

**TOWN OF KINGSTON, N.H.**  
**MINUTES OF TOWN MEETING - MARCH 13, 1990**

**ARTICLE 1** - The Annual Town Meeting was called to order at 10 A.M. by the Moderator, Electra L. Alessio, for the balloting for Town Officers, Officers of the Sanborn Regional School District and three Zoning Questions, as well as three other questions on the regular ballot. The Moderator announced that the absentee ballots would be processed at 1:30 P.M., and it was voted to adjourn, after the counting of the ballots, until 7 P.M. on Wednesday at the Swasey Gymnasium, to take up the remaining articles in the Warrant.

The Town Clerk, Bettie C. Ouellette, broke the seals on the boxes of ballots, and the Moderator inspected the ballot boxes. The Assistant Moderator was James T. Rankin, Sr., and the Ballot Clerks were Donna M. Grier, Carolyn R. Christie, Mary L. Hesse, Bernard C. Seiler and Holly Ouellette. The Police Officer was Neil R. Parker. Selectmen present were John J. Reinfuss and Peter E. Wilson, Sr. The additional counters at night were Carolyn D. Harlow, Carol A. Weyler, Charles A. Bradley, Jr., David G. Conant, Mary R. Conant, Elaine A. Van Dyke, Donna M. Snow, Judith C. Smith, Edward W. Jervis, Jr., Norma B. Jervis, Sheila R. Briggs, Patricia E. Parker, Olive F. Moriarty, Michael R. Priore, Margaret E. Wentzell, Sheila J. Whittier, Mary L. Mercurio, Marilyn B. Bartlett and George H. Harmon.

The following results of the balloting were announced by the Moderator: Total Cast 799, including 41 absentee ballots. Total voters on check list - 2840.

**Moderator for 2 Years:**

Electra Alessio 670\*

**Supervisor of Check List for 6 Years:**

Leo J. Moriarty 682\*

**Selectman for 3 Years:**

Constino Alessio 410\*  
 Stamatios Yiokarinis 361

**Treasurer for 1 Year:**

Olive Moriarty 675\*

**Road Agent for 1 Year:**

Richard D. St. Hilaire 694\*

**Chief of Police for 1 Year:**

Neil R. Parker 669\*  
 Donald W. Briggs, Jr. 26 (write-ins)

**Police Officers for 1 Year:**

Donald W. Briggs, Jr. 711\*  
 James M. Champion 654\*

**Constable for 1 Year:**

Peter P. Basler 672\*

**Trustee of Trust Funds for 3 Years:**

Walter S. Clark 24\* (write-ins)  
 Phyllis Ellis 18\* (write-ins)

**Fireward for 3 Years:**

Norman R. Hurley 379\*  
 Steven P. Smith, Sr. 299

**Library Trustee for 3 Years:**

Martha Long 639\*  
 George Harmon 17\* (write-ins)

**Municiple Budget Committee for 3 Years:**

James T. Rankin, Sr. 611\*  
 Jacqueline A. Russell 592\*  
 Robert M. Shaughnessy 573\*  
 Peter M. Sullivan 578\*

\* Elected

**ARTICLE 8** - "Are you in favor of increasing the term of a town highway agent from one (1) year to three (3) years, beginning with the term of each highway agent who shall be elected at next year's regular town meeting?" (RSA 231:62-b)

YES 487 NO 270

**ARTICLE 9** - "Shall we adopt the provisions of RSA 72:28, V and VI for an optional veterans' exemption and an expanded qualifying war service for veterans seeking the exemption? The optional veterans' exemption is \$100. rather than \$50."

YES 624 NO 120

**ARTICLE 10** "Shall we adopt the provisions of RSA 72:35, IV for an optional property tax exemption on residential property for a service-connected total disability? The optional disability exemption is \$1,400. rather than \$700."

