



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

APRIL 6 2020 7:00 PM

NORTH HAMPTON TOWN HALL

Approved April 20, 2020

SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman Larry Miller

ALSO PRESENT: Interim Town Administrator Michael Tully, Finance Director Ryan Cornwell (by phone)

AGENDA

Chairman Jim Maggiore welcomed everyone to the April 6, 2020 North Hampton Select Board Meeting and called the meeting to order at 7:10 pm, followed by the Pledge of Allegiance.

Chairman Maggiore said they were coming from Non-Public: In Session I there was a unanimous motion with Interim Town Administrator to act on intent; Session II no motions, intent to seal.

Motion: To seal the Meeting Minutes of Non-Public Session II of April 6, 2020.

Motioned: Vice-Chair Sununu

Seconded: Selectman Miller

Vote: Motion approved by a vote of 3-0

First Period of Public Comment

Call 603-758-1447 for Public Comments or access via Zoom

George Chauncey of Hobbs Road said the Library Trustees requested an AutoCAD file of the site survey of the Homestead Property, needed for the Architect to continue the redesign, which has not been received as of today. He also asked that the Select Board not try to lower the cost of the New Library.

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.

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A recording of the meeting can be found at: 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.

Consent Calendar

- 7.1 Payroll Manifest of March 26, 2020 in the amount of \$75,968.57
- 7.2 Payroll Manifest of April 2, 2020 in the amount of \$72,655.96
- 7.3 Accounts Payable Manifest of April 2, 2020 in the amount of \$77,972.33

Motion: To approve the Consent Calendar as presented.

Motioned: Selectman Miller

Seconded: Vice-Chair Sununu

Vote: Motion approved by a vote of 3-0

Correspondence

Copies of all Correspondence will be attached to these minutes.

8.1 Correspondence from Paul Marquis

Paul Marquis of Hobbs road expressed his enthusiasm about the New Library on the Homestead, overwhelmingly approved by voters on the March 10th Ballot, and suggested the Select Board apply for the Bond as soon as possible to allow construction to begin.

8.2 Correspondence from Aquarion Water Company

Dated March 26, 2020 – Aquarion Water Company of New Hampshire filed an application with NHDES to replace the municipal well behind Dearborn Park with a new well adjacent to the existing, which is needed to continue to meet existing customer Water Service demands. Per NMDES requirements they are getting information about private wells in the vicinity.

Selectman Miller said there is an existing agreement with Aquarion for their use of that land, and this might be a good time to ask if the Town can use some of the land at their own expense or convenience. Vice-Chair Sununu felt it was worth reviewing as the land is next to Dearborn Park. Chairman Maggiore said no action is required by the Town at this time and said he would forward the language to the Water Commission.

8.3 Correspondence from State of New Hampshire DOT

Dated March 19, 2020 – In accordance with *RSA 234:25-b Inspection of Red-Listed Bridges Report*, with enclosed 2019 submittal of State and Municipal Red-Listed Bridges, of which North Hampton has two (2). (1) Routh 1 Bridge listed #28 in priority; (2) bridge at Cedar Road listed #103 in priority. Forwarded to Heritage Commission.

Selectman Miller questioned why the bridge on the line between Hampton and North Hampton is not red-listed; Chairman Maggiore suggested sending a note to Hampton with signature.

8.4 Correspondence from Marjorie Schrier

Dated April 2, 2020 – Voicing concerns about completing the application to the New Hampshire Municipal Bond Bank (NHMBB) by May 8, 2020 for bonding of funds noted in Article 9 and approved by voters on the March 10th Ballot. If the date is missed, Library Trustees will have to wait another 6 months before construction can begin, and the Town should also take advantage of very low interest rates.

Committee Updates – No Committee meetings.

Report of the Interim Town Administrator

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

Report of March 24, 2020 through April 3, 2020

Interim Town Administrator Tully said the Town is in good financial shape with 13 weeks left in the fiscal year and approximately 25% of the Budget remaining. Police Department is transferring to a new server this week; Fire and Police are adapting to new protocols and working with the State to enforce No Parking at North Hampton Beach.

Fire Station employees are disinfecting the Department 3 times/day and assessing symptoms of health. Chairman Maggiore asked about Mutual Aid guidelines and if precautions are consistent across the State. Interim Town Administrator Tully said other departments in the area are doing the same, and Mutual Aid may eventually be restricted to the Bay Area.

COVID-19: Continue to meet with State and surrounding communities as well as School; community transmission in North Hampton with 1-4 tested cases; State only has testing capacity for people with symptoms. Town Administrator open office hours have been cancelled as Town Clerk's Office is closed; staff and employees working from home or in shifts. *Interim Town Administrator: 603-964-8087*

Items left on the Table

10.1 Standing Ethics Committee

Chairman Maggiore said with regard to the Standing Ethics Committee, established per Code of Ethics Section 7.03A, the Code was rescinded by Warrant and therefore no Committee exists.

NEW BUSINESS

11.1 Discussion of Letter to Department of Revenue Regarding 10% Plan

Chairman Maggiore asked if there were any questions on the enclosed letter addressed to the New Hampshire Department of Revenue regarding how the Select Board might be able to handle the 10% we are in excess for the Town Ballot.

Discussion: Vice-Chair Sununu said it is better to put forth a plan to address the 10% issues before the DRA ruling rather than let DRA make cuts to Warrant Articles, with the Library appropriation being the most sensible place. He said \$300,000 is not a trivial amount but is manageable within the scope of a \$3.0 Mil budge. He said it was prudent and proper for Library Trustees to do a bid process as building a new Library on an empty parcel is an inherently different project from the Library expanding on the same parcel. He felt it was not in the purview of the Select Board to say "the Library Board of Trustees shall solicit bids..." but that "*the North Hampton Select Board would request that the Library Board of Trustees solicit sealed bids by advertising or direct mailings in similar fashion to bid procedures contained in the Town's purchasing policy.*"

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Motion: To approve the letter to the Department of Revenue regarding the 10% Plan as amended above.

Motioned: Chairman Maggiore

Seconded: Vice-Chair Sununu

Vote: Motion approved by a vote of 3-0

11.2 Discussion of Library Bond Issue

Chairman Maggiore said a letter was received April 1, 2020 by email from Kathleen Kilgore, Chairman of the Library Board of Trustees, regarding Warrant Article 9 approval by voters on March 10 by 62.8%, which directs the Select Board to negotiate and issue bonds or notes not to exceed \$2,275,000 for the Library Project within the provisions of the Municipal Finance Act RSA 33. The New Hampshire Municipal Bond Bank advised application for the July 2020 sale of Municipal Bonds with a deadline of May 8, 2020.

Chairman Maggiore stated for the public that there were two (2) opportunities to go to the Municipal Bond Bank, one now and one in the fall. Vice-Chair Sununu said this was relevant to the DRA issue just discussed about the 10% rule as they are looking at this appropriation as a way to come into compliance which may affect the size of this Bond. He said he does not know how they can go forward with a Bond request until they know the scope under a competitive RFP bid process, and will be looking to fall to fulfill the Bond based on new designs and new bids for the construction project.

Selectman Miller agreed and said this gives time for the bid process and to see how DRA responds to their request with regard to Article 9. Chairman Maggiore said within their approved purchasing policy, purchases over \$10,000 must be approved by the Select Board in advance using a sealed bid process, and said they should hold true to the process for the Town and move forward. Vice-Chair Sununu said that scenario would apply to any circumstance or building in this Town where any Warrant Article changed in this manner significantly altering the nature of the project.

Chairman Maggiore stressed that nearly 30 emergency orders had also come through with regard to the COVID-19 pandemic, including one to allow municipalities to dip into fund balances if required, and said he supports the bid process on multiple levels. Selectman Miller said the Town is doing all it can now, and will have a new Budget starting July 1, 2020. Interim Town Administrator Tully said he was informed by Finance Director Ryan Cornwell that when they do this Bond they need to make sure the debt service and principal and interest come out in FY2022, with the first payment due July 1, 2021.

11.3 Presentation of New Ambulance Bids

Interim town Administrator Tully explained that when spec'ing out a vehicle a Truck Committee is created to look at different ambulances and options. He said they like the type of ambulance they currently have (PL Custom) and sent a spec list out to 4 companies. He said 3 bids were received and he is recommending PL Custom Emergency Vehicles at \$208,436 based on performance quality and customer service, though not the lowest bid. He asked the Board to approve a few thousand above that amount in the event things needed to be changed. He said the timeline would have been 8 months but truckers are facing delays due to the pandemic.

Motion: To approve the purchase of the PL Custom Ambulance for an amount not to exceed \$211,000, as recommended by the Ambulance Committee.

Motioned: Vice-Chair Sununu

Seconded: Selectman Miller

Vote: Motion approved by a vote of 3-0

11.4 Discussion of 91-A Requests

Interim Town Administrator Tully said previously, as part of the fee structure of the Town, 91-A requests were charged \$1.00 per page. He said he had not been charging for those printed requests but quite a few more were now coming through and he asked for direction from the Board.

Vice-Chair Sununu stated that he did not think the Town should be charging for 91-A requests as residents have a right to know this information, which should be provided electronically where possible. Selectman Miller said in deference that they have been inundated with 91-A requests, which takes cash and time for Town employees to take care of. Vice-Chair Sununu said he understands this is a burden, but they have an obligation to provide the 91-A information requested. Interim Town Administrator Tully explained that in whatever way the Town has the information is the way it has to be given out, and said they are also incurring bills for requests that have to be handled by attorneys.

Selectman Miller suggested they first try to keep track of how many hours/week they are spending on 91-A requests, quantify the hours of the Town Attorney, and decide later how much money should be put in the Budget. Vice-Chair Sununu said he had no problem with quantifying how much time is spent. Interim Town Administrator Tully said he would make that happen.

11.5 Exclusion of Employees from EPSLA Paid Sick Leave Requirements and EPSLA Expanded Family Medical Leave Requirements

Interim Town Administrator Tully said due to the COVID-19 pandemic there has been an expansion to FMLA with the CARES Act that gives rights to certain employees. He said if childcare services/schools are stopped employees can stay out of work for 2 weeks with full pay and after that 10 weeks at 2/3 pay, and within that law is the ability to exempt Emergency Personnel. He asked that Fire & Police be exempted from that provision of the law in the middle of a pandemic.

Motion: To approve the Emergency Responder Exemption to the Emergency Family & Medical Leave expansion as presented by the Town Administrator.

Motioned: Vice-Chair Sununu

Seconded: Selectman Miller

Vote: Motion approved 3-0

MIINUTES OF PRIOR MEETINGS

Approval of the Regular Meeting Minutes of March 16, 2020

Motion: To approve the Regular Meeting Minutes of March 16, 2020 as presented.

Motioned: Vice-Chair Sununu

Seconded: Selectman Miller

Vote: Motion approved by a vote of 3-0

Approval of the Meeting Minutes of Non-Public Session I of March 9, 2020

Motion: To approve the Regular Meeting Minutes of March 23, 2020 as presented.

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Motioned: Vice-Chair Sununu
Seconded: Chairman Maggiore
Vote: Motion approved by a vote of 3-0

Approval of the Meeting Minutes of Non-Public Session I of March 23, 2020

Motion: To approve the Meeting Minutes of Non-Public Session I of March 23 2020.
Motioned: Selectman Miller
Seconded: Vice-Chair Sununu
Vote: Motion approved by a vote of 3-0

Approval of the Meeting Minutes of Non-Public Session II of March 23, 2020

Motion: To approve the Meeting Minutes of Non-Public Session II of March 23 2020.
Motioned: Selectman Miller
Seconded: Vice-Chair Sununu
Vote: Motion approved by a vote of 3-0

Approval of the Meeting Minutes of Non-Public Session III of March 23, 2020

Motion: To approve the Meeting Minutes of Non-Public Session III of March 23 2020.
Motioned: Chairman
Seconded: Vice-Chair Sununu
Vote: Motion approved by a vote of 3-0

Any other Item that may Legally Come before the Board

Interim Town Administrator Tully said he planned to participate in the Coakley call tomorrow morning at 10:00 am; Selectman Miller said he would be unable to.

Second Public Comment Session

Call 603-758-1447 for Public Comments or via Zoom

Kathleen Kilgore of Atlantic Avenue spoke on behalf of the Library Board of Trustees and questioned whether the MS 232 had been submitted to DRA with regard to the March 10th Election. Finance Director Ryan Cornwell explained that the MS-232 has different versions one of which the Town completed through the DRA Portal in a timely manner, and what remains to be uploaded is the signed version of the 232. He said DRA is well aware that due to the Town's circumstances they do not yet have the signed version and it will be forthcoming. Mrs. Kilgore said the DRA has made them aware that they cannot do the review without confirmation from DRA.

Frank Ferraro of Post Road said the AutoCAD file requested by Library Trustees is a government record prepared on behalf of the Town and asked for compliance with the request. He said with regard to the Bond, they are currently in a period of very low interest rates and felt that construction projects in the fall will be highly competitive with increased construction costs. Vice-Chair Sununu suggested that now would be a good time to go out and re-bid the Library project.

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Laurel Pohl of 100 North Road asked Interim Town Administrator Tully if the Ambulance bids came in as sealed bids. Interim Town Administrator Tully said they were competitive bids with the specs they are requesting and not sealed bids. Ms. Pohl also suggested that a Document Management System should be considered as a solution to the issue of 91-A requests.

John Savastano of 34A Woodland Road said he wanted to give credit to Luke Bednarek and Troy Klidas for spending most of Friday trying to figure out the Zoom/TV 22/Town Hall Streams thing to get it to work. He said they are sharp, ingenious kids who are very creative and are a credit to the Town. Chairman Maggiore thanked the entire staff of Channel 22 for making this possible.

George Chauncey said as far as the Library re-bidding their project, he believes they have already signed a contract.

Next Meeting: April 20, 2020

Adjournment

Chairman Maggiore adjourned the meeting at 8:47 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary