

**Kingston, New Hampshire
Board of Selectmen
Meeting of June 17, 2019
Final MINUTES**

The meeting was called to order at 7:00 PM in the Meeting Room at the Town Hall.

PRESENT: Kevin St. James, Vice-Chair; Donald Briggs, Jr., Phillip Coombs, Richard Wilson, Selectmen.

ABSENT: Chairman Mark Heitz

SCHEDULED APPOINTMENTS:

Property abatement applications, Assessor George Lickiss, KRT Appraisal

Mr. Lickiss said that he is here solely to discuss abatements, as he is not involved in the cyclical property inspections. He began with several abatement requests for properties in the Hawks Ridge condominium complex. He said that he understands there is a stop work order in place on the unfinished properties which was stated as a reason for temporary reduction in value. Mr. Lickiss stated that he used sales from prior to the stop work order as well as after (this list of sales was provided to the Selectmen), and saw no change. There will be an increase in the holding period due to the stop work order, but the values have held. He said he recommended denying all of the abatement requests for Hawks Ridge properties.

Two properties were recommended for abatement, 44 Brookside Drive based on comparable properties, and 56 Route 125 because the building is uninhabitable.

MOTION: by Selectman St. James, to uphold the recommendations of the Town's Assessor to grant abatements to 44 Brookside Drive and 56 Route 125, and deny all other abatement applications.

SECOND: by Selectman Briggs

All in favor.

ADMINISTRATIVE: APPLICATIONS, PURCHASE ORDERS, CORRESPONDENCE

(Items reviewed while waiting for second appointment):

- An intent to excavate application before the Board for 7 Small Pox Road was tabled pending Planning Board and property owner signatures on the Memorandum of Agreement prepared by the Planning Board.
- Three veterans credit applications were approved.
- A supplemental tax bill was signed for 3 Shendoar Drive, which has been deeded back to the prior owner from the Town.
- On a motion by Selectman Coombs, seconded by Selectman Briggs, all approved the facilities use application for the Boy Scouts to use the Recreation Center on July 20 for a summer pack gathering.
- An application for a premises license agreement for a beer tent during Kingston Days 325th Celebration was tabled pending receipt of copies of the State liquor license and insurance coverage.
- The next meeting of the Route 125 Corridor planning group will be on June 20 at 1:00 PM at the Town Hall. Selectman Briggs gave an overview of the discussion at the first meeting.

- Selectman St. James announced that at the July 1 Selectmen's meeting, representatives from EPA and NH DES will be present to discuss results of recent cyclical testing at the Ottati & Goss Superfund site, which this year included testing for PFOAs for the first time. The Selectmen agreed that a separate meeting will be planned for a discussion on PFOA contamination in general.
- There was a brief discussion of the upcoming Beerfest and Bonfire event being put on by the Firemen's Association. Parking, shuttles to be provided to parking areas, and road closures were discussed. Information will be provided on the Fire Department's website and to affected residents.
- Phase 2 environmental testing results have been received for 4 Main Street. Selectmen had requested that this testing be done before any new junkyard permit is approved; the results came back clear. Selectman Briggs suggested having Andrea Kenter of GeoInsight review the results; all agreed.
- One quote for heating oil has been received; Selectman Briggs will work with the Finance Officer to get more prices and accept the lowest one.

Friends of Kingston Open Space - Award

Rick Russman and Ernie Landry were present to inform the Board that the Friends of Kingston Open Space (FOKOS) had been presented with the James Hayden award at the recent Rockingham Planning Commission (RPC) annual meeting.

Mr. Russman said the award is named for James Hayden, who was the Director for many years of the Soil Conservation Service in Exeter. It is presented each year to recognize contributions to the community in natural resource conservation and planning. He noted that FOKOS works to protect open space with taxpayer money, but avoids commercial areas where services are in demand, with an eye to protecting the tax base as well.

The Selectmen commended the work done by FOKOS.

Proposed Revision to Occupancy Permit

Road Agent Rich St. Hilaire addressed the Board, saying that recent issues brought to his attention that it is time to fix a gap in the Occupancy Permit process, by adding a space for the Town Engineer to sign before the permit is issued. Mr. St. Hilaire said that as a case in point, there are unresolved storm water issues with the All American Assisted Living project that would have received attention if the Town Engineer had been involved with the permit process, to ensure the site plan was adhered to.

There was a discussion of the All American project, which had a delay in completion of storm water protections due to weather in the fall; Selectman Briggs recapped what happened and that representatives for the project had been invited to a meeting with the Board and Town Engineer Dennis Quintal when it was clear there would be a delay. Selectman Coombs said that they had the weather as an excuse at the time, but at this point it should have all been taken care of.

After a discussion of various aspects of the Planning Board and Building Permitting process, Selectman Coombs said that if it pleased the Board, he would work with Mr. St. Hilaire and the inspectors, on permit and fees structures. He said he felt more needed to

be done than simply adding a name to the permit application. He asked Mr. St. Hilaire to write up a memorandum and said he would get together with the inspectors to talk about the process.

Peter Broderick, Permit Fees for School

Mr. Broderick said that he was present as Chair of the School Board, to talk about building permits that will be required for various changes being made in the district. He gave a printed list of the permits that will be needed, with the associated fees, and said he was asking the Town to waive the fees.

There was a brief discussion of the reason the school started paying the fees, which had to do with sharing the district with Newton and being consistent for fairness to taxpayers. Mr. Broderick said this is a request only for this set of projects, the fees for which will total \$2200. He said that there is no change in the general situation, but there is a “good neighbor” policy in which, for example, the school shares its computer technicians with the Town. In light of that, Mr. Broderick said the school board was hoping the Town would consider waiving the fees this one time.

There was a discussion of the shared computer help, and Selectman Briggs said this had saved the Town a lot of money over the years. Selectman Coombs said that it is still not really free, as it is still paid through the taxpayers. Selectman Briggs said that is true, but it saves the Town from having to go out and pay a lot of money to a separate firm. Mr. Broderick agreed, saying that instead of paying the hourly wage of two people, a contract would be considerably more.

MOTION: by Selectman Briggs, to waive the building permit fees for the specified current school projects only, totaling \$2,200.

SECOND: by Selectman Wilson

Discussion continued, Selectman Coombs said that the inspectors still need to be paid, and Selectman Wilson pointing out that he still feels they save the Town a lot of money.

In favor: Briggs, Wilson; Opposed: Coombs; Abstain: St. James

Mr. Broderick noted that Environmental Protection Agency and NH Department of Environmental Services representatives will be here for the July 1st Selectmen’s meeting to follow up on the previous meeting about testing at the Ottati & Goss Superfund site. Selectman St. James asked that Mr. Broderick also schedule another meeting with them, to hold a forum to educate residents on PFOAs in the water. Mr. Broderick suggested that this can be discussed on July 1.

OLD BUSINESS:

Solar at Landfill: Discussion

Information for discussion of this topic was tabled for the time being, as the net metering bill had been vetoed by the Governor. An override of the veto is expected, but it has not happened yet.

NEW BUSINESS:

Planning Board compliance request for Map R2 Lot 13

Selectman Coombs explained that the owner of this property at 34 Route 125 was contacted numerous times to come in for a site plan but never did. According to the compliance request, the owner has spoken to Town Planner Glenn Greenwood and

been advised that there is no approved use on the site; it was closed 4 years ago and there is no storm water management plan. Trucks have been witnessed hauling material on and off the site. Selectman Coombs said that the Planning Board would like a Cease and Desist order to be issued.

MOTION: by Selectman Coombs, to issue a Cease and Desist order to the property owner at Map R2, Lot 13.

SECOND: by Selectman Wilson

All in favor.

Nichols Museum sign

Selectman St. James noted that there have been three complaints on the new sign that went up in front of the museum, because it reads "Nichols Memorial Library". He added that there was one case of a 911 call from the library where emergency personnel were delayed in getting to the person due to confusion over which library to go to. He said that it was a vote of the Selectmen to call the building the Nichols Memorial Building, to avoid such confusion.

Selectman Coombs acknowledged that the Board missed this problem when reviewing the mock-up of the proposed sign. Selectman Briggs said he will call and have the 911 addresses checked.

COMMITTEE LIASONS:

Selectman Coombs, Planning Board: Selectman Coombs reported that a rehearing of the ZBA case in which a variance was granted to Diamond Oaks Golf Club, requested by the Selectmen, has been granted.

PUBLIC COMMENT II: None heard

APPROVAL OF MEETING MINUTES:

MOTION: by Selectman Coombs to approve the public and non-public session meeting minutes of June 3, 2019, as written.

SECOND: by Selectman Wilson

All in favor

Non-Public Session

MOTION: Upon motion of Selectman Coombs, **SECOND** of Selectman Wilson, it was voted by roll call to adjourn to Non-Public session under the provisions of **NH RSA 91-A:3, II (b):** The hiring of any person as a public employee; **NH RSA 91-A:3, II (c):** Matters which... would likely affect adversely the reputation of any person other than a member of this board; **NH RSA 91-A:3, II (I):** Consideration of legal advice.

In Favor: Briggs, Coombs, St. James, Wilson; Motion passed.

The Board adjourned at 8:18 PM.

MOTION: Upon motion of Selectman St. James, **SECOND** of Selectman Wilson, it was voted by roll call to return to public session at 8:55 PM.

In Favor: Briggs, Coombs, St. James, Wilson; Motion passed.

Discussed in Non-Public Session: Personnel hiring; legal advice re: Saddle Up Saloon event; property pending Town deeding due to non-payment of taxes.

Decisions made:

MOTION: by Selectman Coombs, to table a decision on tax deeding/waiver discussed, pending further investigation.

SECOND: Selectman Wilson

All in favor

The Board concurred that legal counsel should be re-consulted before answering a request received this afternoon from Saddle Up Saloon.

MOTION: By Selectman Briggs, to seal the minutes of the non-public session for an indefinite length of time, as releasing the minutes would affect adversely the reputation of any person other than a member of this board.

SECOND: By Selectman Coombs

In Favor: Briggs, Coombs St. James, Wilson; Motion passed.

Adjournment:

MOTION: by Selectman St James to adjourn at 9:00 PM

SECOND: by Selectman Wilson

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant