



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

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**SELECT BOARD WORKSHOP MINUTES**

**WEDNESDAY JUNE 20, 2018 12PM  
NORTH HAMPTON TOWN HALL  
231 ATLANTIC AVENUE  
NORTH HAMPTON, NEW HAMPSHIRE**

**NON PUBLIC SESSION IMMEDIATELY FOLLOWING PUBLIC SESSION  
NORTH HAMPTON TOWN OFFICES  
EXECUTIVE CONFERENCE ROOM  
233 ATLANTIC AVENUE  
NORTH HAMPTON, NEW HAMPSHIRE**

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*These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription*

**1. Call to Order**

Chair Maggiore called the meeting to order at 12PM. Those in attendance were Selectman Miller, Selectwoman Kilgore and Town Administrator Kaenrath.

Chair Maggiore led the Pledge of Allegiance.

**2. New Business**

**2.1 End of Fiscal Year Encumbrances**

Chief French presented a request to the board to transfer \$3,074.40 from account 01-4210-10-336 – PD Education to account 01-4210-10-361 – PD Physicals & Drug/Polygraph Screening in anticipation of filling an entry level position and the current, vacant police chief position. Chief French stated there are several examinations and assessments done by outside entities that have been confirmed.

Chief French stated the costs to be covered include an entry level screening and assessment process and a process for the police chief position, which includes a background check performed by an outside entity.

Selectwoman Kilgore asked the chief if he would be entering into a contract before June 30 in order to encumber the funds.

Chief French stated he has quotes from the two entities they will be using.

Selectwoman Kilgore asked Finance Director Cornwell if there needs to be an executed contract or purchase order prior to June 30.

Director Cornwell stated he provided the Town Administrator the opinion from Attorney Bennett dated last fall, stating “the fact that a contract signing may not take place until after June 30 or the end of the fiscal year does not violate the spirit or intent of RSA 32:7.”

Chair Maggiore asked if funds were available to do projects prior to June 30, and if there was a need to encumber or could transfers to/from lines that could be done now.

Chief French noted the way he understood the process was if a line item is negative, department heads are currently required to request a transfer to make the line whole again. He further stated he doesn't know specifically when the assessments will be done-most likely not until after June 30. He stated that was what prompted the request to encumber knowing it wouldn't happen prior to the end of the year.

Selectwoman Kilgore asked if candidates have been identified to hire.

Chief French stated there are for the entry level position and four or five candidates for police chief.

Selectwoman Kilgore stated hiring the police chief is definitely not a cross over to the next fiscal year, and feels it is due to happen in FY19, and asked if funds were available in next year's budget.

Chief French stated when the budget was presented they were dealing with only one entry level candidate, and were not taking into consideration the cost of an outside background for the police chief position. He further stated that alone would exhaust the funds they have budgeted for in FY19.

Chair Maggiore asked if made any difference that the process was started in FY18, but won't be finished until next year, as far as encumbrances in FY18.

Selectwoman Kilgore agreed that the process did begin in FY18.

**Motion by Selectman Miller to transfer \$3,800 from the PD Education line to the PD Physicals/Drug/Polygraph chair. Seconded by Chair Maggiore for discussion.**

**Finance Director Cornwell stated until the fiscal year is over, he doesn't know what the deficit will be in any line item in the entire operating budget. He further stated invoices will continue to be posted until mid to the end of July.**

**Director Cornwell stated just because there is currently \$3,800 available, does not mean it will be after closing out the year. He stated traditionally amounts to transfer were not made and voted on until the final numbers come in, and it is known what to transfer between line items.**

**Director Cornwell stated he doesn't feel the motion should be passed because of the moving target, and the information not available at this time.**

**Selectman Miller withdrew his motion. Chair Maggiore withdrew his second.**

**Motion by Selectwoman Kilgore to encumber the sum of \$3,074.40 from the FY18 Operating Budget for the purpose of covering one entry level officer screening and one entry level Chief of Police screening with the requirement of the screening for the Chief is done with a third party. Seconded by Chair Maggiore. Motion carries 3-0.**

Chief French requested the encumbrance of \$34,578 from the FY18 Operating Budget for the purpose of a security and access system upgrade for the police department, fire department and Town Offices.

Chief French he has spoken about this since his arrival and the concerns related to officer safety, securing of the facilities and the management of evidence and accountability as it relates to the comings and goings of personnel inside the building and/or improperly accessing the evidence room or attempting to access the evidence room improperly. The chief stated currently there is one keypad at the front door of the police station, but throughout the remainder of the building a key is needed to unlock doors to access other areas. He further stated two distinct areas are accessing the booking area/processing room from the sallyport.

