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

4 **OCTOBER 17, 2019 7:00 PM**

5 **NORTH HAMPTON TOWN HALL**

6 ***DRAFT MINUTES***
7

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

10
11 ALSO PRESENT: Town Administrator Bryan Kaenrath, Police Chief Kathryn Mone, Fire Chief Michael Tully
12

13 **AGENDA**
14

15 Chairman Maggiore welcomed everyone to the October 17, 2019 North Hampton Select Board Meeting
16 and called the meeting to order at 7:04 pm, followed by the Pledge of Allegiance.
17

18 Chairman Maggiore asked that everyone please rise for moment of silence for those who recently passed
19 away so tragically in North Hampton.
20

21 Chairman Maggiore said they had just come from a Budget Workshop next door and a few adjustments
22 were made to the Budget, and said they had a Non-Public Session with no motions made.
23

24 **Motion:** To seal the meeting minutes of the Non-Public Session of Thursday, October 17, 2019 pursuant
25 to RSA 91-A:3 II (a,c).

26 **Motioned:** Selectwoman Kilgore

27 **Seconded:** Selectman Miller

28 **Vote:** Motion approved 3-0
29

30 **First Public Comment Session**
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 Chairman Maggiore apologized to Town Administrator Kaenrath for putting him in an uncomfortable
42 position at the last meeting during Public Comment. He said Public Comment is a chance for the public
43 to be free to speak and not a period of engagement.
44

45 George Chauncey of Hobbs Road said at an earlier meeting the Select Board voted to spend Town funds
46 to come up with a cost for Mr. Miller's plan, knowing the Select Board cannot put a Warrant Article for
47 the Library on the Town Ballot. He said Mr. Miller says it is best for the Town, but 2 Warrants on the Ballot
48 would not be best for the Town and he asked for more consideration from the Select Board. He said the
49 answers to questions proposed by Mr. Miller to be sent to Town Counsel were never made public.
50

51 Larry Miller said on Saturday October 19, 2019 at a Scarecrow Festival would be held at the North
52 Hampton School from 9:00 to 11:00 am, followed by a dog costume parade in the afternoon.
53

54 Kathleen Kilgore said the dog costume parade would start at the Bandstand at 1:00 pm, followed by a
55 classic rock concert from 2:00 to 4:00 pm in conjunction with the Scarecrow Festival.
56

57 **Consent Calendar**

- 58 4.1 Payroll Manifest of September 26, 2019 in the amount of \$73,101.16
- 59 4.2 Payroll Manifest of October 3, 2019 in the amount of \$78,226.50
- 60 4.3 Payroll Manifest of October 10, 2019 in the amount of \$219,618.62
- 61 4.4 Accounts Payable Manifest of October 3, 2019 in the amount of \$217,525.81
62

63 **Motion:** To accept the Consent Calendar as presented in the Select Board Agenda & Packet.

64 **Motioned:** Selectwoman Kilgore

65 **Seconded:** Selectman Miller

66 **Vote:** Motion approved 3-0
67

68 **Correspondence**

69 *Notification of the NHMA Conference*
70

71 Chairman Maggiore said he encouraged the Board and any elected/appointed officials in Town to attend
72 the 78th Annual Conference for NHMA to be held Wednesday November 13 and Thursday, November 14,
73 2019 in Manchester, New Hampshire with two all-day sessions.
74

75 **Committee Updates**
76

77 Selectwoman Kilgore said the *Economic Development Committee* held public sessions with business
78 property owners and business operators in the last two weeks to hear input on the Ironwood Village
79 District Proposal. She said the third session will be on Wednesday, November 6, 2019 from 5:00 pm to
80 7:00 pm for residents, and with business property owners and operators also welcome.
81

82 Chairman Maggiore said the *Heritage Commission* was an agenda item, and the *Water Commission* had
83 not met.
84

85 Selectman Miller said the *Budget Committee* met October 7, 2019 to review the North Hampton School
86 Year-End figures ending June 20, 2019, and examined the Default Budget for FY2021.
87

88 Final *CIP Committee* Report to be presented to the Select Board at their meeting on October 28, 2019.

89

90 **Report of the Town Administrator**

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

92

93 Town Administrator Bryan Kaenrath said with 38 weeks remaining in the fiscal year they had 74% of the
94 Budget remaining, and said the Town Audit was in progress. He said the next Coakley Landfill Meeting
95 would be held at Portsmouth City Hall on November 4, 2019 at 9:00 am. He said the Wage-Range Analysis
96 was on the agenda to approve the wage scales and classification plan.

97

98 Town Administrator Kaenrath said he heard from NHDOT about Philbrick Pond and they had approved
99 the Town's request that the culvert replacement/cobble-weir project be municipally managed, but it was
100 not a green light to move forward. He said the Nature Conservancy has some potential funds, talks would
101 be held with impacted property owners, and they would also be contacting Dr. Burdick at UNH.

102

103 Discussion: Selectman Miller asked if Town flags had been ordered, and Town Administrator Kaenrath
104 said for their flagpoles at \$100 each. Selectwoman Kilgore suggested reaching out to residents for a pre-
105 order, and Town Administrator Kaenrath said he would send a note they were placing an order with a 2-
106 week window for response.

107

108 **Items left on the Table** – None

109

110 **NEW BUSINESS**

111

112 **9.1 Rail to Trail Discussion and Agreement Signing** – Scott Bogle, Rockingham Planning Commission

113

114 Scott Bogle of the Rockingham Planning Commission said he would provide an update, explain the
115 agreement, and talk about what group is best suited to represent the Rail Trail. He said in August the
116 department closed a deal with Pan Am Railways and the contract was approved by the Governor to
117 purchase the 9.7 miles from Hampton to Portsmouth. He said a meeting was held with DOT-assigned
118 Project Manager for the design and construction phase of the project, Chief Safety Engineer Mike Dugas.

119

120 Mr. Bogle said they were seeking initial input on known corridor constraints, opportunities for Trail head
121 access, and would provide general information about the project schedule. He said the Project Manager
122 would be a new hire overseen by Mike Dugas, and his best estimate was 18-24 months for preliminary
123 design and environmental permitting process and probably late 2021 Or 2022 for construction. He said
124 they walked a segment of the corridor, and there is a parcel where the corridor crosses Route 1 that could
125 be used as a Trail Head.

126

127 Mr. Bogle said there would be many public meetings with municipal officials and the public over the next
128 18 months. He said DOT reported a hitch with the agreements signed in January by 4 communities, and
129 said the language in Section 4 pertaining to insurance during construction needs to be that of DOT and
130 the contract needs to be re-signed with the new language.

131

132 Chairman Maggiore asked if there was agreement from the Select Board on Section 4.1 of the Rail to Trail
133 Agreement. Selectwoman Kilgore said they would be providing insurance for a piece of land they do not
134 own, and Mr. Bogle said the State would be turning over maintenance and management responsibilities

135 to the towns when construction starts. He said DOT will still notify North Hampton when construction
136 begins, and some of the communities were starting to organize volunteers.

137
138 Selectman Miller asked about a Trail Head for North Hampton and about the removal of vehicles and
139 trailers now being stored on the property. Mr. Bogle said it was part of the role of DOT to remove the
140 vehicles, and said barriers also needed to be put in place at the crossings and it would be a local decision
141 to provide adequate right-of-way in certain areas. Fire Chief Tully said access would be needed for
142 emergency vehicles on the trail, and Mr. Bogle said moveable gates might make more sense and he would
143 make a point to DOT. Selectman Miller asked about the possible use of the DOT Shed for the Town's access
144 point, and Mr. Bogle said he would check with Mike Dugas.

145
146 **Motion:** That the Select Board empower Town Administrator Kaenrath to sign the agreement with DOT
147 dated October 1, 2019 for the purpose of starting the Rail Trail.

148 **Motioned:** Selectman Miller

149 **Seconded:** Selectwoman Kilgore

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

151
152 Chairman Maggiore said the next issue is regarding the Rail Trail delegates in North Hampton, Ron Hilliard
153 and Tom Argue, working with Jeff Latimer of Gus's Bike Shop to head up what would eventually be a non-
154 profit to build coalitions for seeking donations. Mr. Bogle said a Design Implementation Study was
155 completed in 2009, and since then they have an Ad hoc group of formal municipal representatives and
156 interested citizens. He said there are multiple iterations of community groups and asked if it made sense
157 to have 7 separate non-profits or one regional.

158
159 Mr. Bogle said the New Hampshire Greenway Committee, an advisory committee to RPC, came up with
160 by-laws and articles to establish a new regional non-profit organization called the New Hampshire
161 Seacoast Greenway Alliance (NHSGA), and asked if it was worth establishing a new non-profit group to
162 work with Seacoast area bicycle riders and use their 501 C-3 status. He said the decision was made to
163 incorporate the NHSGA as a private non-profit organization to be a coordinating point for each
164 community. He said North Hampton could keep its own 501 -3 status of be one of the partners, and said
165 he would talk to Mike Dugas about interim access.

166 **9.2 Wage Scale Plan Adoption**

167
168
169 Chairman Maggiore said MRI completed a Wage-Range analysis for North Hampton and it was the
170 recommendation of Town Administrator Kaenrath to adopt the study scale plan, but not specific salaries.
171 Town Administrator Kaenrath said they will be adopting the study and a new classification plan breaking
172 employees into steps with associated pay ranges.

173
174 **Motion:** To adopt the Wage Range and Job Classification Plan as presented in the MRI Report to the Town
175 of North Hampton in the Pay & Classification Study dated September 2019.

176 **Motioned:** Selectwoman Kilgore

177 **Seconded:** Selectman Miller

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

179 180 **9.3 Settlement Agreement of Consolidated Communications v. Town of North Hampton**

181

182 Chairman Maggiore said this was the Fairpoint case about how their poles and utilities would be taxed,
183 ongoing since 2010, and they came up with a negotiated agreement. Town Administer Kaenrath said the
184 agreement resulted in considerable savings for the Town over what their exposure would be otherwise.
185 Chairman Maggiore said they have an assessment from Finance Director Ryan Cornwell on what they owe.

186

187 **Motion:** To accept and instruct the Town Administrator to sign the Northern New England Telephone
188 Operations, LLC v. Town of North Hampton settlement agreement in our possession today.

189 **Motioned:** Selectwoman Kilgore

190 **Seconded:** Selectman Miller

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

192

193 **9.4 Police Department IT Upgrades Funding Approval**

194

195 Police Chief Mone said the department was requesting an expenditure be approved for upgrades and
196 extensive modifications to the computer network of the Police Department. She said the FBI through the
197 State Police were mandating higher standards involving completely separating Police email accounts from
198 those of the Town, and moving the physical server downstairs in the actual Police Department. She said
199 it would be a one-time cost of \$13,958 from the Cable/IT Funds now at approximately \$70,000.

200

201 **Discussion:** Selectman Miller asked if Portsmouth Computer Group (PCG) would be the administrator,
202 and Town Administrator Kaenrath said PCG would remain the Town's IT provider. Selectman Miller asked
203 about a timeframe and Police Chief Mone said as soon as possible. Chairman Maggiore asked about the
204 \$508 monthly fee in the quote, and Chief Mone said they already pay the Office 360 fee per user. Town
205 Administrator Kaenrath said it would be an upgrade to the government cloud, and Chief Mone said Ryan
206 was already working to integrate that figure into future budgets.

207

208 **Motion:** To approve the quote provided by PCG, our IT service, for Police Department upgrades to meet
209 the standards mandated by the FBI through the New Hampshire State Police and approve the single
210 funding of \$13,958, funding to come from the Cable/IT Capital Fund, and authorize the Town
211 Administrator to implement the contract.

212 **Motioned:** Selectwoman Kilgore

213 **Seconded:** Selectman Miller

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

215

216 **9.5 Health Officer Appointment**

217

218 Town Administrator Kaenrath said the Town Building Inspector passed away earlier this year also leaving
219 a vacant Health Officer position. He said the goal was to appoint *Travis Murray* as the new Building
220 Inspector/Health Officer for North Hampton. He said the position is indefinite.

221

222 **Motion:** To appoint *Travis Murray* as the new *Health Officer* for North Hampton effective October 17,
223 2019.

224 **Motioned:** Selectman Miller

225 **Seconded:** Selectwoman Kilgore

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

227

228 **9.6 MS4 Stormwater Mitigation from North Hampton Public Library Renovation**

229

230 Chairman Maggiore said the Heritage Commission Sub-Committee met to discuss potential upgrades to
231 the Master Plan and talked about forming a Historic District with boundaries to be established. He said a
232 question came up about whether there was any concern about possible Stormwater runoff from the
233 Library renovation flooding the historic Stone Building and whether they should have some mitigation for
234 that. He said he contacted Rockingham Planning Commission (RPC) and the Planning Board.

235
236 Chairman Maggiore said as part of the planning process, projects with potential adverse effects on Historic
237 Properties from Stormwater discharges must be in written compliance with the State Historic Preservation
238 Officer, outlining all measures that will be carried out to mitigate or prevent adverse effects on Historic
239 Properties and must comply with all conditions of the MS4 Permit. He said as part of the Clean Water Act,
240 the Town is required to be compliant with Stormwater moving off of properties/projects.

241
242 Chairman Maggiore said the Town has a potential new project that may impact a historic property, and a
243 drainage study from the Library Trustees for their project is needed by the State Department of Historic
244 Resources (NHDHR) to understand if the drainage and mitigation will have any impact on the Historic
245 Property, as well as a full request for project review by NHDHR. He said as a representative of the Heritage
246 Commission he is requesting a letter be sent from the Select Board asking Library Trustees to produce a
247 drainage study for their project.

248
249 **Motion:** To authorize a letter be sent to Library Trustees requesting a drainage report to be submitted to
250 State Historic Preservation Officer (NHDHR) according to Appendix D of the MS4 Stormwater Permit.

251 **Motioned:** Chairman Maggiore

252 **Seconded:** Selectman Miller

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

254

255 **9.7 Library Plan Update** – Larry Miller

256

257 Selectwoman Kilgore recused herself from the discussion and moved to the public area at 8:28 pm.

258

259 Selectman Miller said he and the Town Administrator met with 3 design-build firms about building a
260 10,625 sq ft building on the Homestead Property. He said they also found the original ledge study for that
261 property, and contacted a septic design company to locate a septic field on the land. He said it was
262 suggested they come up with a conceptual idea to send to 3 firms for competitive bidding to come up
263 with a design. He said 3 local firms are excited to do it and felt the cost would be significantly less even
264 including the septic and parking.

265

266 Selectman Miller said he met with one of the designers to come up with a schematic and plan plus minimal
267 requirements for the building, not including engineering drawings. He said the cost will be \$2,900 and can
268 probably be done in 2 weeks, then they could bid to get concrete numbers, go to the Planning Board, and
269 include the MS4 drainage requirements on the effect of water flow off the property. He said there will be
270 an idea for a floor plan and a meeting room for 100 people, and Town Administrator Kaenrath said it was
271 a similar plan to what the Library already presented.

272

273 Selectman Miller said they would get back 3 proposals with guaranteed maximum prices for each. He said
274 because no engineering money was being spent on the design of the building, they could approve the
275 concept and overall costs and changes to the plan could be made later. Chairman Maggiore said they
276 needed to see a guaranteed maximum price based on a plan, and said he was in favor of getting that
277 information to be able to make an informed decision.

278

279 **Motion:** To approve the expenditure of \$2,900 for contract design services as proposed this evening and
280 empower the Town Administrator to sign.

281 **Motioned:** Chairman Maggiore

282 **Seconded:** Selectman Miller

283 **Vote:** Motion approved 2-0

284

285 Ms. Kilgore returned to her seat at the table at approximately 8:38 pm.

286

287 **9.8 Exeter Road/Route 151 Stop Sign**

288

289 Town Administrator Kaenrath said the Town may have a new solar-powered flashing stop sign at the
290 corner of the Exeter Road and Post Road intersection.

291

292 Fire Chief Michael Tully said they were trying to identify problem intersections in Town and make them
293 safer. He said he worked with Jen Rowden of RPC to put in a Road Safety Audit to the State of New
294 Hampshire which was refused because it involved too many intersections. He said they met with DOT and
295 currently installed 2 flashing lights, and agreed to put in a long-term plan to redesign the intersection with
296 an intern from UNH. He said the lighted stop sign was not allowed in the State of New Hampshire but DOT
297 agreed to let North Hampton be a test case.

298

299 Chief Tully said a long-term plan for the intersection to be redone would take 5-7 years. He said he asked
300 about changing the Atlantic Avenue intersection so you have to stop and make a turn, and DOT said it was
301 not a major change and the Town might be able to do it in the yearly Budget.

302

303 **9.9 Town-Wide Mailing for November Economic Development Committee Meeting**

304

305 Selectwoman Kilgore said the last EDC public input session would be for residents, and she was wondering
306 if the Board would consider authorizing a small mailing to all Town residents notifying them and inviting
307 them to the meeting on Wednesday, November 6, 2019. Chairman Maggiore asked that a sentence be
308 added that any questions or concerns be forwarded to EDC if unable to attend the meeting.

309

310 Town Administrator Kaenrath asked if the Town was just responsible for absorbing the cost of postage, or
311 if they would also be responsible for the design and printing, and Selectwoman Kilgore said EDC had a
312 rough idea of the design.

313

314 **Motion:** To approve an expenditure not to exceed \$1,000 for creation and postage for a Town-wide
315 mailing for the November 6th EDC meeting.

316 **Motioned:** Chairman Maggiore

317 **Seconded:** Selectman Miller

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

319

320 **9.10 Town Board/Committee Members Assignment of Government E-mail Addresses**

321

322 Selectwoman Kilgore said this is to address the fact that most boards and committee members are using
323 their personal emails to conduct Town business and issues with 91-A. Town Administrator Kaenrath said
324 the cost is \$8/user per month or \$96,000/year for each one. Chairman Maggiore said they went through
325 that and came up with 115 appointed/elected officials including Little Boar's Head.

326

327 Selectwoman Kilgore suggested having 1 email receptacle for each committee and board to be cc'd to
328 provide a public copy. Chairman Maggiore said he could not see logistically or cost-wise, and could not
329 justify an investment of \$11,000/year for solution to a problem he could not identify. Selectwoman Kilgore
330 said she would like some commitment on moving forward with a document management system, and
331 Town Administrator Kaenrath said he would set up some dates in November.

332

333 **Minutes of Prior Meetings**

334

335 **10.1 Approval of Regular Meeting Minutes of September 19, 2019**

336 **10.2 Approval of Regular Meeting Minutes of September 23, 2019**

337 **10.3 Approval of Non-Public Meeting Minutes of September 23, 2019**

338

339 **Motion:** To table all 3 sets of minutes, as well as the September 9, 2019 meeting minutes, until the next
340 meeting on October 28, 2019.

341 **Motioned:** Chairman Maggiore

342 **Seconded:** Selectman Miller

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

344

345 **Any other Item that may Legally come before the Board**

346

347 Selectwoman Kilgore said at the last Select Board meeting the Town Administrator was to ask some
348 additional questions of the Town Attorney regarding the Library. She said the Town has gotten those
349 answers back and asked they be made public. Selectman Miller said the note back from the attorney did
350 not have the questions on it, not all his questions got answered, and answers were provided that were
351 not asked for. Town Administrator Kaenrath said if someone were to request them he would provide the
352 questions with the responses.

353

354 Chairman Maggiore said he was looking to the Board for permission to speak with Town Counsel to
355 understand the relationship between the Library and the Stone Building, given that they are on one piece
356 of property owned by the Town as explained in the responses specifically in relation to MS4. Selectwoman
357 Kilgore said she had no objection to that but preferred the questions and answers from the Attorney be
358 in writing as they are public.

359

360 Chairman Maggiore said he would write it up and have the Town Administrator submit it to the Town
361 Attorney for an understanding of the rights and responsibilities of the entities on a singular piece of
362 property given one is a municipal building and the other a Library. Selectman Miller said he needed to
363 make sure that person has the information he needs to answer a technical question with an informed
364 answer. He said there is no law that says the Library can be expanded or that they own outside of it, only
365 that they have custody of what they have now.

366

367 **Second Period of Public Comment**

368

369 Donna Etela said when the State Registry of Historic Places was done, the Town was required to use the
370 original Stone Building lot and there were no longer 2 lots there. She said both buildings are on one site
371 on the National Registry with 10 feet 10 inches between them and just 4 feet from the handicap ramp and
372 the building wall in which to put passage. She said it was concerning as there is an overhang on the building

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373 and said they had to have an actual drainage plan for Stormwater which now goes all the way to the end
374 of the lot into the Homestead Property.

375

376 **ADJOURNMENT**

377

378 Chairman Maggiore adjourned the meeting at 9:06 pm.

379

380 Respectfully submitted,

381 Patricia Denmark, Recording Secretary

DRAFT