



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

**NOVEMBER 20, 2019 7:00 PM**

**NORTH HAMPTON TOWN HALL**

***Approved December 9, 2019***

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

ALSO PRESENT: Town Administrator Bryan Kaenrath, Police Chief Kathryn Mone, Deputy Police Chief Joshua Stokel, NHDOT Traffic Engineer Administrator Bill Lambert,

**AGENDA**

Chairman Maggiore welcomed everyone to the November 20, 2019 North Hampton Select Board Meeting and called the meeting to order at 7:03 pm, followed by the Pledge of Allegiance.

Chairman Maggiore said they would move right to New Business items 9.1 Presentation of 524 Award by Police Chief Kathryn Mone, and 9.2 UNH/NHDOT Discussion on Intersection of Post & Exeter Roads.

**9.1 Presentation of 524 Award** – Police Chief Kathryn Mone

*A copy of the speech of Officer Tim Scott is attached to these minutes.*

Police Chief Kathryn Mone said she wished to present the 3<sup>rd</sup> Annual Officer Peter Cormier 524 Memorial Award, which is dedicated to the memory of Officer Peter Cormier, who passed away unexpectedly in 2015. Officer Cormier was an 18-year veteran of the North Hampton Police Department and served 20 years in the Air National Guard. His call number 524 was retired in his memory.

Police Chief Mone presented this year's Peter Cormier Memorial 524 Award to *Officer Tim Scott*, who has served just over one year on the North Hampton Police Force. He has a BA in Criminal Justice, is a military veteran, and has received numerous letters of appreciation from residents for his kindness and professionalism while carrying out his duties.

***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.***

Officer Tim Scott said he was very humbled to receive the 524 Award, which recognizes an officer for teamwork, dedication, and fellowship. He read a prepared speech lauding the talents of his fellow officers, which is attached to these minutes.

*Chairman Maggiore briefly recessed the Select Board Meeting.*

## **9.2 UNH/NHDOT Discussion on Intersection of Post & Exeter Roads**

Town Administrator Bryan Kaenrath said he was approached by NHDOT and UNH about a student project to work on possible remedies for this intersection in North Hampton.

Project Sponsor Bill Lambert, Traffic Engineer Administrator for NHDOT, said he would provide an overview of the project purpose. He said he has worked with the Capstone Project, where Civil Engineers work together to solve engineering problems at a project level. He said the project will provide transportation/public participation exposure for engineering students and allow them the opportunity to bring some solutions.

Project Manager Liam Cullinane said the team is tasked with redesigning the NH Route 111 and NH Route 151 intersection in North Hampton to improve traffic and pedestrian safety access. He said the main client is NHDOT, and they are also working with Rockingham Planning Commission (RPC) and the Town of North Hampton. He listed several State funding sources that may be available.

Team Member Bill Nguyen said after site visits to the area the team identified 8 separate intersections, skewed crossing angles, high traffic volume, limited pedestrian access, and significant grade changes. They collected data on traffic counts, turning movement, flow rates and volumes of approaches, and crash data. He said problems included the main 4-way intersection of both State Roads, the intersection near the church with 2 one-ways meeting a two-way, and the limited pedestrian access and lack of sidewalks and crosswalks.

Mr. Cullinane asked for public feedback on pedestrian access, and recommendations were made to include bicycles in the plan, add clearly marked pedestrian crossings in the Bandstand area, address the parking issue there, and provide signage to better navigate the NH 151 intersection.

Team Member Michael Menary said the main intersection could include a traffic light with a widened left-turn lane on NH 151 Northbound and a right-turn lane from NH 111. For the problem area near the church merge 2 one-ways together on the higher section of the road and install a rotary at the main NH 151-NH 111 intersection. Another solution there: merge the 2 one-ways, eliminate the median, and make NH 111 two-way moving NE.

Mr. Cullinane again asked for public feedback. A recommendation was made that a roundabout was not a good idea for the main intersection, a stop light with a left-turn lane would back up traffic on NH 111, and NH 111 Eastbound traffic should be directed down the spur to eliminate the angle and have a hard right or left which would slow traffic; by the Bandstand split NH 111 Westbound at the intersection and eliminate the right leg. Selectman Miller made a recommendation in favor of the roundabout to slow traffic and to restore the intersection to as close to 2 roads as possible, which would eliminate the intersection near the church.

Discussion: Chairman Maggiore recommended the UNH Team submit their presentation to the Town to be put on the website to allow more feedback. He asked about a timeline, and Mr. Cullinane said to have preliminary designs by early December, do analysis of designs by April 2020, come back for more feedback, and narrow to one design to present at the end of the year.

Selectwoman Kilgore asked what happens after their part is completed, and Mr. Lambert said if the product is supported by the Town, an RPC can take all or part of their project, including cost estimates, try to get into the TIF Program, and roll it into the 10-year plan.

Another public recommendation was made to reduce the amount of roadway at the Commons, eliminate the one-way by the church and turn that area into parking for that community and make the lower level two-way with a roundabout at the lights.

Non-Public Sessions: Chairman Maggiore said the Select Board was in Non-Public to update the *Water Commission* before this meeting. He said no motions or votes were taken, and the consensus would go the Water Commission. He said the Board also had a Non-Public on November 1, 2019 and a motion was made and a vote taken and the Town Administrator would act on the intent.

**Motion:** To Seal the Minutes of the Non-Public Session of November 20, 2019.

**Motioned:** Selectwoman Kilgore

**Seconded:** Selectman Miller

**Vote:** Motion approved 3-0

### First Public Comment Session

Casey O’Kane of Atlantic Avenue said he had gone through the effort of making corrections to the North Hampton Code of Ethics, and provided a marked-up copy corrected in red to the Town Administrator.

Kathleen Kilgore of 220 Atlantic Avenue said Friends of the North Hampton Bandstand invited everyone to the 24<sup>th</sup> Annual Christmas Caroling & Tree Lighting Ceremony on Saturday, December 7, 2019 at 4:30 pm, followed by refreshments at the Bandstand. She also asked the status of the Superior Court to choose a special Select Board to hear and consider her request for indemnification and reimbursement of legal fees. Chairman Maggiore said the Town Administrator would address the issue during his report.

### Consent Calendar

- 4.1 Payroll Manifest of October 31, 2019 in the amount of \$70,330.53
- 4.2 Payroll Manifest of November 7, 2019 in the amount of \$243,394.09
- 4.3 Payroll Manifest of November 14, 2019 in the amount of \$67,837.03
- 4.4 Accounts Payable Manifest of October 31, 2019 in the amount of \$115,863.85
- 4.5 Accounts Payable Manifest of November 14, 2019 in the amount of \$101,126.79
- 4.6 Eversource Energy Pole License 32/6

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

**Motioned:** Selectwoman Kilgore

**Seconded:** Selectman Miller

**Vote:** Motion approved 3-0

### Correspondence

Select Board Regular Meeting  
November 20, 2019

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

Chairman Maggiore said a note was received from the Bandstand Committee Chairman Delores Chase dated October 28, 2019 requesting the Select Board appoint Kirsten Larsen Schultz to the Bandstand Operating Committee. He said the Bandstand Committee is an independent committee and not a function of the Town, and therefore has the authority to appoint its own members.

Chairman Maggiore said correspondence was received from SELT which was forwarded to the Planning Board because it is an active case they are considering. He said he also received correspondence dated November 19, 2019, which came in yesterday from Attorney Bennett, with regard to the clarification of questions he raised about the relationships of buildings on the lot shared by the Library and the Stone Building. He read the questions and responses in full and asked that they be included in the minutes (see attached correspondence).

Chairman Maggiore said a letter was hand-delivered today to the North Hampton Select Board from Durbin Law regarding the Library Renovation/Expansion Project. The letter stated that the Select Board has overstepped its statutory boundaries in lobbying for an alternative plan for a new Library on the Homestead Property, and was asked to cease and desist all efforts to thwart the Library Trustees proposed plan. Chairman Maggiore read the letter in full, a copy of which is attached to these minutes.

### **Committee Updates**

Selectwoman Kilgore said the *Economic Development Committee* held the third and last Public Workshop regarding the Village District on November 6, 2019 for residents, and Ironwood will meet with the EDC on January 8, 2020 to review preliminary visions incorporating all input received. The next EDC monthly meeting will be held on December 4, 2019 at 5:00 pm to review the workshops and go over other business.

Chairman Maggiore said the *Heritage Commission* is tomorrow night, and *Water Commission* was Non-Public today. He said *CIP Report* is on the agenda this evening under New Business.

Selectman Miller said the *Budget Committee* met November 18<sup>th</sup>, 2019 and held the first review of the Proposed School FY2021 Budget, which was well put together and presented.

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

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

Town Administrator Bryan Kaenrath said with regard to the Library, he and Larry Miller scheduled a meeting with potential builders to develop concepts, with plans being developed by TW Designs. He said Ambit Engineering was also doing survey work on the Homestead Property.

Town Administrator Kaenrath said with regard to Ms. Kilgore's request for reimbursement of legal fees, the Superior Court appointed 3 individuals to serve on the special Select Board. He said all three are willing to serve and they were in the process of setting a date for a preliminary meeting, probably with Town Counsel for guidance on process and procedure. He said a public meeting would then be held to handle the matter.

Select Board Regular Meeting  
November 20, 2019

Questions: Selectwoman Kilgore asked the notification period for the special Select Board meeting and Town Administrator Kaenrath said 2 weeks. She asked if Breakfast with Santa was scheduled and Town Administrator Kaenrath said it would be on a Saturday in December.

**Items left on the Table** – None

## **NEW BUSINESS**

### **9.3 Discussion of Period of Public Comment**

Selectman Miller said the Select Board Period of Public Comment has unfortunately turned into not being part of a solution but becoming problem makers to the point of becoming destructive, and suggested eliminating Public Comment for a period of time. Selectwoman Kilgore said she was not ready to vote on the issue but having one period of Public Comment was possible.

**Motion:** To address procedures to eliminate the first Period of Public Comment and only have the Second Period.

**Motioned:** Selectman Miller

**Seconded:** Chairman Maggiore

Discussion: Chairman Maggiore said every community seems to have one Period Public Comment but no communities have two. Selectwoman Kilgore asked why the end of the meeting and not at the beginning. Selectman Miller said so they have to stay for the whole meeting. Selectwoman Kilgore asked that it be tabled until the next meeting.

**Vote:** Motion approved by a vote of 2-1

Chairman Maggiore said the motion was approved and they would need to amend the Select Board Rules & Procedures.

### **9.4 Deliberative Session Date**

Chairman Maggiore said the Deliberative Session would be held on February 1, 2020 with a snow date of February 8<sup>th</sup>.

### **9.5 Capital Improvement Plan Approval**

Chairman Maggiore said the clarification information requested by Selectwoman Kilgore was sent, and Selectwoman Kilgore said Nancy Monaghan did provide her with the opinion received from NHMA. Selectman Miller asked CIP Committee Chairman Monaghan if the CIP Plan presented here was the same, and Ms. Monaghan said it was the same as presented in October.

**Motion:** To approve the Capital Improvement Plan (CIP) Report as presented to the Select Board by the CIP Committee.

**Motioned:** Selectman Miller

**Seconded:** Chairman Maggiore

**Vote:** Motion approved by a vote of 2-1

### **9.6 Community Garden Use Discussion**

Chairman Maggiore said a Garden Use, Waiver of Liability, Release & Indemnification Agreement, last updated October 21, 2019, as well as Garden Rules adopted September 16, 2019 were provided by the Community Garden, with a map of the garden lots included.

Audrey Prior of 113 Exeter Road said she was speaking as Vice-Chair of the Agricultural Commission. She said the Community Garden has been running quite a few years and was sold out for the first time last year. She said there is no application process, and they decided to put some rules in place to make sure the Community Garden is run smoothly,

Selectwoman Kilgore asked if Town Counsel had reviewed this, and Ms. Prior said they had only submitted it to Town Administrator Kaenrath for his advice and hoped to implement it next year. Selectman Miller asked about prices, and Ms. Prior said each larger plot is divided into plots A and B, it is \$25.00 for either of those plots, and the entire plot is \$40.00. The Select Board agreed it should be reviewed by Town Counsel because of the legal implications.

Chairman Maggiore recommended it first be sent to Town Counsel for review and then added as an agenda item. Selectwoman Kilgore said once approved by the Town Attorney it should go on letterhead, and have page numbers, the adoption date, and revision dates.

### **9.7 Information Packet Regarding Atlantic Avenue Municipal Buildings' Land**

Chairman Maggiore said he asked for assistance from the Heritage Commission to put some information on the website regarding a listing of municipal buildings on the Town Campus, and a Sub-Committee of the Heritage Commission assembled tax maps, provided the history of properties in the Town, and included the registered deeds.

