



1
2 **TOWN OF NORTH HAMPTON, NEW HAMPSHIRE**
3 **NORTH HAMPTON SELECT BOARD MEETING**

4 **DECEMBER 4, 2019 4:00 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
12

13 **AGENDA**
14

15 Chairman Maggiore welcomed everyone to the special North Hampton Select Board Meeting of December
16 4, 2019 and called the meeting to order at 4:00 pm, followed by the Pledge of Allegiance.
17

18 Chairman Maggiore said the purpose of the meeting is to talk about approval of funds for TW Design for
19 continued Library Concept Design Work.
20

21 **First Public Comment Session**
22

23 Giovanni (inaudible) said she wanted a better understanding with respect to the Board regarding the
24 Library and why they are doing a parallel path. She also addressed removing of one of the Public Comment
25 sessions and said this is an opportunity for North Hampton citizens to speak up and it is a right.
26

27 Kathleen Kilgore of 220 Atlantic Avenue said this Saturday is the Hampton Christmas Parade starting at
28 the Hampton/North Hampton town line at 1:00 pm and goes all the way to Winnacunnet Road. She said
29 the Annual Tree Lighting would be held at the Bandstand at 4:30 pm on Saturday and Centennial Hall will
30 be open for refreshments after.
31
32

33 ***Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by***
34 ***NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***
35

36 ***A recording of the meeting can be found at: http://www.townhallstreams.com/towns/north_hampton_nh, and***
37 ***a DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North***
38 ***Hampton, New Hampshire 03862.***
39

40 Chairman Maggiore said correspondence was received today from Kelly Parrott of 2 Garret Drive with the
41 request it be read in Public Comment, and he read the letter in full. Ms. Parrott stated that she served as
42 a North Hampton Public Library Trustee for 6 years, and in 2013 they formed a Building Committee for a
43 potential new building/renovation project for the Library, choosing Lavallee Brensinger Architects. She
44 said she is not aware of TW Design ever consulting with Library Trustees to review their needs and said
45 the Select Board did not make a formal effort to solicit bids. She said pursuant to RSA 202-A:6 the Library
46 Trustees have entire custody and management of the Public Library and related property, and the Select
47 Board is interfering with the Library's grant of authority in hiring its own consultants to create an alternate
48 design concept. She recommended the Select Board not spend further tax-payer monies with TW Design.

49

50 Selectwoman Kilgore recused herself from the Select Board discussion at 4:09 pm.

51

52 **NEW BUSINESS**

53

54 **9.3 Approval of Funds to TW Design for Continued Library Concept Design Work**

55

56 Selectman Miller said they met yesterday with architects and reviewed their plan, which does take into
57 account the spacing needs of Library Trustees. He said in order to move forward to get the plan on the
58 Ballot there is a need to further approve some work for TW Designs to prepare documents necessary for
59 the Bond Hearing and an RFP for the 3 contractors receiving the bids. He said he recommends the Select
60 Board approve the total cost for Bond Hearing documents for \$3,100 and a contract RFP for \$3,800 for a
61 total of \$6,900.

62

63 Chairman Maggiore said each of the contractors at the meeting yesterday said they could come up with
64 Design Project costs based on what TW Design is offering. Selectman Miller said they can fill in the soft
65 costs of their engineering and come back with 3 different choices to select from and 3 different GMPs.
66 Chairman Maggiore said he understands that the contractors are optimistic they can have the proposals
67 back in time to post for a Bond Hearing.

68

69 Selectman Miller said the Town needs to protect itself from a really bad Library design to expand a building
70 not intended for expansion on a piece of land that is too small. He said the Library has custody and control
71 for what is has, as voted in 1973, and has no right to expand the Library on its own. He said the design has
72 no parking and a meeting room for 75 people, and the Town has a chance to build a brand new Library on
73 the Homestead Property with plenty of parking and septic.

74

75 Selectman Miller said this whole thing is completely unnecessary and the Town has no reason not to
76 protect its property and its future without becoming a parking lot for the Library. He said in 1972 residents
77 voted "no" on a warrant to expand the Library and in 1973 the Select Board put out a warrant to build the
78 current Library, with the land in the name of the Town. He said he sees no reason not to move forward,
79 and said the Board has a vested and sworn interest to uphold the interests of the Town, not the Library
80 Trustees. He said he asked the Library Trustees to be part of this 3 times and was refused 3 times. He said
81 the Town will take care of the needs of the Library, and he asked Library Trustees once more if they will
82 join in this effort to create a brand new Library, get it on the Ballot, and build it in one year.

83

84 Chairman Maggiore said the Select Board has to look out for the interests of everyone in the Town to
85 manage its prudent affairs. He said there are many issues involved on that piece of Town property with 2
86 buildings on it, and they have Federal permits to be responsive to and questions that have to be answered,

87 including tax base expenses that come in. He said the Board is trying to find the best way to move forward
88 and they have unfortunately gotten to a point where they have a cease & desist letter and a possible road
89 to legal action, which they certainly do not want. He asked Selectman Miller to reach out to Library
90 Trustees in some way to find areas where they are united or clearly divided, and to find a way to negotiate
91 through those. He said in the end they are looking to build a new Library and can hopefully unite on that
92 issue.

93

94 Selectman Miller added that a new Library on the Homestead owned by the Town is worth \$1 Mil to them
95 in cost avoidance. He said they can then take Town employees out of the Police Building built in 1990, and
96 use the old Library building and save the Town a lot of money, a lot of time, and get a brand new Library.
97 He said the Board has the legal responsibility to protect this Town and they are on a very strong legal basis
98 here. He said he was sorry they had come to this point.

99

100 **Motion:** To approve TW Design's contract dated December 4, 2019 to provide Bond Hearing documents
101 for \$3,100, and prepare contractor RFPs for \$3,800.

102 **Motioned:** Selectman Miller

103 **Seconded:** Chairman Maggiore

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

105

106 Chairman Maggiore said the contract asks to initial the payment schedule, initial the contract design fee
107 costs, and provide a client signature. Town Administrator Kaenrath said he would sign the contract.

108

109 Selectman Miller said the last thing they will need after this is done is engineering for placing the building
110 on the Homestead site, which can be done by Ambent Engineering.

111

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

113

114 Kathleen Kilgore returned to her seat on the Board at 4:22 pm.

115

116 **Second Period of Public Comment**

117

118 Frank Ferraro of Post Road said he agrees the Select Board should look out for the interests of the Town,
119 but they should also avoid unnecessary legal expenses and litigation, and were warned of Superior Court
120 action. He said with 2 competing Warrants neither will pass, and urged the Select Board to find some
121 compromise with Library Trustees. He said they are assuming they can take over the old Library for Town
122 employee use, but as long the building is still occupied it will be under Library control. He asked if Attorney
123 Bennett had been requested to represent the Town if the Library Trustees took them to Superior Court.

124

125 Kirsten Larsen Schultz of Post Road said she is baffled at how the Select Board could vote as they did even
126 with a cease & desist order and an unknown lawsuit coming. She thanked Town Administrator Kaenrath
127 for being a great administrator, and said she wished the Town had taken better advantage of his
128 knowledge and resources.

129

130 Chairman Maggiore said there will be a regular Select Board Meeting on December 9, 2019 and they will
131 decide then about the December 23rd meeting

132

133 **ADJOURNMENT**

134

Select Board Regular Meeting
December 4, 2019

135 Chairman Maggiore adjourned the meeting at 4:26 pm.
136

137 Respectfully submitted,

138 Patricia Denmark, Recording Secretary

DRAFT