YES 563 NO 175

**ZONING & BUILDING CODE QUESTIONS**

**ARTICLE 5** - "Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Kingston Aquifer Protection Ordinance as follows?

- To clarify Section 4 (Use Regulations) so that d.1, d.2, and d.3. read:
- 1. At least 24 inches of natural permeable soil above the seasonal high water table must exist prior to constructing a leach bed. The leach bed bottom must be at least six feet above the seasonal high water table.
  - 2. The leach bed bottom is required to be at least eight feet above bedrock and must include at least four feet of natural permeable soil.
  - 3. The leach bed bottom is required to be at least eight feet above any impermeable subsoil and must include at least three feet of natural permeable soil."

The Planning Board approves this amendment.

YES 520 NO 213

**ARTICLE 6** - "Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Kingston River Corridor Protection Ordinance as follows:

To expand the Ordinance to include the Pow Wow River and its tributaries and to prevent excavation within 300 feet of the Little River and its tributaries and of the Pow Wow River and its tributaries. "

The Planning Board approves this amendment.

YES 584 NO 162

**ARTICLE 7** - "Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amend Article 7.30 SIGNS, by adding the following new section:  
7.35 Signs on Route 125 for a plaza or mall shall not exceed 80 square feet. Signs for each individual business within the plaza or mall shall not exceed 24 square feet on its portion of the building."

The Planning Board approves this Amendment.

YES 611 NO 135

**SANBORN REGIONAL SCHOOL DISTRICT OFFICERS**

**School Board Member from Kingston - Term Ending 1993**

Herbert G. Noyes	608*	
Anthony Pennisi	31	(write-ins)

**School Board Member-At-Large - Term Ending 1993**

George A. Schiller, Jr.	593*	
Anthony Pennisi	14	(write-ins)

**Moderator - Term Ending 1991**

Richard L. Russman	665*
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The ballots were wrapped, sealed and locked in the vault at the Town Hall at 9:20 P.M. March 13, 1990.

Bettie C. Ouellette  
Kingston Town Clerk

## **MINUTES OF CONTINUED TOWN MEETING AT SWASEY GYMNASIUM - MARCH 14, 1990**

Meeting was called to order at 7 P.M. by Electra L. Alessio, Moderator. All pledged allegiance to the Flag of our Country. She introduced Budget Committee members: Jacqueline A. Russell, Charles E. Ethier, Jr., Robert M. Shaughnessy, James T. Rankin, Sr., Donna Winslow, Ronald B. Davis, Edward W. Jervis, Jr., Natalie E. Timmons, Arthur T. Schultz, Herbert G. Noyes, and Carroll E. Wright, Chairman; Selectmen Peter E. Wilson, Sr. and John J. Reinfuss; and Bettie C. Ouellette, Town Clerk- Tax Collector.

The Moderator read all the results of yesterday's balloting, including the 6 questions on the ballots. She read several printing corrections for the Town Report.

(Unless otherwise specified, all votes were by voice.)

**ARTICLE 2** - A motion was made and seconded to raise and appropriate \$2,349,957 to defray town charges for the ensuing year.

Amendment by Robert Morse to change total to \$2,174,411 was defeated, whereupon the original budget figure of \$2,349,957 was passed.

**ARTICLE 3** - It was voted to authorize the Selectmen and Town Treasurer to borrow such sums of money in anticipation of the collection of taxes for the current year and to issue in the name of the Town, negotiable notes, the aforesaid notes to be paid during the current year from taxes collected during the year.

**ARTICLE 4** - It was voted to authorize the Tax Collector to allow a deduction of 1-1/2% from Town Property Tax when payment is made within 30 days of billing.

**ARTICLES 5 through 10** were voted by written ballot Tuesday.

**ARTICLE 11** - It was voted to raise and appropriate the sum of \$5,000.00 to continue a comprehensive drug awareness program.

**ARTICLE 12** - It was voted to raise and appropriate the sum of \$3,000.00 for computer software to be used for Police Department statistics for accidents and report writing. Expenditure of said monies is contingent upon receipt of matching Highway Safety Grant.

**ARTICLE 13** - This article relative to raising and appropriating \$2,842.00 for installation and nine (9) months lease of satellite equipment on the Police Station was DEFEATED.

The vote was taken after a motion to cut off debate, made by David Conant, was passed.

**ARTICLE 14** - It was voted to raise and appropriate the sum of \$12,000.00 as the Town's share of the proposed State Aid Reconstruction Project on Route 125 at the Newton Junction/Hunt Road intersection. Cut off debate motion was made by Donna Winslow.

**ARTICLE 15** - It was voted, as amended, to raise and appropriate \$5,000.00 for the purpose of repairing and making over the front steps at the Town Hall and adding 2 handrails. The amendment "to add \$600.00 for 2 handrails" was made by Donald Eadie.

**ARTICLE 16** - It was voted to authorize the Board of Selectmen to apply for, accept and expend without further action by the Town Meeting, money from the State, Federal or other governmental unit or a private source which becomes available during the 1990 calendar year provided that such expenditure be made for purposes for which a Town Meeting may appropriate money and that such expenditure not require the expenditure of other Town funds. Further, that the Board of Selectmen and the Municipal Budget Committee hold a public hearing prior to accepting and spending such money.

**ARTICLE 17** - A motion was made and seconded to create a Capital Reserve Fund for the purpose of future library expansion and to raise and appropriate the sum of \$10,000.00 to be placed in said fund. Amendment made by Cheryl Gannon to change the amount to \$5,000.00 was DEFEATED. Then, the original motion was passed with a show of hands.

**ARTICLE 18** - It was voted to raise and appropriate the sum of \$5,000.00 to air condition the Nichols Memorial Library.

The Moderator declared a 15 minute recess at this time.

The Moderator declared the meeting reconvened.

**ARTICLE 19** - Motion made and seconded to deposit 50% of the revenues collected pursuant to RSA 79-A (the Land Use Change Tax) in the Conservation Fund in accordance with RSA 36-A:5 III as authorized by RSA 79-A:25 II. Amendment "not to exceed \$10,000.00" made by Arthur Schultz, was later withdrawn on the advice of Town Counsel, Stephen Hermans. Returning to the main motion, article was DEFEATED.

**ARTICLE 20** - It was voted to raise and appropriate the sum of \$10,000.00 to be added to the Capital Reserve Fund established in the 1987 Town Warrant Article 46 for the purpose of conservation land purchase and associated costs.

**ARTICLE 21** - It was voted to authorize the Selectmen to accept private donations of land, interest in land or money to be deposited into the Conservation Fund KCC RSA 36-A:5 for the purposes of contributing to the local matching portion required for acquiring conservation land or interest in land and other costs associated therewith for permanent conservation use under the N.H. Land Conservation Investment Program (LCIP) RSA 221-A and authorize the Selectmen to apply for and accept the State matching funds under the LCIP for the purpose of acquisition of the fee or lesser interest in conservation land. Further, that monies from the Capital Reserve Fund for conservation land purchase may be expended for the above stated purpose. Said appropriated or donated funds and the State matching funds may be expended by the majority vote of the Kingston Conservation Commission and the Board of Selectmen.

**ARTICLE 22** - It was voted, as amended, to raise and appropriate the sum of \$30,000.00 to be added to the Fire Department Apparatus Reserve Fund, previously established, for the future replacement of Fire Department Apparatus.

The amendment to change the amount from \$40,000.00 to \$30,000.00 was made by Norman Hurley.

**ARTICLE 23** - Motion was made and seconded to raise and appropriate the sum of \$28,500.00 from the Fire Department Apparatus Reserve Fund to purchase a new Rescue/Utility, Forestry truck and authorize the withdrawal of \$28,500.00 from the Capital Reserve Fund created for that purpose. Price to include: all wheel drive truck cab and chassis, (12,000 lbs gvw), 250 gallon tank skid unit with forestry pump, utility box with compartments, lights, mobile radio and siren. This vehicle is to replace 1954 Chevrolet, 1954 Dodge power wagon (Army surplus) and 1968 Jeep pick-up (Army surplus).

When large confusion arose, it was voted to table this article until the wording could be squared away.

**ARTICLE 24** - This article relative to raising and appropriating the sum of \$1,750.00 for the purchase of an IBM compatible computer, printer, monitor and software packages for use at the Fire Station was DEFEATED.

