

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of October 28, 2019  
FINAL MINUTES**

The meeting was called to order at 6:00 PM in the Meeting Room at the Town Hall.

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

**MOTION:** Upon motion of Selectman St James, **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.

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

The Board adjourned at 6:00 PM.

**MOTION:** Upon motion of Selectman Coombs, **SECOND** of Selectman Wilson, it was voted by roll call to return to public session at 6:55 PM.

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

**MOTION:** by Selectman St. James to seal the non-public meeting minutes for an unspecified length of time, as the divulgence of the information would render a proposed action ineffective.

**SECOND:** by Selectman Briggs

**All in favor via roll call vote.**

**Topics discussed in non-public session:** Oral Board interviews with Fire Chief applicants.

**APPOINTMENTS:**

**Steven Delong, Commander VFW Post**

Mr. Delong introduced himself and said he is originally from Maine, has served for years in the Maine Air National Guard, and currently resides in Brentwood with his family. He described the challenges he faced in getting the VFW Post on Route 125 back on its feet, as it had been in financial difficulty. He said the fire department raised money for them which was a great help. He said that building relationships within the community is essential, and one reason he wanted to be here this evening.

Mr. Delong described the various activities at the post, including Boy Scout programs and more family oriented events; he noted that while the canteen provides revenue, he would like to bring more family oriented activities to the community. He said there are multiple programs the post sponsors to provide money for charities.

The Commander said he welcomes the support of the community, as changes are coming to the post; he noted he is the youngest commander in the state. Selectman St. James thanked Mr. Delong for coming in, and invited him to reach out to the Board if he needs anything.

### **Devon Chouinard, Vintage Bazaar re: 2020 dates**

Devon Chouinard met with the Selectmen to review the Vintage Bazaar event she had brought to the Plains on October 5 and 6. All agreed it went very well, and Ms. Chouinard said she was thrilled with the support of the community. Asked about attendance, she said that as it was planned last minute, she had fewer vendors than usual, about 70 as opposed to 120. However, about 3,000 people attended the event on Saturday, about 1200 on Sunday. She said she would like feedback, and also wants to propose two dates in 2020 to again hold the event on the Plains.

The Selectmen discussed the 2019 event, and all reports from departments and the public had been positive. Selectman Briggs said there had been no problems or emergencies. He said that he, Road Agent Rich St. Hilaire and Interim Fire Chief Graham Pellerin had met with Ms. Chouinard before the event and followed up afterward; there were no problems with parking or garbage, and the site was left completely clean. Ms. Chouinard said her parking staff did a great job; overflow parking was not needed, but there was a plan in place with the schools in case it was. She also said she would like to not outsource the ambulance service next time.

Selectman Coombs said that the Town is working on getting an incident action plan in place, for varying sized events. Selectman St. James agreed, and said that an equitable fee needs to be set, taking into consideration that this is a for-profit event.

Dates suggested for two weekends in 2020 were June 20 and 21, and October 3 and 4, rain or shine. Ms. Chouinard added that she would like to include local organizations that might like to sell food at the events, to bring more of a community sense. She said that attendees who wanted to avoid the long lines at food trucks were directed to local restaurants, which were packed all weekend.

### **PUBLIC COMMENT I:**

Selectman Coombs commented that Planning Board Chair Glenn Coppelman was present at his request in order to join the discussion on Bresnahan Storage.

### **NEW BUSINESS (taken out of order)**

#### **Proposal for acoustical additions to Town Hall meeting room**

The Board discussed a bid from New England Soundproofing secured by Selectman Briggs, to address the sound problems in the meeting room. The proposal included two estimates for cost of placing acoustical panels on the walls and ceiling, depending on the size of the room once final measurements are taken. A 1,488 square foot room would cost \$29,106; for a 2,600 square foot room the cost would be \$49,200.

It was agreed this would need to be sent out for bids. Selectman Coombs said that he thinks this project should be coupled with adding visual display capacity. Selectman St. James said he had thought there was money in the Planning Board budget for an LCD projector; in discussion it was determined this was not in the Planning Board budget, but the 2019 budget will be looked at.

It was agreed that something needs to be done, but the voters will have to decide. This information will be shared with Rich St. Hilaire and also the Heritage Commission.

### **Purchasing Policy**

This policy will be acted on at the November 4 meeting, once the Board has time to look it over.

### **Fund Balance Policy**

This policy has not been updated since 2012, and the Finance Officer was advised by the town's auditor that it should be re-adopted with new signatures. No changes were necessary.

**MOTION:** by Selectman Wilson to re-approve the Fund Balance Policy.

**SECOND:** by Selectman Coombs

**All in favor.**

### **Public Rights of Way Ordinance**

The Board had reviewed information from Donahue, Tucker & Ciandella Lawyers, who are proposing "group representation with split billing to develop a template right-of-way ordinance." The Administrative Assistant had reached out to Planning Board Chair Glenn Coppelman, who is awaiting input from officials at the Rockingham Planning Commission and New Hampshire Municipal Association. It was agreed that more research needs to be done to determine if this is something the Town needs or wants to pursue; the proposal will be sent to town Counsel and Primex as well.

### **Health Insurance Renewal:**

The Board reviewed the renewal paperwork from HealthTrust. The increase effective January 1 will be 7.4% for health and 3.9% for dental. It was agreed that nothing can be done to change this now, but Selectman St. James suggested looking at adding a high deductible "credit card" type account next year.

**MOTION:** by Selectman Briggs, to authorize the Vice Chairman to sign the Health Insurance renewal with HealthTrust, with the stated rate increases.

**SECOND:** by Selectman Wilson

**All in favor**

### **OLD BUSINESS**

#### **Bresnahan Storage, SEC Engineering - Update**

Joe Bresnahan, Charles Zilch of SEC Engineering and Attorney Joseph Kittredge were present to follow up on last week's discussion, and a site walk that was taken on Sunday at the Bresnahan Self Storage project on Marshall Road. Selectman St. James noted that Mr. Coppelman was present to represent the Planning Board.

Mr. Zilch distributed and displayed an updated plan, saying it has been obvious at the last meeting and the site walk that planting done to compensate for over-cutting of buffer trees had been less than expected. He said that they have come up with a substantial improvement, adding 104 additional trees to the 84 already planted. He gave details on spacing and tree types, saying that this would provide a visual and physical barrier to

the area. He said that the buffer areas would delineate where men and machines cannot go, as well as improve the view from the road.

Selectman St. James said that the question has been raised whether this matter is actually in the purview of the Selectmen, or should it be sent back to the Planning Board. He said he believes this new plan is a substantial improvement but wishes it had been brought forward the first time. Selectman Wilson also questioned whether this is for the Board to handle.

Mr. Coppelman said that the Board of Selectmen is the enforcement arm for the Planning Board, but that what is before them is an improved site plan, and site plan amendments are handled by the Planning Board. Selectman Coombs said that while he feels this was a legitimate mistake, as enforcement action was requested, he thinks the Board is stepping into Planning Board's court. Selectman Briggs asked what the original plan showed, and Mr. Coppelman said that it had some landscaping and buffering, but also showed areas that were to stay in their natural state; he said that is the area in question.

There was a discussion of jurisdiction with Attorney Kittredge, who suggested that in cases where enforcement is called for, the enforcement authority has the right to make a reasonable decision, just as a court is able to waive a penalty. Selectman St. James said that until he went on the site walk, he did not know about the buffer ordinance, that this is in the realm of Planning Board expertise. He added that the current plan looks good to him and he hopes the Planning Board will move forward as expeditiously as possible. He suggested that the Board would not hold up occupancy permits if Mr. Bresnahan is working in good faith with the Planning Board. Selectman Coombs concurred, saying that he does not want to undermine another board's authority, but that they would work with Mr. Bresnahan to get phase one of the project open. Selectman Wilson said he also agrees, but that several meetings ago the applicants were asked to come to the Board, and since then the Board has essentially taken over the project and wasted the applicant's time.

It was agreed that the applicants will get on the next possible Planning Board agenda, and that the Selectmen will support this most current plan. The Board also agreed that they will not tie up the occupancy permits on phases one and two of the project, which are mostly completed. Phase three is not yet started.

There was a discussion of the limits of planting, given the end of the growing season, and the Selectmen agreed that Mr. Bresnahan will not be expected to continue planting if the weather will prevent the trees from growing, which would be a waste of money.

**COMMITTEE LIAISON REPORTS:** None.

**PUBLIC COMMENT II:** None

**CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS**

- An email has been received questioning the steps taken to respond to well water testing results at the request of NH DES. The Administrative Assistant will work with Town Counsel to reply to this and any other such questions.
- Purchase orders were reviewed and signed.

**APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectman Coombs to approve the public and non-public meeting minutes of October 21, 2019, as written.

**SECOND:** by Selectman Wilson.

Selectman St. James apologized to Selectman Wilson for not following Roberts Rules and allowing his motion regarding Select Board sponsorship of the Heritage Commission's proposed warrant article for Community Revitalization.

**All in favor**

**Adjournment:**

**MOTION:** by Selectman Coombs to adjourn at 8:10 PM

**SECOND:** by Selectman Briggs.

**All in favor.**

Respectfully submitted,  
Susan Ayer  
Administrative Assistant