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**TOWN OF NORTH HAMPTON, NEW HAMPSHIRE**

**NORTH HAMPTON SELECT BOARD MEETING**

**JUNE 14, 2021 7:00 PM**

**NORTH HAMPTON TOWN HALL**

***DRAFT MINUTES***

SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman Jonathan Pinette

ALSO PRESENT: Town Administrator Michael Tully, Fire Chief Jason Lajoie, Police Chief Kathryn Mone

**AGENDA**

Chairman Jim Maggiore welcomed everyone to the June 14, 2021 North Hampton Select Board Meeting and called the meeting to order at 7:02 pm, followed by the Pledge of Allegiance.

Chairman Maggiore said they were coming from Non-Public, with no motions made and no actions taken, intent to seal.

**Motion:** To seal the Meeting Minutes of the Non-Public Session of June 14, 2021.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

Chairman Maggiore said Friday the Governor lifted the State of Emergency for the Town, meetings will be back to status quo. People should take whatever safety precautions they are comfortable with but going forward there would be no more Zoom. Public can still call in or email their comments for this meeting.

**First Public Comment Session**

***In order to assure the public has the ability to comment and share ideas during the Public Comment portion of the meeting we have arranged the ability to include live phone calls and email during the meeting:***

Call 603-758-1447; email [jmaggiore@northhampton-nh.gov](mailto:jmaggiore@northhampton-nh.gov)

***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.***

36 **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**  
37 **DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North**  
38 **Hampton, New Hampshire 03862.**

39 Casey O’Kane of 45 Atlantic Avenue, licensed attorney in North Hampton, spoke to Item 9.1 on the agenda  
40 and said he is the applicant for Current Use due to wetlands on his property. He said it was on the Consent  
41 Calendar a number of times and was tabled at the last meeting. He showed his concerns to the Tax  
42 Assessor as the process in place to approve Current Use Applications was not being followed and the  
43 Select Board did not seem to understand State Statutes and regulations.

44  
45 Mr. O’Kane said he became interested in Current Use Tax when he encountered restrictions on the use of  
46 his own property and said 80% of his land is restricted from any practical use or improvements because  
47 of Wetlands. He was told his property was not eligible for Current Use Valuation as it was only 1 acre not  
48 the required 10 acres. He researched the matter and found Current Use Valuation is available for Wetlands  
49 of any size, recognizing they do not allow for full use of one’s property and are deserving of special tax  
50 valuation.

51  
52 Mr. O’Kane said his application is complete and it is recommended for approval by the Tax Assessor and  
53 the Town Administrator and he requested that the Select Board approve his application for Current Use  
54 as submitted and deal with his application in an even and unbiased fashion.

55  
56 **Consent Calendar**

- 57 5.1 Payroll Manifest of May 27, 2021 in the amount of \$85,296.91
- 58 5.2 Payroll Manifest of June 3, 2021 in the amount of \$115,171.99
- 59 5.3 Payroll Manifest of June 10, 2021 in the amount of \$250,482.98
- 60 5.4 Accounts Payable Manifest of May 27, 2021 in the amount of \$1,206,770.02
- 61 5.5 Accounts Payable Manifest of June 10, 2021 in the amount of \$286,640.82
- 62 5.6 Abatement Application
- 63 5.7 Elderly Tax Deferral Application

64  
65 Selectman Pinette asked if a motion could be made to move Item 9.1 *Current Use Application* from the  
66 Table to 5.8 on the Consent Calendar. Vice-Chair Sununu said he did not have a problem with that and  
67 said he had taken the time he needed to evaluate the situation to make sure it was in line with RSAs and  
68 needed his questions answered. Chairman Maggiore was also in agreement.

69  
70 **Motion:** To move item 9.1 *Current Use Application* from table to Consent Calendar as item 5.8.

71 **Motioned:** Selectman Pinette

72 **Seconded:** Vice-Chair Sununu

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

74  
75 **Motion:** To approve the Consent Calendar as amended.

76 **Motioned:** Vice-Chair Sununu

77 **Seconded:** Selectman Pinette

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

79  
80 **Correspondence**

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

82  
83 Correspondence from James and Karen Confalone dated June 8, 2021 regarding recent designated parking  
84 on Ocean Boulevard. They said they are the owners of the 3.83-acre property on the North Hampton/Rye

85 Beach line and public spaces have been designated in front of their property where there will be a  
86 driveway to access the property from Ocean Boulevard. They are requesting the spaces be moved south  
87 to allow for ingress/egress through a driveway in front of their future home.

88

89 Chairman Maggiore said some conversations were started and it will continue to be addressed.

90

91 **Committee Updates**

92 Chairman Maggiore said the *Heritage Commission* will not be meeting 6/17/2021 and the *Water*  
93 *Commission* has not met since our last meeting.

94

95 Vice-Chair Sununu said the *Rails to Trails Committee* and *Budget Committee* have not met since our last  
96 meeting.

97

98 **Report of the Town Administrator**

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

100

101 Report May 25 through June 11, 2021: Finance: 6% of Budget remaining with 3 weeks left in fiscal year;  
102 increase in Beach traffic, Police monitoring parking spots; 80% of parts for ambulance are in; vaccines by  
103 Fire Fighters and Paramedics to close end of June; Stone Building assessment complete; safety upgrades  
104 to Dearborn Park almost complete; 100 participants for Summer Camp beginning June 21<sup>st</sup>; PFAS surface  
105 water samples from test wells taken June 3<sup>rd</sup>; Phone system waiting on grant approval; Rails to Trails  
106 meeting with reps to look at wet areas of trail which may need to be raised and drainage added

107

108 **Items Left on the Table**

109

110 9.1 Current Use Application – moved to Consent Calendar.

111

112 **NEW BUSINESS**

113

114 **10.1 Aquarion Water Quarterly Update**

115

116 Carl McMorran of Aquarion Water said he would discuss drought, operations, and capital projects. He said  
117 we are not technically in a drought, but the area is abnormally dry with lower-than-average rainfall for  
118 over a year, presently 5” below average without typical winter recharge. Wells are unable to pump at  
119 normal capacity and voluntary water restrictions were put out. The focus of our activities is routine  
120 operations and maintenance, customer service visits, and line locations, with spring meter inspections  
121 completed.

122

123 Mr. McMorran said the major projects are High Street Main replacement and PFAS treatments. PFAS  
124 levels do not exceed MCLs, and most are low with a peak at Mill Road. Treatment is being added in Well  
125 6 due to higher levels and all wells are seeing increasing trends and volume will have to be cut back  
126 without treatment. Active carbon filters will be put in for PFAS treatment with construction starting June  
127 21<sup>st</sup> and a current structure will be retrofitted to connect with Well 6. Some State funding obtained from  
128 Drinking Water & Ground Water Trust Fund for 25% of project costs, and PFAS Remediation Loan funds  
129 may be available pending State lawsuit against PFAS manufacturers.

130

131 **10.2 Municipal Sidewalk Agreement for Village District of Little Boar’s Head**

132

133 Little Boar's Head Commissioner Brian Goode said this project is looking at replacing an existing sidewalk  
134 from Atlantic Avenue to Willow Avenue, several years were spent surveying and engineering, and a water  
135 issue will also be addressed in that area. State has agreed with our plans and DPW Director Hubbard is  
136 also in agreement. A requirement of the State is that any sidewalk on a State right-of-way needs an  
137 agreement between the Town it resides in and the State of New Hampshire with the Town accepting all  
138 maintenance. The State has agreed to put all Little Boar's Head sidewalks under one agreement for the  
139 future. Town Administrator Michael Tully said Director Hubbard has offered to do some of the work to  
140 keep costs down.

141  
142 Selectman Pinette asked about reuse of the sidewalk granite. Mr. Goode said there is a section with no  
143 granite and the State has allowed us to *not* install granite as sidewalk is not close to the road. He said  
144 there is a swale there now to take care of water runoff which will be replaced, and a catch basin installed  
145 with a pipe to remove water. He said the State asked for approval from the Select Board for the  
146 agreement; they can make any changes but not actually sign the agreement until signed by Concord then  
147 give the Town Administrator approval to sign.

148  
149 **Motion:** To approve the Municipal Sidewalk Agreement for the Town of North Hampton and Village  
150 District of Little Boar's Head and authorize the Town Administrator to sign.

151 **Motioned:** Vice-Chair Sununu

152 **Seconded:** Selectman Pinette

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

154

### 155 **10.3 Discussion of Forensic Evidence Management and Reconciliation Audit**

156

157 Police Chief Kathryn Mone said this is a request for an expense for professionals to come in and complete  
158 an audit and reconciliation of the contents of our evidence room, recommended by outgoing Chief French.  
159 Progress has been made and policies changed but the actual completion of the audit and purging of  
160 evidence room items to create more room is an extremely labor-intensive process. They will need a court  
161 order to destroy purged items, some can be auctioned, and there is also liability with dangerous and  
162 valuable items.

163

164 Selectman Pinette asked how many years of evidence were currently at the Police Station. Chief Mone  
165 said at least from the 1980s; any auction funds would come in as unanticipated revenue. Town  
166 Administrator Tully said the amount is over allowed amount in purchasing policy and Select Board  
167 approval is needed; he is aiming for completion in this budget year.

168

169 **Motion:** To Approve the Evidence Management & Reconciliation project as proposed here by Forensic  
170 Comparative Science Specialists as presented.

171 **Motioned:** Vice-Chair Sununu

172 **Seconded:** Selectman Pinette

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

174

### 175 **10.4 Discussion of Fire Department Ladder Truck**

176

177 Fire Chief Jason Lajoie said he was here to speak to the current condition of Ladder 1, the Fire  
178 Department's 37-year-old ladder truck. The truck was out of service for some time for repeated  
179 mechanical failures and it is no longer sensible to make repairs. Aside from regular maintenance costs

180 over the last 5 years additional repairs totaled over \$30,000. He said he has significant safety concerns  
181 with his fire fighters and recommends that Ladder 1 Truck be retired from the Fire Department.  
182

183 Chief Lajoie said this will be the first time in 50 years the Fire Department has not maintained its own  
184 aerial ladder capability, and this will in no way jeopardize the safety of residents. The Department has  
185 implemented an automatic response agreement with Rye for their new ladder truck and North Hampton  
186 is also assisting Rye with an engine on motor vehicle accidents.  
187

188 **Motion:** To remove Fire Department Ladder 1 Truck from service and authorize the Town Administrator  
189 and Chief Lajoie to list it or manage safe disposal of it.

190 **Motioned:** Vice-Chair Sununu

191 **Seconded:** Selectman Pinette

192 **Vote:** Motion approved by a vote of 3-0  
193

#### 194 **10.5 Discussion of Noise Ordinance**

195  
196 Town Administrator Tully said after the last discussion of the Noise Ordinance it was brought to Counsel  
197 and came back with a few minor changes. According to Counsel it is a grey area on whether the Town of  
198 North Hampton should do it through the Select Board or through a Warrant Article with the vote of the  
199 Town and the best way to do it is to put it before the public for a vote.  
200

201 Selectman Pinette said if it were pushed to court and was presented in front of voters rather than through  
202 the Select Board it would be case closed. Town Administrator Tully said not necessarily but it would be  
203 less likely to be challenged in court. He advised that they not put anything in place now and put in a  
204 Warrant Article this fall and make it official in the spring with a vote of the public body. Selectman Pinette  
205 asked what if it fails on ballot, and Town Administrator Tully said you cannot do a Noise Ordinance. Vice-  
206 Chair Sununu asked for more time to look into it for clarification and Town Administrator Tully said he  
207 would put it on the next agenda.  
208

#### 209 **10.6 Appointment of Emily Creighton as Library Trustee Alternate**

210  
211 Town Administrator Tully said he would check on the length of the term for the appointment and fill that  
212 in later.  
213

214 **Motion:** To Approve the nomination of Emily Creighton as Library Trustee Alternate as recommended.

215 **Motioned:** Vice-Chair Sununu

216 **Seconded:** Selectman Pinette

217 **Vote:** Motion approved by a vote of 3-0  
218

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

220  
221 **Approval of Non-Public Meeting Minutes Sessions I & II of May 24, 2021**

222 **Motion:** To approve Non-Public Meeting Minutes Sessions I & II of May 24, 2021.

223 **Motioned:** Vice-Chair Sununu

224 **Seconded:** Selectman Pinette

225 **Vote:** Motion approved by a vote of 3-0  
226

#### 227 **Approval of the Regular Meeting Minutes of May 24, 2021**

228 **Motion:** To approve the Regular Meeting Minutes of May 24, 2021, as presented.

229 **Motioned:** Vice-Chair Sununu

230 **Seconded:** Selectman Pinette

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

232

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

234

235 Town Administrator Tully said considering Aquarion instituted voluntary watering, does the Board want  
236 any action taken with Town sprinkler systems on Town property. Chairman Maggiore suggested the Town  
237 at least follow the non-binding recommendations of Aquarion and all members were in agreement.

238

239 **Second Public Comment Session**

240 *Call 603-758-1447; email [jmaggiore@northhampton-nh.gov](mailto:jmaggiore@northhampton-nh.gov)*

241

242 Channel 22 Director John Savastano said the Town has been operating on a system called Nexus since  
243 2009 and it is time to start up a new CASTUS System. He said we have been training for the last 2 months  
244 and have a good knowledge of what we are doing, and this will be the last meeting on Nexus with installers  
245 coming tomorrow switch the systems. There will be a final lesson on “multi-layering” which will allow  
246 various windows to operate at one time.

247

248 Chairman Maggiore said the work you and Troy and Luke put in to ensure broadcasts to the community  
249 for those who cannot be here is nothing short of amazing. Mr. Savastano said they may need to get  
250 Comcast involved down the road as they may be looking to purchase a unit to ensure broadcasts in Hi-def  
251 1080p for a clearer picture.

252

253 Selectman Pinette said he wanted to personally thank, on behalf of the Pinette family, the Police  
254 Department through Chief Mone and the Fire Department through Chief Lajoie. He said there was a family  
255 emergency life or death situation on Sunday at his home and because of quick response a life was actually  
256 spared.

257

258 **Next Regular Meeting:** June 28, 2021

259

260 **Adjournment**

261

262 Chairman Maggiore adjourned the meeting at 8:15 pm.

263

264 Respectfully submitted,

265

266 Patricia Denmark, Recording Secretary

267