**ARTICLE 25** - It was voted to raise and appropriate the sum of \$962.50 for the purpose of paying for legal council the Fire Wards sought during the suspension of the Fire Chief by the Kingston Board of Selectmen. The vote was taken after a motion to cut off debate, made by David Conant, was passed.

Moderator returned to **ARTICLE 23** and read new wording:

To see if the Town will vote to name the Board of Selectmen as agents

of the Town to expend \$28,500.00 from the Fire Department Apparatus Reserve Fund to purchase a new Rescue/Utility/Forestry truck. Price to include: all wheel drive truck cab and chassis, (12,000 lbs gvw), 250 gallon tank skid unit with forestry pump, utility box with compartments, lights, mobile radio and siren. This vehicle is to replace 1954 Chevrolet, 1954 Dodge power wagon (Army surplus) and 1968 Jeep pick-up (Army surplus). Then it was voted, as amended, after a motion to cut off debate, made by Natalie Timmons, was passed.

**ARTICLE 26** - It was voted to raise and appropriate the sum of \$4,067.50 to be added to the Apparatus Reserve Fund and authorize the use/transfer of the December 31, 1989 fund balance for this purpose. Said sum representing the monies received from the sale of fire department surplus or out of service equipment that was sold at public auction in 1989.

**ARTICLE 27** - It was voted to raise and appropriate the sum of \$4,217.11 to be added to the Ambulance Reserve Fund and authorize the use/transfer of the December 31, 1989 fund balance for this purpose. Said sum representing the monies received from the use of the ambulance for the year 1989, including \$4217.11 collected from ambulance fees.

**ARTICLE 28** - The Moderator announced that she had received a petition to vote by secret ballot. It was voted to table this article relative to removing the office of Fire Wards in the Fire Department and replacing the positions with Fire Engineers. Said appointments to be made by the Board of Selectmen upon application showing qualification and experience for each position (RSA 154:17). Motion to table was made by Natalie Davis.

**ARTICLE 29** - The Moderator announced that she had received a petition to vote by secret ballot. It was voted to permanently table this article relative to revoking the salary scale for all Firemen and pay any Fireman who responds to a fire call a stipend at the end of the year, a true policy of a Volunteer Fire Department (RSA 154:16). Motion to permanently table was made by Charlotte Wright.

**ARTICLE 30** - The Moderator announced that she had received a petition to vote by secret ballot. A motion was made and seconded to disband the Ambulance Corps. Said ambulance and all equipment to be sold at public auction and, in the future, contract with a private ambulance service to cover the Town.

The Fire Chief, William Timmons, requested discussion to find out how the people feel about the Ambulance Service. After numerous comments, it was voted, on a motion made by Arthur Schultz, to permanently table the article.

**ARTICLE 31** - It was voted to raise and appropriate from the 12/31/89 Fund balance the sum of \$1,500.00 to be added to the Cemetery Maintenance Fund. Said monies being the amount received in 1988 for timber sold from the Greenwood Cemetery woodlot.

**ARTICLE 32** - It was voted to authorize the Trustees of Trust Funds to add to the Cemetery Maintenance Fund all funds received from the sale of cemetery lots for the maintenance of the Town's public cemeteries. This authority is to continue from year to year until revoked by vote of the Town.

**ARTICLE 33** - It was voted to raise and appropriate the sum of \$6,500.00 to purchase one (1) new eleven (11) foot Hydraulic Reversible Plow. Said price to include installation.

**ARTICLE 34** - It was voted to table this article relative to raising and appropriating the sum of \$13,500.00 for the replacement of the 1954 Ford Tractor used for mowing the Plains.

**ARTICLE 35** - It was voted to raise and appropriate the sum of \$4,000.00 for the purchase and installation of one E.P.A. Approved Waste Oil Burning Furnace to be used as a supplemental heating source at the Highway Garage. The vote was taken after a motion to cut off debate, made by David Conant, was passed.

It was then voted to adjourn the meeting at 10:50 P.M. to be reconvened at 7:30 P.M. Thursday night at the Swasey Gymnasium.

Bettie C. Ouellette  
Kingston Town Clerk

## **MINUTES OF CONTINUED TOWN MEETING AT SWASEY GYMNASIUM - MARCH 15, 1990**

Meeting was called to order at 7:30 P. M. by the Moderator. She stressed that Non-Voters should sit in the designated section.

Also, she announced that all elected officers cannot be sworn in until three days after the close of the voting; so each person should see the Town Clerk, Bettie C. Ouellette, to be sworn in. Those people currently holding these positions will still be in office.

The Moderator also explained a "housekeeping matter" on Article 23. A motion was never made to take the article off the table, so it was then voted to confirm that Article 23 be taken from the table so that the action at last night's meeting on this article will stand.

A motion was made by Oral Collins to take Article 28 off the table for the purpose of discussion, but this was DEFEATED.

**ARTICLE 36** - It was voted to pass over this article relative to raising and appropriating the sum of \$1,700.00 for the purchase and installation of a Combination Entry and Fire Alarm System and its monitoring at the Town Highway Garage.

**ARTICLE 37** - This article relative to raising and appropriating the sum of \$8,000.00 for the purpose of widening, by two feet, the garage door entrance at the Fire Station, which now houses the new fire engine was DEFEATED. This vote was taken after a motion to cut off debate, made by David Knight, was passed.

**ARTICLE 38** - It was voted to raise and appropriate the sum of \$1,500.00 to help defray the costs of operating the Vic Geary Center. The Center is utilized on a daily basis by senior citizen residents of the Town of Kingston.

**ARTICLE 39** - It was voted to raise and appropriate the sum of \$1,500.00 for the purpose of helping defray the cost of services provided to the Town of Kingston and its residents by Area Homemaker Home Health Aide Service, Inc.

**ARTICLE 40** - It was voted to raise and appropriate the sum of \$500.00 for the Retired Senior Volunteer Program to help defray some of the expenses for the fiscal year 1990-1991.

**ARTICLE 41** - It was voted, as amended, to amend the Regulations under BUILDING INSPECTOR, adopted March 14, 1977; Amended March 9, 1988, by changing the last two sentences to read: "Fees for additions or

alterations to existing structures, sheds, garages, barns, pools, signs, etc., shall be \$25.00 for up to \$5,000.00 of construction costs and \$2.50 for each additional \$1,000.00 of construction costs after \$5,000.00, said value to be determined by the BUILDING INSPECTOR in accordance with the most current BOCA Code estimates. An additional charge of 50% of the fee may be charged for any construction begun without a permit."

The amendment to change wording was made by Peter Wilson. Another amendment made by Herbert Holland, to strike out the last sentence, was DEFEATED.

A motion was made by Robert C. Geoffroy to reconsider Article 35, but it was declared out of order by the Moderator because Article 41 was being discussed.

**ARTICLE 42** - It was voted to amend the SWIMMING POOL FENCE ORDINANCE, Adopted March 14, 1977 and Amended July 31, 1989, by adding the following paragraph: 'Above ground swimming pools which have a fence on top and a locking stairway/gate are not required to place a separate fence around the pool.'

A motion made by Ronald Eskin to reconsider Article 35 was DEFEATED.

**ARTICLE 43** - The following Town Landfill Ordinance was adopted after several amendments and editorial changes were made. This Ordinance is established and governed by the laws of the State of N. H. RSA Chapter 149.

1. The Town Landfill shall be used for the purpose of dumping refuse and solid waste as defined in RSA 149M:1-17a.
2. Every vehicle entering the Town Landfill must have a Town Landfill permit. Sticker is to be placed on vehicle as designated by the Selectmen. These stickers are to be issued by the Kingston Town Clerk. Criteria for obtaining a sticker includes:

A valid N.H. license or registration and/or other proof as a tax-paying resident of Kingston.

Non-residents with seasonal property will be allowed one sticker.

A fee of \$1.00 per sticker will be charged for residential vehicles.

A fee of \$100.00 per truck will be charged to contracted commercial haulers of refuse and a fee of \$5.00 will be charged for Kingston commercial business vehicles. A \$7.00 scale fee plus \$50.00 per ton will be charged to contracting municipalities for each visit to the Landfill. A \$7.00 scale fee plus \$60.00 per ton will be charged for all other vehicles.

3. No person shall frequent the Town Landfill for purposes of salvaging items therefrom without specific authorization from the Selectmen in each instance.
4. The use of firearms for any purpose at the Town Landfill by persons other than Police Officers is prohibited.

5. Any portion of this Ordinance declared to be illegal or unenforceable shall not effect the legality or enforceability of the remaining provisions.

It shall be illegal to dump any material at the Kingston Landfill without a Landfill Permit and without paying the scale fee and tonnage fee.

A fine not to exceed \$500.00 may be levied against any person or persons who violate this Ordinance or who enter the Kingston Landfill area after being denied permission by the Landfill operator, dump checker or any Town Official.

6. Persons with Landfill Permits will be allowed to enter the Kingston Landfill during normal hours of operation. Each vehicle will be stickered by future entrance. Kingston residents may deliver "White Goods" (which include refrigerators, stoves, washing machines, dryers and similar appliances) and occasional tires to the Kingston Landfill. A charge of \$7.50 per white good item and \$1.00 per tire must be paid to the Landfill attendant. Batteries and brush accepted at designated areas without charge.

Passed as amended by show of hands after the voice vote was challenged by Brian Collins.

Amendments made by Lynne Merrill, Marilyn Bartlett, Ronald Eskin and John Reinfuss were passed and are included in the above ordinance.

The following amendments were DEFEATED: #1 made by David Moore, #2 by Steven P. Smith, Sr. and #3 by Robert Whitney:

1. A fee of \$5.00 will be charged for Non-resident construction contractors who obtain a building permit in Kingston and wish to use the landfill.
2. And that once a year, Kingston residents may take white goods and tires at no charge on a date to be determined by the Kingston Board of Selectmen.
3. Who may dump at the Landfill with no tipping or tonnage fee for Kingston residents only. DEFEATED.

**ARTICLE 44** - It was voted to indemnify and save harmless for loss or damage occurring after said vote any person employed by Town and any member or officer of its governing board, administrative staff or agencies, including but not limited to Selectmen, from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit or judgement by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage or destruction was acting in the scope of his employment or office, as set forth in RSA 31:105 Law of N.H.

**ARTICLE 45** - It was voted to raise and appropriate the sum of \$3,000.00 for Drugs are Dangerous, Inc. (DAD).

**ARTICLE 59** - It was voted to authorize the Board of Selectmen to sell surplus goods and equipment from various departments at public auction or by sealed bid.

**ARTICLE 60** - It was voted, as amended, to authorize the Selectmen to sell tax deeded property, **excluding waterfront property**, at public auction or by sealed bid, **subject to the Public Land Acquisition Ordinance adopted March 11, 1986**. This amendment was made by John Reinfuss.

**ARTICLE 61** - It was voted to support the expansion of the Passenger/Commuter Rail Service into New Hampshire for the purpose of relieving the automobile congestion on our highways. Further, to authorize the Board of Selectmen to appoint a committee to represent Kingston at meetings planned to work toward this goal.

**ARTICLE 62** - Charlotte Wright suggested that in the future, all committees issue written reports to the Selectmen by the end of the calendar year, to be printed in the Town Report.

It was voted to adopt the grand total of the budget and all articles at \$2,510,216.11. This was an affirmation of the total sum spent at this Town Meeting.

(There was a slight confusion in the \$28,500.00 to be with-drawn from the Capital Reserve, as this item has to be entered into the totals and then will be shown in the revenues from the Reserve Fund.) The following resolution was introduced by Leo Boucher: To move the annual Town Meeting to the Saturday following Town Elections at 1:00 P.M. to conduct all Town business in the same session.

This resolution was DEFEATED.

Brian Collins made a resolution to recognize Muriel Ingalls for her 12 years of service on the Sanborn Regional School Board. She was accorded with a standing ovation.

It was voted to adjourn at 10:55 P.M.

Bettie C. Ouellette  
Kingston Town Clerk

## STATE OF NEW HAMPSHIRE WARRANT FOR KINGSTON SPECIAL TOWN MEETING

TO THE INHABITANTS OF THE TOWN OF KINGSTON IN THE COUNTY OF ROCKINGHAM AND THE STATE OF NEW HAMPSHIRE QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to meet at the Swasey Gymnasium in Sanborn Regional High School in said Kingston Wednesday, May 9, 1990, at 7:00 P.M. to act upon the following subjects:

(1) To see if the Town will vote to approve, in accordance with the provisions of the Kingston Zoning Ordinance Sections 4.42, 7.40 and 15.10, an integrated solid waste management facility as recommended by the Selectmen on a certain tract of land in the Rural Residential District containing ninety-three (93) acres, more or less, situated on the easterly side of Route 125 as shown on the Town of Kingston Tax Map R-40 as Parcel no. 4 owned by the Town of Kingston abutted by the land of Conrad L. and Theodore S. Magnusson and parcels nos. 2, 3, 5, 6 and 8 owned by Conrad L. and Theodore S. Magnusson and abutted on the north by land of Kristie L. Hett, Edmund J. Jr. and Jean M. Tenerini, Paul A. and Gail P. Turcotte, Peter N. and Lynne A. Godino; on the east by land of Dennis A. and Diane L. Pinkham, Donald G. and Priscilla J. Neault, Conrad L. and Theodore S. Magnusson, Town of Kingston, C.L. and T.S. Magnusson and the Town of Kingston; on the south by land of Conrad L. and Theodore S. Magnusson and Conrad L. Magnusson.

To further authorize the Selectmen to enter into contractual negotiations with representatives of CKS Management and Development Company ("CKS") to attempt to reach an agreement with CKS providing for (1) closure of the Kingston Landfill at the firm's expense; (2) sale to CKS of Kingston's land which is adjacent to the Kingston Landfill (Tax Map R-40, Parcel 4); and (3) CKS development of an integrated solid waste facility. Any agreement shall be subject to compliance with any State and Federal Regulations in addition to all Town of Kingston Zoning Ordinances and Regulations.

(2) To see if the Town will vote to develop closure of the Landfill on a phaseout basis.

Given under our hands and seal this 23rd day of April, 1990.

John J. Reinfuss  
Peter Wilson  
Constino Alessio  
Selectmen of Kingston

A true copy of Warrant-Attest:

John J. Reinfuss  
Peter Wilson  
Constino Alessio  
Selectmen of Kingston

## MINUTES OF SPECIAL TOWN MEETING, MAY 9, 1990

The meeting was called to order at 7 P.M. by the Moderator, Electra L. Alessio. All pledged allegiance to the flag of our country.

The Moderator introduced Selectman Constino Alessio, Selectman John J. Reinfuss, Chairman, and Bettie C. Ouellette, Town Clerk-Tax Collector. She designated one section for non-voters. She also announced that she had received petitions for secret ballots on both articles.

It was voted, by voice vote, on a motion made by Attorney Richard L. Russman and seconded by Carroll E. Wright, that we move into a quasi meeting of the whole.

The following citizens gave their pro and con views:

Lillian Henshaw  
Barbara Comeau  
Anthony Whitcomb  
Phyllis Buckley  
Russell Army  
Jacqueline Russell  
Alan Ard  
Lynne Merrill  
David Moore  
Carl Oppenheimer  
Charlotte Wright  
Carroll Wright  
Natalie Davis  
Virginia Morse  
Robert Geoffroy  
David Currie  
John Reinfuss  
Arthur Schultz

At 8:45 P.M. it was voted by voice vote on a motion made by Carroll Wright and seconded by Attorney Richard L. Russman, to move out of the quasi meeting of the whole.

The Moderator then read **Article 1** and Selectman John J. Reinfuss made a motion to adopt the article as read. Mr. Reinfuss proceeded to address the people, and explained that there would be numerous other approvals necessary before the project could ever be a reality. The final approval would have to come from the Town at a later date.

There was considerable unrest, as some of the comments were similar to those already presented before.

It was then voted, by voice vote "to move the question" on a motion made by Donald W. Briggs, Sr.

The results of the secret yes and no ballot were:

Yes 78      No 179

Police officers were Chief Neil R. Parker and Lt. Donald W. Briggs, Jr. Tellers assisting Town Clerk were Holly Ouellette, Deputy Town Clerk, Susan Jewett, Donna Winslow and George Harmon.

**ARTICLE 2** - A motion was made and seconded to accept the article as read, whereupon the following amendment was made by Barbara Comeau:

To see if the Town will vote to close the landfill and instruct the Selectmen to develop a closure plan to be presented for approval and funding at the 1991 Town Meeting. It is the intent of this article to treat the present landfill as a hazard to the underlying aquifer, to restrict future disposal, storage or processing of any materials on that site that could contaminate the aquifer, and to set a timetable for closure of the landfill.

The following people gave their views on the amendment:

Jacqueline Russell  
Barbara Comeau  
Carroll Wright  
Alan Ard  
Natalie Davis  
D. Joan Keezer  
Russell Army

It was voted by voice vote to cut off debate, on a motion made by Muriel Ingalls. When the voice vote was uncertain, the Moderator called for a "standing eye vote". The Moderator again declared the amendment defeated.

Upon returning to the main motion, Alan Ard made a motion to table Article 2. When the voice vote was uncertain, the Moderator declared it did not pass on a "standing eye vote". She was immediately challenged by Carroll Wright, and she appointed the following tellers to count the standing voters: David Knight, David Welch, Attorney Richard Russman and Carl Oppenheimer. Results of standing vote:

Yes 86      No 77

It was voted to adjourn the Special Town Meeting at 9:45 P.M.

Bettie C. Ouellette  
Town Clerk



## RECOUNT

On March 15, 1990, the following letter with the \$10.00 fee was received by the Town Clerk:

"Town of Kingston  
Office of Town Clerk  
Kingston, New Hampshire 03848

Dear Mrs. Ouellette;

As per standard procedure, I am requesting a recount of the election which took place on Tuesday, March 13, 1990, for the position of Selectman, between Constantino/Buddy Alessio and Stamatios Yiokarinis.

I would appreciate your attention to this matter as soon as possible.

Please advise me when you have set a date. I am enclosing the required ten (\$10.00) dollar fee.

Sincerely,

(signed) Stamatios Yiokarinis"

After receipt of this request, the following Order of Notice was issued by the Town Clerk:

"TO: Electra L. Alessio, Moderator  
Richard L. Russman, Assistant Moderator  
Constino Alessio, Selectman/Candidate  
Stamatios Yiokarinis, Candidate  
John J. Reinfuss, Selectman  
Peter E. Wilson, Sr., Selectman  
James T. Rankin, Sr., Appointed to Recount Board  
Michael R. Priore, Appointed to Recount Board

You are hereby notified in compliance with RSA Chapter 699:31 that there will be a recount of all ballots cast for Selectman (three year term) in the election of March 13, 1990, at 3:30 o'clock in the afternoon (3:30 P.M.) on Tuesday, March 20, 1990 at the Kingston Town Hall in the Conference Room.

(signed) Bettie C. Ouellette  
Kingston Town Clerk"

## RESULTS OF RECOUNT

On March 20, 1990 at 3:30 o'clock in the afternoon, the Recount took place at the Town Hall in the Conference Room. The Recount Board consisted of the Assistant Moderator, Richard L. Russman; Town Clerk, Bettie C. Ouellette; John J. Reinfuss, Selectman; James T. Rankin, Sr., Appointed to the Board by the Moderator; and Michael R. Priore, Appointed to the Board by the Moderator.

The ballots were brought from the Town Hall vault by the Assistant Moderator, the seal was broken and the Recount started. The following results were obtained and announced by the Assistant Moderator:

Constino Alessio	409 *
Stamatios Yiokarinis	361
Blanks	26
Invalid	3
Total votes cast	799

The Assistant Moderator declared that Alessio was still the winner. The recount session closed at 4:43 P.M. and the sealed ballots were locked in the Town Hall vault by the Assistant Moderator and the Town Clerk.

Bettie C. Ouellette  
Kingston Town Clerk