

# MINUTES OF TOWN MEETING

March 14, 1995

ARTICLE 1 - The Annual Town Meeting was called to order at 10 AM by the Moderator, Electra L. Alessio, for the balloting for Town Officers, Officers of the Sanborn Regional School District and three Zoning Questions. The Moderator announced that the absentee ballots would be processed at 1:30 PM. It was voted to continue the meeting tomorrow night at 7 PM at the Swasey Gym. The Moderator also announced that the Accu-Vote ES-2000 optical scan vote tabulator was being demonstrated for this election.

The Town Clerk, Bettie C. Ouellette, broke the seals on the box of ballots and the Moderator had inspected the ballot box. The Ballot Clerks were Holly Ouellette, Carolyn R. Christie, Marilyn B. Bartlett, David G. Conant, Donna M. Grier, Charles Bradley, Eleanor L. Childs. No additional counters at night were needed. The Police Officer was Neil R. Parker.

The Moderator announced the following unofficial results at 8:10 P.M. The Accu-Vote had proven to be most successful.

The total cast was 1139 including 66 absentee ballots. The total voters on the check list - 3184.

## SELECTMAN FOR THREE YEARS:

Vincent Falls	97
Ellen L. Faulconer	513*
Travis A. Jones	486

## TREASURER FOR ONE YEAR:

Dorothy M. Wagner	928*
Donna Winshow	6 write-ins
Olive Moriarty	5 write-ins

## TRUSTEE OF TRUST FUNDS FOR THREE YEARS:

Mary V. Kanaly	733*
R. Bradley Maxwell	546*
Michael R. Priore	519

## LIBRARY TRUSTEE FOR THREE YEARS:

Kevin W. Burke	906*
Tony Whitcomb	38* write-ins
Dwight Killam	9 write-ins
Leslie Hume	6 write-ins

## LIBRARY TRUSTEE FOR ONE YEAR:

Peter J. Sullivan	916*
Tony Whitcomb	19 write-ins
Dwight Killam	9* write-ins

CHIEF OF POLICE FOR ONE YEAR:

Donald W. Briggs, Jr.	1019*
Jim Champion	10 write-ins

POLICE OFFICERS FOR ONE YEAR:

James M. Champion	959*
Joel T. Johnson	981*
Scott Peltier	7 write-ins

CONSTABLE FOR ONE YEAR:

Peter P. Basler	976*
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FIREWARD FOR THREE YEARS:

Richard Lamprey	897*
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MUNICIPAL BUDGET COMMITTEE FOR THREE YEARS:

Lance Russman	713*
Charles J. Vaillant	786*
Brian Woodworth	833*
Carroll E. Wright	806*

FOR SCHOOL BOARD MEMBER FROM KINGSTON  
TERM ENDING 1998

Paul Reczek	620*
Diane M. Vaillant	431

MODERATOR  
TERM ENDING 1996

Richard "Rick" Russman	913*
Horace Williams	10 write-ins
Electra Alessio	9 write-ins

ARTICLE 10 - Are you in favor of the adoption of Amendment #1 as proposed by petition of 29 registered voters of the Town of Kingston? To see if the Town will amend Article VII, Supplemental Provisions, Section 7.40 to read -

7.40 All industrial developments must have the approval of the Town after being recommended by the Planning Board and the Selectmen.

YES 487

NO 595

ARTICLE 11 - Are you in favor of the adoption of Amendment #2 as proposed by petition of 28 registered voters of the Town of Kingston?

To see if the Town will amend section 4.80, Kingston Industrial Zone, paragraph II Permitted Uses by removing the words "asphalt plants".

YES 680

NO 368

ARTICLE 12 - Are you in favor of the adoption of Amendment #3 as proposed by petition of 28 registered voters of the Town of Kingston?

To see if the Town will amend section 4.30, single family Residential District, 4.31 to read -

4.31 The Single Family Residential District shall include the area shown as such on the zoning map, extending along Rockrimmon Road from the Plains to Ball Road, southward along Ball Road to Danville Road, eastward along Danville Road to Route 111, eastward along Route 111 to Main Street, northward along Main Street to Bunker Street, westward onto Bunker Street to the point of beginning. All areas contained within the above mentioned roads, plus all areas within 400 feet of the centerline of the above mentioned roads on the outside of the area are included. In addition, Sections R24 and R31 and the area in Section R30 extending 1500 feet north of the centerline of Rockrimmon Road, and Tax Map R-9 except for the areas 200 feet south of a line paralleling Newton Junction Road and areas west of a parallel line 1,000 feet back from Route 125 on the easterly side of said highway. Also areas within 400 feet of Windsong Drive, Cardinal Road and Gunstock Drive, Tax Map R-7 and areas within 400 feet of Hunt Road from 1,000 feet west of Route 125 to the Danville line including Jericho Drive, Morning Dove Road, Robin Lane are included as well as the areas within 400 feet of Acorn Drive, Bob-White Drive, Oak Ridge Lane and Cheney Lane and the northerly side of North Danville Road, the area within a line running parallel to said road 1,000 feet back on the northerly side, and the area surrounding and abutting Happy Hollow Lane, Hillside Drive and Old Haverhill Road shall be included within the designation Single Family Residential.

YES 718

NO 342

The ballots were wrapped, sealed and locked in the vault at the Town Hall at 9:30 PM on March 14, 1995.

*Bettie C. Ouellette*  
Bettie C. Ouellette  
Kingston Town Clerk

MINUTES OF CONTINUED TOWN MEETING AT SWASEY  
GYMNASIUM - MARCH 15, 1995

The Moderator, Electra L. Alessio, called the meeting to order at 7 PM, and all saluted the flag. She then introduced the three Supervisors of the Check List: Robert L. Pothier, Jr., Walter S. Clark, Sr. and Leo J. Moriarty; The Selectmen: Donald W. Briggs, Jr., Chairman Stamatis Yiokarinis and Jeremy D. Russman; The Town Clerk-Tax Collector, Bettie C. Ouellette; and the Budget Committee: Chairman Ellen Faulconer, Henry Chabot, Norman Hurley, Marilyn Bartlett, Roxanne Moore, James Rankin, William Eckel, Colleen Hammond, Carroll Wright, Travis A. Jones and David Currie. She specified an area to her left as the non-voting section.

Selectman Donald W. Briggs, Jr. presented a plaque on behalf of the Town of Kingston to Chief Neil R. Parker who retired after serving 27 years as Chief of Police. He was given a standing ovation.

Then Stamatis Yiokarinis, Chairman of the Board of Selectmen, presented a plaque and a basket of flowers to Mrs. Olive F. Moriarty who has served as Treasurer for the past 20 years. The citizens also gave her a standing ovation.

After that, Selectman Jeremy D. Russman thanked Donald W. Briggs, Jr. for his three years service as Selectman and wished him well in his new position as Chief of Police. He was also accorded with a standing ovation.

The Moderator announced the results of yesterday's balloting, including the three zoning questions. All votes on articles were by voice, unless otherwise specified.

ARTICLE 2 - A motion was made and seconded to raise and appropriate \$2,241,004.00 to defray Town charges for the ensuing year. During the discussion, an amendment was made by Neil R. Parker, and seconded, to add \$2050.00 to the Family Mediation Services in the line item budget.

With the permission of the people, Kristina Emmonds, coordinator of the program, addressed the citizens and explained the various advantages of the program. A motion, made by Peter Southwick, to cut off debate, was passed, but the amendment was NOT carried.

Then it was voted to raise and appropriate the original amount of \$2,241,004.00 to defray Town charges for the ensuing year.

The Moderator referred the voters to page A19 regarding the figure of \$255,452.00 as the 10% maximum to be spent above the amount recommended by the Budget Committee.

ARTICLE 3 - This article, relative to the purchase of the house at 161 Main Street (next to the Town Hall) for library and Town building space needs, was NOT passed. During the discussion, a motion made by Peter Southwick, and seconded, to cut off debate, was NOT passed. Mr. Southwick challenged the Moderator on her declaration and a show of hands clearly showed the Moderator to be correct. The discussion continued until it was voted to table this article, on a motion made by Peter Southwick. On a motion made by Alan Ard it was voted "to restrict reconsideration of this article tonight".

ARTICLE 4 - It was voted to raise and appropriate the sum of \$19,000. for the purpose of constructing renovations to Town Buildings to comply with the American With Disabilities Act.

ARTICLE 5 - It was voted to raise and appropriate the sum of \$12,000. to be used to repair the roof at the Highway Garage.

ARTICLE 6 - It was voted to name the Nichols Memorial Library Trustees as agents to expend for the Nichols Memorial Library Reserve Fund for future library expansion as created by the 1990 Town Meeting.

ARTICLE 7 - It was voted, as amended, to raise and appropriate the sum of \$10,000. to be added to the existing Nichols Memorial Library Reserve Fund for future library expansion and name the Nichols Memorial Library Board of Trustees as agents. The original article started at \$100,000., but it was amended to \$10,000. on a motion made by Norman Hurley. Then it was voted to cut off debate, on motion made by Steven Smith, and the \$10,000. was voted.

ARTICLE 8 - It was voted to raise and appropriate the sum of \$8,991. to be placed in the Capital Reserve Account for future replacement of the Ambulance. Said sum represents the collected Ambulance fees for 1994. Kingston residents are not charged for ambulance service.

ARTICLE 9 - It was voted, by secret ballot, to raise and appropriate the sum of \$40,000. to be placed in the previously established Fire Department Capital Reserve Fund for Apparatus Replacement.

YES 203

NO 99

Residents assisting the Supervisors of the Check List were Holly Ouellette and Carolyn Harlow. Marilyn Bartlett, Sheila Briggs and David Conant assisted in counting the ballots.

ARTICLE 10 - Voted by written ballot Tuesday.

ARTICLE 11 - Voted by written ballot Tuesday.

ARTICLE 12 - Voted by written ballot Tuesday.

ARTICLE 13 - The Moderator ruled that this article was contingent on the outcome of the secret ballot on Article 9, so moved on to Article 14.

ARTICLE 14 - It was voted to raise and appropriate the sum of \$25,000. to be placed in the Capital Reserve Fund established at the Town Meeting of March, 1992 for the replacement of Highway Department dump truck with plows and sander, and to name the Board of Selectmen and the Road Agent as agents to expend.

At this point, the Moderator made the announcement of the result of the secret ballot on Article 9, and she returned to take up Article 13.

ARTICLE 13 - It was voted to raise and appropriate the sum of \$137,786. to purchase a new Fire Engine and to authorize the withdrawal of \$137,786. from the Apparatus Capital Reserve Fund, created for that purpose.

ARTICLE 15 - This article, relative to raising and appropriating the sum of \$23,000. to fund a fifth full time employee for the highway department, was NOT passed.

ARTICLE 16 - It was voted to pass over this article, relative to raising and appropriating \$9,000. to be placed in the Fire Department budget to fund the Fire Department Physical Program. Motion was made by Alan Alpert.

ARTICLE 17 - It was voted to raise and appropriate the sum of \$2,750. to purchase Supplemental Disability Insurance for the members of the Kingston Fire Department.

ARTICLE 18 - It was voted, as amended, to raise and appropriate \$110,000. for the acquisition of the Kingston Fairgrounds and the development of recreational facilities at the above mentioned site. Said land and facilities to be under the direction of the Board of Selectmen. The first amendment (to \$110,000.) was made by Atira, and the motion to cut off debate on the first amendment was made by Steven Smith. An editorial change was made to change the "Kingston Recreation Commission/Recreational Land Development Committee" to "Board of Selectmen".

A second amendment, introduced by Craig Barlow to amend to \$130,000., was NOT passed. It was voted to cut off debate on a motion made by George Schiller, and the article, as amended to \$110,000. was passed.

ARTICLE 19 - It was voted, on a motion by Joline Bell, to pass over this article relative to raising and appropriating \$40,000. to be used for the development of recreation fields/facilities under the direction of the Recreation Commission/Recreational Land Development Committee.

ARTICLE 20 - This article, relative to raising and appropriating the sum of \$10,000. to be added to the Capital Reserve Fund established in the 1987 Town Warrant #46, for the purpose of conservation land purchase and associated costs, was NOT passed.

ARTICLE 21 - It was voted to pass over this article relative to authorizing the expenditure of funds in the Capital Reserve Fund established in the 1987 Town Warrant #46, for the purchase of properties identified on the Town Tax Map as R18-33A, and R18-31 and 32. Said properties shall be placed under permanent conservation easement and added to the adjacent Town property R18-33, known as "E.T.'s Landing", which is currently under permanent conservation easement.

ARTICLE 22 - It was voted to establish a capital reserve fund under the provisions of RSA 35:1 for the purpose of purchasing cable television equipment; and to raise and appropriate the sum of \$9886.58 to be placed in this fund; and to designate the Board of Selectmen and the Cable Advisory Television Committee as agents to expend.

ARTICLE 23 - It was voted to raise and appropriate the sum of \$15,000. to be used to cover the cost of the installation of a traffic light at the intersection of Route 125 and New Boston Road, funds to come from the Fund Balance as of December 31, 1994, to be encumbered until December 31, 2000 and to name the Board of Selectmen as agents to expend

ARTICLE 24 - It was voted, as amended, to raise and appropriate \$14,000. to be added to the Landfill Closure Trust Fund for the ongoing engineering costs in preparation of the future closing of the Landfill. The amendment was made by Carroll Wright.

ARTICLE 25 - It was voted to authorize the Board of Selectmen to create a Kingston Celebration Committee and appoint 12 members for the purpose of planning and conducting an annual Kingston Celebration.

ARTICLE 26 - It was voted to create an Expendable General Fund Trust Fund under the provisions of RSA 31:19-A to be known as the 325th Anniversary Celebration Trust Fund for the purpose of providing seed money for the 325th Celebration; and to raise and appropriate the sum of \$10,000. for this purpose.

ARTICLE 27 - It was voted to create an Expendable General Fund Trust Fund under the provisions of RSA 31:19-A to be known as the Annual Kingston Celebration Trust Fund for the purpose of providing seed money for annual celebrations; and to raise and appropriate the sum of \$16,229.72 for this purpose; and to establish the Board of Selectmen as agents to expend.

ARTICLE 28 - It was voted to authorize the Board of Selectmen to create a Kingston Business Development Committee and appoint nine members, for the purposes of developing an economic development plan to attract business and industry to the Town.

ARTICLE 29 - It was voted to raise and appropriate the sum of \$5,000. for the Kingston Business Development Committee to develop an economic development plan for the Town of Kingston.

At this point, Joline Bell wanted to have Article 19 reconsidered, but the Moderator ruled her out of order, regarding Capital Reserve withdrawal without being warned properly. Atty. Stephen Hermans advised the voters.

ARTICLE 30 - It was voted to raise and appropriate the sum of \$6,250. for the purchase of the ACCU-VOTE ES-2000 optical scan vote tabulator for the purpose of electronically counting ballots. This Article was moderated by Richard L. Russman, to enable Electra Alessio to address the voters.

ARTICLE 31 - It was voted to raise and appropriate the sum of \$200. for "A SAFE PLACE", a private, non-profit organization which provides emergency shelter and support services for victims of domestic violence and their children. "A SAFE PLACE" serves the residents of the Town of Kingston.

ARTICLE 32 - It was voted to raise and appropriate the sum of \$750. to assist the Greater Haverhill Pregnancy Center, a non-profit organization, in providing services to over 2,000 women and their children in this area.

ARTICLE 33 - It was voted to raise and appropriate the sum of \$1,000. to assist Crossroads House, Inc., a non-profit organization, in providing emergency shelter and transitional housing services to the area's homeless population. During the discussion, an amendment was introduced by Carroll Wright to cut the appropriation to \$750., but this amendment was NOT passed.



ARTICLE 34 - It was voted to raise and appropriate the sum of \$1,150. to the New Hampshire SPCA to support the many services they provide to the Town of Kingston, including: Sheltering and Adoption of Homeless Animals, Impoundment Facilities, Lost and Found Services, Animal Cruelty/Neglect Investigation, Assistance to Animal Control Officers, Public Information Services and Referrals, Education Programs and Services, Pet Therapy, and More.

Again, Article 19 reconsideration came up. This time it was Ralph Dumke who wanted to introduce the following: "to raise and appropriate \$31,000. for the development of recreational fields/facilities and to authorize the withdrawal of same from the Capital Reserve Fund. When the voice vote was uncertain, the Moderator asked the following tellers to assist in a standing vote. Results were YES 65 and NO 67; so the article could not be reconsidered. It was then voted to restrict consideration of this article for tonight, on a motion made by Jeremy Russman, Selectman. (Tellers: David Conant, Edward Conant, Sheila Briggs and Donald Eadie)

ARTICLE 35 - It was voted to raise and appropriate the sum of \$3,000. to be used for fireworks at a July 4th celebration in Kingston. An amendment, made by Jef Flanders-McDougall, "to have the fireworks on July 4th and said fireworks to be sent out to bid", was NOT passed.

ARTICLE 36 - It was voted to indemnify and save harmless for loss or damage occurring after said vote, any person employed by it 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. This authorization will remain in effect indefinitely until rescinded by a vote of the municipal meeting.

ARTICLE 37 - It was voted to authorize the Board of Selectmen to accept, on behalf of the Town, gifts, legacies and devises made to the Town in trust for any public purpose, as permitted by RSA 31:19. This authorization will remain in effect indefinitely until rescinded by a vote of the municipal meeting.

ARTICLE 38 - It was voted to authorize the Board of Selectmen pursuant to RSA 31:95-e, to accept gifts of personal property, other than money, which may be offered to the Town for any public purpose. This authorization will remain in effect indefinitely until rescinded by a vote of the municipal meeting.

ARTICLE 39 - 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. This authorization will remain in effect indefinitely until rescinded by a vote of the municipal meeting.



ARTICLE 40 - It was voted to authorize the Board of Selectmen to sell tax deeded property, except water-front property, in accordance with the Public Land Acquisition Ordinance adopted March 11, 1986, at public auction or by sealed bid. This authorization will remain in effect indefinitely until rescinded by a vote of the municipal meeting.

ARTICLE 41 - It was voted to authorize the Board of Selectmen to sell at public auction or by sealed bid, a parcel of Town Property, known as Tax Map U4, Lot 95; said parcel not be used as a building lot.

ARTICLE 42 - It was voted to amend the Cemetery By-Laws by adding the following section. "G. There will be a \$25.00 charge for installing a Veteran's Marker. Said charge to be collected through the funeral director and made payable to the Trustees of the Trust Funds."

ARTICLE 43 - It was voted to accept the provisions of RSA 202-A:4-c providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the public library trustees to apply for, accept and expend, without further action by the town meeting, unanticipated money from a state, federal or other governmental unit or a private source which becomes available during the fiscal year.

ARTICLE 44 - It was voted to authorize the Tax Collector to allow a deduction of 1½% from Town Property Tax when payment is made within 30 days of billing.

ARTICLE 45 - It was voted to accept the provisions of RSA 31:95-b providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Selectmen to apply for, accept and expend, without further action by the town meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year.

ARTICLE 46 - It was voted to require that the creation of any permanent full time or permanent part time position be submitted to the voters at Town Meeting for approval.

ARTICLE 47 - It was voted, as amended, to require the Board of Selectmen and the Municipal Budget Committee to hold a joint public hearing prior to the approval of any non-recurring capital expenditure exceeding \$4,000. Items normally used as a complete package (eg. small tractors with mowing/snow removal equipment or computer systems, shall not be unbundled and the parts purchased separately to contravene the intent of this article. Recurring items shall be subject to Town Meeting by Warrant Article, the first year only. The amendment was made by Donald Eadie.

ARTICLE 48 - The Moderator announced the Scouting for Food Program to be held this Saturday, March 18, starting at 10 A.M.

The following resolution, introduced by Lesley Hume, was adopted:  
"Be it resolved that all principal signers of petition warrant articles be personally notified by Board of Selectmen and Budget Committee of the dates of the public hearing reviewing said petition warrant articles."

It was voted to adopt the grand total of the budget and all articles at \$2,688,997.30.

Selectman Jeremy Russman thanked the entire 300th Anniversary Committee for a job well done in 1994.

Meeting was adjourned at 11:20 P.M.

  
Bettie C. Ouellette  
Kingston Town Clerk

# RECOUNT

On March 16, 1995, the following letter with the \$10.00 fee was received by the Town Clerk:

"I, Travis A. Jones, as required by R.S.A. 669:30, this 16 Day of March, the year 1995, make written application to the Town Clerk of Kingston, N.H. for a Recount of the ballots cast for the office of selectman. This application is within the three day period given all candidates.

(signed) Travis A. Jones  
3-16-95"

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

"TO: Electra L. Alessio, Moderator  
Vincent Falls, Candidate  
Ellen L. Faulconer, Candidate  
Travis A. Jones, Candidate  
Stamatios Yiokarinis, Selectman  
Donald W. Briggs, Jr., Appointed to Recount Board  
Malinda McPhee, 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 14, 1995, at 2:00 o'clock in the afternoon (2:00 P.M.) on Wednesday, March 22, 1995 at the Kingston Town Hall upstairs.

(signed) Bettie C. Ouellette  
Kingston Town Clerk"

## RESULTS OF RECOUNT

On March 20, 1995 at 2:00 o'clock in the afternoon, the Recount took place at the Town Hall upstairs. The Recount Board consisted of the Moderator, Electra L. Alessio; Town Clerk, Bettie C. Ouellette; Stamatis Yiokarinis, Selectman; Police Chief, Donald W. Briggs, Jr., Appointed to the Board by the Moderator; and Malinda McPhee, Appointed to the Board by the Moderator.

The ballots were brought upstairs from the Town Hall vault by Alan J. Krauss. At 2:07 PM, the seal was broken by the Town Clerk and the Recount started. The following results were obtained and announced by the Moderator:

Vincent Falls	96
Ellen Faulconer	515*
Travis Jones	493
Invalid or Blank	35
Total Votes	<u>1139</u>

The Moderator declared that Faulconer was still the winner. The recount session closed at 3:25 PM and the sealed ballots were locked up in the Town Hall vault.

(signed)   
Bettie C. Ouellette  
Kingston Town Clerk


MINUTES OF SPECIAL TOWN MEETING  
AUGUST 23, 1995

The meeting was called to order at 7 PM by the Moderator, Electra Alessio. There was a salute to the flag. She introduced Selectmen, Ellen L. Faulconer and Jeremy D. Russman, and Town Clerk-Tax Collector, Bettie C. Ouellette.

The Moderator read the Warrant "To see if the Town will vote to discontinue all portions of Cedar Swamp Pond Road (a Class VI road) running over land of Daviduk shown as Tax Map R-20 Lot 16-1 on the plan entitled "Subdivision Plan of Land in Kingston, N.H. Tax Map R-20 Lot 16" prepared by Paul F. Nichols, C.E., dated June 2, 1995."

After a short discussion, it was voted, by hand vote, to discontinue all portions of Cedar Swamp Pond Road (a Class VI road) running over land of Daviduk shown as Tax Map R-20 Lot 16-1 on the plan entitled "Subdivision Plan of Land in Kingston, N.H. Tax Map R-20 Lot 16" prepared by Paul F. Nichols, C.E., dated June 2, 1995.

The meeting adjourned at 7:13 PM.

  
Bettie C. Ouellette  
Kingston Town Clerk