Chief French stated the new system would allow entry to all exterior doors at the police department and fire department.

Selectwoman Kilgore asked Chief French if there is a policy and procedure in the police department on how keys are issued. Chief French stated there is a Uniform and Equipment Issue policy and it will need to be updated if the new system is purchased.

Selectwoman Kilgore stated she would like to see the policy and procedures for the town offices, and Town Administrator Kaenrath stated he would check into this.

Chief French stated the duress alarms would also need to be upgraded. He further stated a duress alarm needs to be added to the booking room as the police radios do not work in that location, and an officer has to go outside to use his or her radio.

Selectwoman Kilgore asked if the new system be moved to a new location, and Chief French stated the hardware portion should be able to be used.

**Motion by Selectman Miller to encumber the sum of \$34,578 from FY18 Operating Budget for the purpose of security and access system upgrades to the police, fire and town office building pursuant to a memorandum from Interim Police Chief Mike French and the proposals with Pelmac Industries Inc. of Auburn, New Hampshire dated June 18, 2018. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

Chief French spoke to an order in the amount of \$1,919.60 to Eagle Point for ammunition to replenish stock.

Chief French stated the order was placed in May however the delivery probably won't happen until August or September because ammunition is not readily available.

Director Cornwell stated all of the items being discussed have already been approved and purchased according to the purchasing policy and approved purchase orders. He further stated they are all outstanding purchase orders.

**Motion by Selectman Miller to approve all of the encumbrances listed for the Police Department in the amount of \$10,911.60. Seconded by Chair Maggiore. Motion carries 3-0.**

Town Administrator Kaenrath stated monies need to be encumbered for the Public Works department with the amount of \$16,527.00 for street lights.

**Motion by Selectwoman Kilgore to encumber \$44,594.19 which represents open purchase orders or signed, executed contracts for the highway department as of June 20, 2018 which will be encumbered if invoices are not received prior to June 30. Seconded by Selectman Miller. Motion carries 3-0.**

**Motion by Selectman Miller to approve the requested funds for the Recreation Department for Advantage Tennis in the amount of \$15,405 for Dearborn Park maintenance. Seconded by Selectwoman Kilgore. Motion carries 3-0.**

Chief Tully stated to the board his three items do not require an encumbrance of fund as they are open purchase orders and he will most likely have more before June 30. He further stated the only time and encumbrance is needed is when an invoice will not be paid out of the current fiscal year. Everything the Chief has will be paid in the current fiscal year.

Selectman Miller spoke about the birch tree in front of the Town Clerk's office and asked if the tree warden has checked it out. He also spoke to the expired elm tree on Alden Avenue.

Selectwoman Kilgore stated the sugar maples at the bandstand should be clipped back before they get weaker. She also asked that the documents discussed at this meeting be attached to the minutes.

Chair Maggiore stated money not spent goes into the General Fund, however they do not have a total yet.

Rick Stanton, Walnut Avenue stated any item over \$10,000 should be going to the Capital Improvements Committee per policy. He further stated there should be a contract for the security system before funds are encumbered and it should be signed before the end of June otherwise it is not a valid encumbrance.

Chair Maggiore stated there is a signed contract in place.

Rick Stanton stated he spoke to the tree warden, John Cafarella who stated the town killed the birch trees by going too close to them with the lawn mower and weed wacker. Mr. Cafarella stated he would not suggest replacing the trees with more birch trees as they are a weak tree.

Chief Tully spoke to Mr. Stanton's comments, stating the law states there has to be a contract before encumbering funds, and the contract is the quote and the agreement from the Select Board to purchase. It is not a written contract-that is a fallacy. Chief Tully stated after much discussion during last year's budget season the board sought the Town Attorney's opinion.

Frank Ferraro, Post Road agreed with Chief Tully and that the court case says that a vote of the board is a binding contract and a quote as well. He stated the vote is sufficient and no signatures are required.

Selectwoman Kilgore asked Mr. Stanton if what he said regarding the CIP if that means the contract is not valid because the CIP did not approve.

Mr. Stanton stated that is not what he was saying at all. He just wanted everyone to be aware the CIP should consider those items over \$10,000 per the town policy, however the Select Board can waive any town policy.

**3. Recess Public Meeting**

Chair Maggiore recessed the public portion of the meeting at 1:06PM.

**4. Call to Order of Non Public Meeting Pursuant to RSA 91-A:3, II (a,c)**