**Motion:** To put all the information regarding Town properties and buildings on the Town website.

**Motioned:** Selectman Miller

**Seconded:** Chairman Maggiore

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

### **9.8 Decision on Document Management Company**

Town Administrator Kaenrath said the Select Board needed to pick a direction on a Document Management System to move forward. Selectman Miller said he like RICOH, and Selectwoman Kilgore agreed but was not sure they could build on the program to be interactive with the website. Town Administrator Kaenrath suggested they request RICOH come back and provide a work flow demonstration using Town documents, and the Select Board was in consensus.

### **Minutes of Prior Meetings**

#### **10.1 Approval of Regular Meeting Minutes of September 9, 2019**

Selectwoman Kilgore said she asked that these minutes be tabled to correct lines in the Second Period of Public Comment, and asked that her summarized points be added. She said she was also asked to read a paragraph from a document and asked that the entire document be attached to the minutes. Town

Select Board Regular Meeting  
November 20, 2019

Administrator Kaenrath said it was written legal correspondence from Attorney Bennett and was confidential per his request. Chairman Maggiore said the section of the memo that was read is public, and asked Town Administrator Kaenrath to check if the document is protected

**Motion:** To table the Minutes of the Regular meeting of September 9, 2019 until the next meeting.

**Motioned:** Selectwoman Kilgore

**Seconded:** Selectman Miller

**Vote:** Motion approved 3-0

### **10.2 Approval of Regular Meeting Minutes of October 17, 2019**

**Motion:** To approve the Minutes of the Regular Meeting of October 17, 2019.

**Motioned:** Selectman Miller

**Seconded:** Selectwoman Kilgore

**Vote:** Motion approved 3-0

### **10.3 Approval of Regular Meeting Minutes of October 28, 2019**

Selectwoman Kilgore said Chairman Maggiore read correspondence at that meeting and copies should be attached to the minutes.

**Motion:** To approve the Minutes of the Regular Meeting of October 28, 2019 with amendment adding copies of all correspondence.

**Motioned:** Selectwoman Kilgore

**Seconded:** Chairman Maggiore, for discussion

Chairman Maggiore said one correspondence was from the Library requesting a meeting, and Selectwoman Kilgore said it was addressing NHDES and Stormwater runoff.

**Motion:** To table the Minutes of the Regular Meeting of October 28, 2019 until the next meeting.

**Motioned:** Selectwoman Kilgore

**Seconded:** Selectman Miller

**Vote:** Motion approved 3-0

### **10.3 Approval of Non-Public Meeting Minutes of October 28, 2019**

**Motion:** To approve the minutes of the Non-Public Session of October 28, 2019.

**Motioned:** Selectwoman Kilgore

**Seconded:** Selectman Miller

**Vote:** Motion approved 3-0

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

Chairman Maggiore said last week was the NHMA Conference, followed by an NHMA Board meeting. He said in 2020 NHMA would be producing a Wage & Salary Report. He attended a Workshop Meeting yesterday to set the tax rate which will be coming out at \$16.70. Finance Director Cornwell agreed to set the overlay (money for abatements) at \$105,000 and what is not used will go into Fund Balance. Also, \$140,000 of Fund Balance will be used to pay for 2 of the Warrant Articles approved last year: \$90,000 for

Select Board Regular Meeting  
November 20, 2019

Paving, and \$50,000 for Centennial Hall, as the Town is over-target for Fund Balance. This brings the Town portion of the tax rate to \$4.95, Local Education to \$8.65, State Education to \$2.11, and County to \$0.99.

Town Administrator Kaenrath said he received confirmation from DRA on the 16<sup>th</sup> and 17<sup>th</sup>, and would have the warrant available tomorrow for signatures.

### **Second Period of Public Comment**

Frank Ferraro of Post Road recommended the Select Board preserve the First Period of Public Comment to allow the public to comment or provide information on a subject on the agenda.

Casey O’Kane said he did not know what was more important than public comment, and said he agreed with a comment in a flyer by Mr. Maggiore regarding the right of the public to speak on a particular issue.

### **ADJOURNMENT**

Chairman Maggiore adjourned the meeting at 9:01 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary