



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

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

**NORTH HAMPTON TOWN HALL**

***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.***

**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.**

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

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

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

**Consent Calendar**

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

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

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

**Motioned:** Selectman Pinette

**Seconded:** Vice-Chair Sununu

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

**Correspondence**

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

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

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

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

### **Committee Updates**

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

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

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

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

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

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

9.1 Current Use Application – moved to Consent Calendar.

## **NEW BUSINESS**

### **10.1 Aquarion Water Quarterly Update**

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

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

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

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

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

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

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

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

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

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

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

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

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

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

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

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

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

### **MINUTES OF PRIOR MEETINGS**

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

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

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

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

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

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

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

**Second Public Comment Session**

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

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

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

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

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

**Adjournment**

Chairman Maggiore adjourned the meeting at 8:15 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary