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

4 **APRIL 6 2020 7:00 PM**

5 **NORTH HAMPTON TOWN HALL**

6 ***DRAFT MINUTES***

7
8 SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman
9 Larry Miller

10
11 ALSO PRESENT: Interim Town Administrator Michael Tully, Finance Director Ryan Cornwell (by phone)

12
13 **AGENDA**

14
15 Chairman Jim Maggiore welcomed everyone to the April 6, 2020 North Hampton Select Board Meeting
16 and called the meeting to order at 7:10 pm, followed by the Pledge of Allegiance.

17
18 Chairman Maggiore said they were coming from Non-Public: In Session I there was a unanimous motion
19 with Interim Town Administrator to act on intent; Session II no motions, intent to seal.

20
21 **Motion:** To seal the Meeting Minutes of Non-Public Session II of April 6, 2020.

22 **Motioned:** Vice-Chair Sununu

23 **Seconded:** Selectman Miller

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

25
26 **First Period of Public Comment**

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

28
29 George Chauncey of Hobbs Road said the Library Trustees requested an AutoCAD file of the site survey of
30 the Homestead Property, needed for the Architect to continue the redesign, which has not been received
31 as of today. He also asked that the Select Board not try to lower the cost of the New Library.

32
33
34
35 ***Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by***
36 ***NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***
37

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

41

42 **Consent Calendar**

43 7.1 Payroll Manifest of March 26, 2020 in the amount of \$75,968.57

44 7.2 Payroll Manifest of April 2, 2020 in the amount of \$72,655.96

45 7.3 Accounts Payable Manifest of April 2, 2020 in the amount of \$77,972.33

46

47 **Motion:** To approve the Consent Calendar as presented.

48 **Motioned:** Selectman Miller

49 **Seconded:** Vice-Chair Sununu

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

51

52 **Correspondence**

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

54

55 **8.1 Correspondence from Paul Marquis**

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

59

60 **8.2 Correspondence from Aquarion Water Company**

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

65

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

71

72 **8.3 Correspondence from State of New Hampshire DOT**

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

77

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

80

81 **8.4 Correspondence from Marjorie Schrier**

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

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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.*”

133 **Motion:** To approve the letter to the Department of Revenue regarding the 10% Plan as amended above.
134 **Motioned:** Chairman Maggiore
135 **Seconded:** Vice-Chair Sununu
136 **Vote:** Motion approved by a vote of 3-0
137

138 11.2 Discussion of Library Bond Issue

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140 Chairman Maggiore said a letter was received April 1, 2020 by email from Kathleen Kilgore, Chairman of
141 the Library Board of Trustees, regarding Warrant Article 9 approval by voters on March 10 by 62.8%, which
142 directs the Select Board to negotiate and issue bonds or notes not to exceed \$2,275,000 for the Library
143 Project within the provisions of the Municipal Finance Act RSA 33. The New Hampshire Municipal Bond
144 Bank advised application for the July 2020 sale of Municipal Bonds with a deadline of May 8, 2020.
145

146 Chairman Maggiore stated for the public that there were two (2) opportunities to go to the Municipal
147 Bond Bank, one now and one in the fall. Vice-Chair Sununu said this was relevant to the DRA issue just
148 discussed about the 10% rule as they are looking at this appropriation as a way to come into compliance
149 which may affect the size of this Bond. He said he does not know how they can go forward with a Bond
150 request until they know the scope under a competitive RFP bid process, and will be looking to fall to fulfill
151 the Bond based on new designs and new bids for the construction project.
152

153 Selectman Miller agreed and said this gives time for the bid process and to see how DRA responds to their
154 request with regard to Article 9. Chairman Maggiore said within their approved purchasing policy,
155 purchases over \$10,000 must be approved by the Select Board in advance using a sealed bid process, and
156 said they should hold true to the process for the Town and move forward. Vice-Chair Sununu said that
157 scenario would apply to any circumstance or building in this Town where any Warrant Article changed in
158 this manner significantly altering the nature of the project.
159

160 Chairman Maggiore stressed that nearly 30 emergency orders had also come through with regard to the
161 COVID-19 pandemic, including one to allow municipalities to dip into fund balances if required, and said
162 he supports the bid process on multiple levels. Selectman Miller said the Town is doing all it can now, and
163 will have a new Budget starting July 1, 2020. Interim Town Administrator Tully said he was informed by
164 Finance Director Ryan Cornwell that when they do this Bond they need to make sure the debt service and
165 principal and interest come out in FY2022, with the first payment due July 1, 2021.
166

167 11.3 Presentation of New Ambulance Bids

168

169 Interim town Administrator Tully explained that when spec'ing out a vehicle a Truck Committee is created
170 to look at different ambulances and options. He said they like the type of ambulance they currently have
171 (PL Custom) and sent a spec list out to 4 companies. He said 3 bids were received and he is recommending
172 PL Custom Emergency Vehicles at \$208,436 based on performance quality and customer service, though
173 not the lowest bid. He asked the Board to approve a few thousand above that amount in the event things
174 needed to be changed. He said the timeline would have been 8 months but truckers are facing delays due
175 to the pandemic.
176

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

179 **Motioned:** Vice-Chair Sununu

180 **Seconded:** Selectman Miller

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

182

183 **11.4 Discussion of 91-A Requests**

184

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

188

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

196

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

201

202 **11.5 Exclusion of Employees from EPSLA Paid Sick Leave Requirements and EPSLA Expanded Family**
203 **Medical Leave Requirements**

204

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

210

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

213 **Motioned:** Vice-Chair Sununu

214 **Seconded:** Selectman Miller

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

216

217 **MIINUTES OF PRIOR MEETINGS**

218

219 **Approval of the Regular Meeting Minutes of March 16, 2020**

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

222 **Motioned:** Vice-Chair Sununu

223 **Seconded:** Selectman Miller

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

225

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

227

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

Select Board Regular Meeting
April 6, 2020

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

232

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

234

235 **Motion:** To approve the Meeting Minutes of Non-Public Session I of March 23 2020.

236 **Motioned:** Selectman Miller

237 **Seconded:** Vice-Chair Sununu

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

239

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

241

242 **Motion:** To approve the Meeting Minutes of Non-Public Session II of March 23 2020.

243 **Motioned:** Selectman Miller

244 **Seconded:** Vice-Chair Sununu

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

246

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

248

249 **Motion:** To approve the Meeting Minutes of Non-Public Session III of March 23 2020.

250 **Motioned:** Chairman

251 **Seconded:** Vice-Chair Sununu

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

253

254 **Any other Item that may Legally Come before the Board**

255

256 Interim Town Administrator Tully said he planned to participate in the Coakley call tomorrow morning at
257 10:00 am; Selectman Miller said he would be unable to.

258

259 **Second Public Comment Session**

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

261

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

269

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

275

Select Board Regular Meeting
April 6, 2020

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

280

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

285

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

288

289 **Next Meeting:** April 20, 2020

290

291 **Adjournment**

292

293 Chairman Maggiore adjourned the meeting at 8:47 pm.

294

295 Respectfully submitted,

296

297 Patricia Denmark, Recording Secretary

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