Line, delineated on the pavement and no parking on the Rye side. She said we do currently allow public parking on the North Hampton side east and west, and this would be designated "residents only", 8-12 spaces, and be consistent with State Law with vehicles only parked beyond 30 feet from the intersection. She said this would follow the same regulations and have the same signs posted as at the Beach. She said Rye has 132 spaces designated for their residents and their population is not much larger, and we just have the 20 spaces at the Beach and no opportunity to have more there. She said they should take this under consideration and hold a Public Hearing for public feedback on this proposed ordinance change.

Selectman Miller asked if there would be specific parking spots with signs saying for North Hampton residents only. Chief Mone said there will be signs on both sides on the west, with the east side still for public parking. Vice-Chair Sununu asked if spaces would be available year-round and Chief Mone said the idea is that they will be seasonal like the parking spaces at the Beach. Chairman Maggiore said his concern is with regard to Statutes, and said according to RSA 41:14 an amendment to an ordinance has to go on the Ballot, and said he was not sure we could do it until March. Chief Mone said RSA 21:45 may apply.

Town Administrator Tully said he will make sure it happens the best way, and said he is looking for feedback tonight on whether it is worthwhile to go forward on this. Vice-Chair Sununu said it is an excellent idea and we should find out how to do it legally. Chief Mone said in a preliminary legal opinion the default procedure used by towns is generally referred to as Selectmen's Ordinance; there are 3 tiers of adoption and the 2<sup>nd</sup> tier would be after posting of a Public Hearing; Counsel was suggesting that the revision of the ordinance would fit under that. Chairman Maggiore said the timing is fine to post a Public Hearing, which could be at the second meeting in October, well in advance of the March Ballot if a Warrant is needed.

**Motion:** To proceed with a Public Hearing on the proposed additions to the North Hampton Parking Ordinance, which includes addition of resident-only parking on Causeway.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

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**Vote:** Motion approved by a vote of 3-0

#### **9.4 Discussion of October 2, 2020 NHMA Policy Conference Voting Delegate**

Chairman Maggiore said every 2 years NHMA gets together for a Policy Conference and decides on policies to move forward to Legislature. He said recognizing the uncertainty we have with COVID we should limit the amount of legislation brought forward, with very little in the way of specific policies or draft proposals. He said NHMA is looking at their standard policies and looking to act on legislation that is in conflict or supports the foundations of NHMA policies. He said he will be there as a member of the Board, and the Town is allowed only 1 voting delegate. The Board agreed to name Chairman Maggiore as voting delegate.

#### **MINUTES OF PRIOR MEETINGS**

##### **Approval of the Minutes of the Joint Select Board/Budget Committee Meeting of August 14, 2020**

**Motion:** To approve the Joint Select Board/Budget Committee Meeting Minutes of August 14, 2020 as presented.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

**Vote:** Motion approved by a vote of 3-0

##### **Approval of the Regular Meeting Minutes of September 14, 2020**

**Motion:** To approve the Regular Meeting Minutes of September 14, 2020 as presented.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

**Vote:** Motion approved by a vote of 3-0

##### **Approval of the Non-Public Meeting Minutes of September 14, 2020**

**Motion:** To approve the Non-Public Meeting Minutes of September 14, 2020 as presented.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Miller

**Roll-Call Vote:** James Sununu-aye, Larry Miller-aye, Jim Maggiore-abstain

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

#### **Any Other Item that may legally come before the Board**

##### **Second Public Comment Session**

*Call 603-758-1447 for Public Comments*

Rick Stanton of 108 Walnut Avenue said he felt the Town should notify Rye with what they are planning with possible Causeway parking. He said there will probably be some violations and Rye would need to know the cost of those violations.

John Savastano of 34A Woodland Road said what the Town was dealing with last week with the high surf was beyond comprehension, and said Rye on the Rocks is the second-best surf spot on the East Coast. He said it has become very popular with people dropping off kids with soft boards and a lot of them do not belong in the water due to the high surf breaks.



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Kathleen Kilgore of 220 Atlantic Avenue said she had spoken with the Governor about the Route 111 and Route 151 intersection, and he said if the Town got behind something needing to be done they should contact him and he would try to prioritize that. She said she would like to see Chairman Maggiore and Senator Sherman perhaps contact the Governor to fast-track that intersection. She also thanked Town Administrator Tully, Chief Mone, and John Hubbard for always speaking with the public about ideas, and said it is very encouraging to be talking about adding Town resident parking on part of the Causeway.

**Next Regular Meeting:** TBD

**Adjournment**

Vice-Chair Sununu made a motion to adjourn, and Chairman Maggiore adjourned the meeting at 8:51 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary