

**TOWN OF KINGSTON, N. H.**  
**MINUTES OF TOWN MEETING - MARCH 10, 1992**

**ARTICLE 1** - The Annual Town Meeting was called to order at 10 A.M. by the Moderator, James T. Rankin, Sr. for the balloting for Town Officers, Officers of the Sanborn Regional School District and 7 Zoning Questions. The Moderator announced that the absentee ballots would be processed at 1:30 P.M. It was voted that at the close of voting at 8 P.M. and after the ballots have been counted, the meeting would be continued at 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 Ballot Clerks were Donna M. Grier, Carolyn R. Christie, Holly Ouellette, Eleanor L. Childs and Charles A. Bradley, Jr. Lawrence H. Rich was in charge of the microphone. Selectman Stamatis Yiokarinis was present. The additional counters at night were Marilyn B. Bartlett, David G. Conant, Carolyn D. Harlow, Judith C. Smith, Edward W. Jervis, Jr., Norma B. Jervis, Norma M. Quintal, Sheila J. Whittier, Donald J. Eadie, Donna L. Snow, Brian D. Collins, George H. Harmon, Olive F. Moriarty, Linda M. Nadeau, Mary L. Mercurio, Elaine A. Van Dyke, Deborah J. Nowak, Ruth B. S. Albert, Gloria M. Parsons and Diane M Vaillant.

The following results of the balloting were announced by the Moderator:

Total cast 1939, including 130 absentee ballots. Total voters on the check list - 2896.

**MODERATOR FOR 2 YEARS:**

Electra L. Alessio.....1566 \*

**SELECTMAN FOR 3 YEARS:**

Donald W. Briggs, Jr.....1246

Peter E. Wilson, Sr.....668

**SELECTMAN FOR 1 YEAR:**

Kurt W. Baitz.....437

Ronald B. Davis.....64

Roxanne M. Moore.....587

Jeremy D. Russman.....755 \*

**SUPERVISOR OF CHECK LIST FOR 6 YEARS:**

Henry R. J. Chabot.....734

Robert L. Pothier, Jr.....883 \*

**TREASURER FOR 1 YEAR:**

Olive Moriarty.....1610 \*

**CHIEF OF POLICE FOR 1 YEAR:**

Mark A. Marino.....449

Neil R. Parker.....1473 \*

**POLICE OFFICERS FOR 1 YEAR:**

Donald W. Briggs, Jr.....1535 \*

James M. Champion.....1439 \*

**CONSTABLE FOR 1 YEAR:**

Peter P. Basler .....1591 \*

**TRUSTEE OF TRUST FUNDS FOR 3 YEARS:**

Mary V. Kanaly.....1551 \*

William Timmons (write-in).....18 \*

**LIBRARY TRUSTEE FOR 3 YEARS:**

Albert J. Brien .....1294 \*

Cassandra S. Robinson.....1380 \*

Diane M. Vaillant.....1367 \*

**FIREWARD FOR 3 YEARS:**

Edward Wayne Conant.....1490 \*

**MUNICIPAL BUDGET COMMITTEE FOR 3 YEARS:**

Susan E. Cavanagh.....1342 \*

Henry R. J. Chabot.....1264 \*

Carroll E. Wright .....1222 \*

Norman Hurley (write-in) .....72 \*

**MUNICIPAL BUDGET COMMITTEE FOR 2 YEARS:**

Dorothy M. Wagner.....1474 \*

**MUNICIPAL BUDGET COMMITTEE FOR 1 YEAR:**

R. Bradley Maxwell.....646

George W. Mitchell.....775 \*

\*Elected

**ARTICLE 5:** Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To insert as the final sentence in Section d., Septic System Design Installation under the Aquifer Protection Ordinance on page 39: In the case where a failed septic system located on an existing non-conforming lot of record must be replaced within the Aquifer Protection District, the Kingston Health Inspector shall be responsible for final approval of the location of the installation of the replacement system?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will shorten the time needed to replace failed septic systems.

YES 1322      NO 439

**ARTICLE 6:** Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To add to Article VI, Section 6.17 Building Location and Construction: In the case of failed septic systems located on existing non-conforming lots of record the health inspector will have the authority to approve the installation of replacement systems nearer than one hundred (100) feet to a water supply, well, stream, pond, marsh, swamp, wet meadow, wetlands or other body of water. In no instance shall such installation come closer to said water bodies than seventy-five (75) feet?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will shorten the time needed to replace failed septic systems.

YES 1294      NO 449

**ARTICLE 7:** Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To insert at Section D. Use Regulations as Paragraph 2 under Item 3 under the Shoreland Protection District on page 45: In the case where a failed septic system located on an existing non-conforming lot of record must be replaced within the Shoreland Protection District, the Kingston Health Inspector shall be responsible for final approval of the location of the installation of the replacement system?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will shorten the time needed to replace failed septic systems.

YES 1326      NO 394

**ARTICLE 8:** Are you in favor of the adoption of Amendment No 4 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To update the Flood Plain Ordinance as mandated by the Federal Emergency Management Agency (FEMA)?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will allow Kingston to participate in the Federal Flood Insurance Program.

YES 1448      NO 278

Revised 10/23/91

### **Kingston Floodplain Development Ordinance**

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Kingston Floodplain Development Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Kingston Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazards areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the Town of Kingston, N.H." together with the associated Flood Insurance Rate maps with an effective date of April 15, 1992, which are declared to be a part of this ordinance and are hereby incorporated by reference.

**Item I Definition of Terms:** The following definitions shall apply only to this Floodplain Development Ordinance, and shall not be affected by, the provisions of any other ordinance of the Town of Kingston.

**"Area of Shallow Flooding"** means a designated AO, AH, or VO zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet-flow.

**"Area of Special Flood Hazard"** is the land in the floodplain within the Town of Kingston subject to a one-percent or greater possibility of flooding in any given year. The area is designated as zone A on the FHB and is designated on the FIRM as zones A and AE.

**"Base Flood"** means the flood having a one-percent possibility of being equalled or exceeded in any given year.

*"Basement"* means any area of a building having its floor subgrade on all sides.

*"Building"* see *"structure"*.

*"Breakaway wall"* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

*"Development"* means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining dredging, filling, grading, paving, excavation, or drilling operation.

*"FEMA"* means the Federal Emergency Management Agency.

*"Flood"* or *"Flooding"* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

*"Flood Elevation Study"* means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood - related erosion hazards.

*"Flood Hazard Boundary Map"* (FHBM) means an initial insurance map issued by FEMA that identifies, based on approximate analyses, areas of 100-year flood hazard within a community.

*"Flood Insurance Rate Map"* (FIRM) means an official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Kingston.

*"Flood Insurance Study"* - see *"Flood elevation study"*.

*"Floodplain"* or *"Flood-prone area"* means any land area susceptible to being inundated by water from any source (see definition of *"Flooding"*).

*"Flood proofing"* means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

*"Floodway"* - see *"Regulatory Floodway"*.

*"Functionally dependent use"* means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

*"Highest adjacent grade"* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*"Historic Structure"* means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or



Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- 1) By an approved state program as determined by the Secretary of the Interior, or
- 2) Directly by the Secretary of the Interior in states without approved programs.

*"Lowest Floor"* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

*"Manufactured Home"* means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days.

*"Mean sea level"* means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

*"100-year flood"* - see *"base flood"*

*"Regulatory floodway"* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.

*"Special flood hazard area"* means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E. (See - *"Area of Special Flood Hazard"*)

*"Structure"* means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

*"Start of Construction"* includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.

*"Substantial damage"* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*"Substantial Improvement"* means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should equal: (1) the appraised value prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure

required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

*"Water surface elevation"* means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.

**Item II.** All proposed development in any special flood hazard areas shall require a permit.

**Item III.** The building inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- (i) be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
- (ii) be constructed with materials resistant to flood damage,
- (iii) be constructed by methods and practices that minimize flood damages,
- (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

**Item IV.** Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Health Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

**Item V.** For all new or substantially improved structures located in Zones A, A1-30, AE, AH or A0, the applicant shall furnish the following information to the building inspector:

- (a) the as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- (b). if the structure has been floodproofed, the as-built elevation (in relation to NGVD) to which the structure was floodproofed.
- (c). any certification of floodproofing.

The Building Inspector shall maintain for public inspection, and shall furnish such information upon request.

**Item VI.** The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

**Item VII.** 1. In riverline situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 483-A:1-b. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Board. In addition construction within wetland areas requires notification of the Kingston Conservation Commission and the Planning Board.

2. The applicant shall submit to the Building Inspector, certification provided by a registered pro-

professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

3. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located Zone A meet the following floodway requirement:

*"No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge."*

4. Along watercourses that have not had a Regulatory Floodway designated or determined by a federal, State or other source; no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

#### **Item VIII.**

1. In special flood hazard areas the Building Inspector in conjunction with the Kingston Town Engineer shall determine the 100 year flood elevation in the following order of precedence according to the data available:

- a. In zones A and AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBm.
- b. In unnumbered A zones the Building Inspector shall obtain, review, and reasonably utilize any 100 year flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site approvals).
- c. In zone AO the flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM at least 2 feet.

2. The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in zones A and AE that:

- a. all new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation;
- b. that all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
  - (i) be floodproofed so that below the 100 year flood elevation the structure is water-tight with walls substantially impermeable to the passage of water;
  - (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
  - (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
- c. all manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;

d. for all new Construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements: (1) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage; (2) the area is not a basement; (3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

e. proposed structures to be located on slopes in special flood hazard areas, zones AH and AO shall include adequate drainage paths to guide flood waters around and away from the proposed structures.

**Item IX Variances and Appeals:**

1. Any order, requirement, decision or determination of the building inspector or health officer made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.

2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b), the applicant shall have the burden of showing in addition to the usual variance standards under state law:

(a) that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.

(b) that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.

(c) that the variance is the minimum necessary, considering the flood hazard, to afford relief.

3. The Zoning Board of Adjustment shall notify the applicant in writing that: (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

4. The community shall (i) maintain a record of all variance actions, including their justification for their issuance, and (ii) report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

**ARTICLE 9:** Are you in favor of the adoption of Amendment No. 5 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To delete the Cotton Map and reference to the Master Plan maps and to add the latest United States Geological Survey map for the Merrimac River Basin under the Aquifer Protection Ordinance, DISTRICT BOUNDARIES. a. Location?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will incorporate the latest mapping information which is much more accurate.

YES 1449      NO 268



**ARTICLE 10:** Are you in favor of the adoption of Amendment No. 6 as proposed by the planning board for the Kingston Zoning Ordinance as follows: To add three sentences to Article V., Section 5.12, Supplemental Lot Regulations: For purposes of this section, fences and septic systems are not considered structures. Septic systems shall not be located closer than twenty (20) feet to a property line. In the case of a failed septic system on an existing non-conforming lot of record, the Kingston Health Inspector may approve locations as close as ten (10) feet to a property line?

*The Planning Board approves this amendment.*

**NOTE:** This amendment will shorten the time needed to replace failed septic systems.

YES 1301      NO 422

**ARTICLE 11:** Are you in favor of the adoption of Amendment No. 7 as proposed by the Citizens' Petition for the Kingston Zoning Ordinance as follows: To change Tax Map R3-11, 12, 13, and 2B; and Tax Map R4-10, 16, 23 and portions of R4-17 from Rural Residential to Single Family Residential?

*The Planning Board does not approve this amendment.*

YES 404      NO 1258

**SANBORN REGIONAL SCHOOL DISTRICT OFFICERS  
SCHOOL BOARD MEMBER FROM KINGSTON - TERM ENDING 1995**

James S. Albrecht, Sr. ....596  
Electra L. Alessio.....1216 \*

**MODERATOR - TERM ENDING 1993**

Richard "Rick" Russman.....1594 \*

The ballots were wrapped, sealed and locked in the vault at the Town Hall at 2:00 AM on March 11, 1992.

Bettie C. Ouellette  
Kingston Town Clerk

**MINUTES OF CONTINUED TOWN MEETING  
AT SWASEY GYMNASIUM - MARCH 11, 1992**

The 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 Selectmen, Stamatios Yiokarinis and Jeremy Russman, then Town Clerk - Tax Collector, Bettie C. Ouellette. Next, the Budget Committee members were introduced - Carroll Wright, Chairman, Susan Cavanagh, James Rankin, Edward Jervis, William Eckel, Anthony Whitcomb, Keith Dias, Natalie Timmons and Mark Marino.

Mathew Steer then made a presentation from Boy Scouts Troop #93. On March 21 they will deliver bags for the Kingston Food Pantry and on March 28 they will pick up the bags.

The Moderator announced that she wanted the meeting to proceed in an orderly manner. She then read the results of yesterday's balloting, including the 7 questions on the ballots. Town Counsel will rule on the legality of William Timmons' election as Trustee of Trust Funds for 3 years and Norman Hurley's election to the Municipal Budget Committee for 3 years. (Unless otherwise specified, all votes were by voice.)

**ARTICLE 2** - It was voted to raise \$2,050,824.00 to defray Town charges for the ensuing year and to make appropriations of the same. An amendment was made by Brian Collins to reduce the amount to \$1,870,824.00, but it was NOT passed. This vote was taken after a motion to "cut off debate on the amendment" made by Margaret Wentzel, 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 11** - were voted by written ballot Tuesday.

**ARTICLE 12** - 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 1992 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 13** - This article, to see if the Town would vote to raise and appropriate the sum of \$10,000.00 to be added to the Nichols Memorial Library Capital Reserve Fund for future library expansion as created in the 1990 Town Meeting, was NOT passed. (See later reconsideration after Article 22.)

**ARTICLE 14** - It was voted, as amended, to authorize Trick-or-Treating on October 31 each year between 5 PM - 8 PM, as long as accompanied by an adult. The amendment was made by Jef Flanders-McDougall.

**ARTICLE 15** - It was voted to authorize the Town to raise and appropriate the sum of \$23,847.00 to be placed in the Landfill Closure Capital Reserve Fund. An amendment by Laurette Poleatewich to have none of this money raised by taxes in the Town of Kingston was NOT passed.

**ARTICLE 16** - This article, relative to raising and appropriating \$2,2471.00 to purchase a copier for the Police Department, was tabled on a motion by Chief Neil R. Parker.

**ARTICLE 17** - It was voted to indemnify and save harmless for loss or damage occurring after said vote, any person employed by the 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 judgment 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 PSA 31.105 Law of N.H.

**ARTICLE 18** - It was voted, by standing "eye" vote, to authorize the Selectmen to accept the property known as Map #R21-1 if such property becomes available through the State of New Hampshire. This property is located across from the boat landing and is the present location of the State Highway Garage. An amendment, made by Brian Collins, "as long as the property is not identified as a hazardous waste site" was NOT passed.

**ARTICLE 19** - It was voted, as amended, to raise and appropriate the sum of \$2000.00 to fund the D.A.R.E. program for 1992. The amendment was made by Neil Parker to change the amount from \$5000.00.

**ARTICLE 20** - It was voted to authorize the Selectmen to set aside Tax Map R21-33A for the future site for a police safety complex. This is town owned land at the end of property by the Highway Department.

**ARTICLE 21** - It was voted to raise and appropriate the sum of \$2,596.00 to be placed into the Capital Reserve Fund for future replacement of the Ambulance. This amount represents the total amount of fees collected in 1991.

**ARTICLE 22** - Normal Hurley moved that \$30,000.00 to be raised and appropriated to be placed in the Fire Department Capital Reserve Fund for Apparatus Replacement. It was seconded. The Moderator announced that this motion was brought on the floor as amended and asked if there was any objection. There was none. After much pro and con discussion, the article was passed. At this time, Arthur Schultz made a motion to reconsider Article 13 relative to the Library Capital Reserve Fund, and it was seconded. When the voice vote was uncertain, the Moderator appointed the following tellers to count the standing vote: David Conant, Sally Cockerline, Donald Eadie and Paula Marino. Results were Yes 115 and No 87.

**ARTICLE 23** - It was voted to raise and appropriate the sum of \$150,000.00 to purchase a new Fire Truck to replace our existing 1973 Ford Engine #3 and to authorize the withdrawal of \$150,000.00 from the Capital Reserve Fire Department Apparatus Fund, created for that purpose. Any unspent balance to be returned to the Capital Reserve Fire Department Apparatus Fund.

**ARTICLE 24** - This article, relative to raising and appropriating the sum of \$5,000.00 to be placed into the Capital Reserve Account for future replacement of the Ambulance, was NOT passed.

**ARTICLE 25** - It was voted to raise and appropriate the sum of \$850.00 to assist Cross Roads House, Inc., a non-profit organization, in providing emergency shelter and transitional housing services to the area's homeless population.

**ARTICLE 26** - It was voted to raise and appropriate the sum of \$15,000.00 to fund the continuation of the Kingston Volunteer Recycling Program.

**ARTICLE 27** - It was voted to raise and appropriate the sum of \$25,000.00 to sponsor a limited regional Household Hazardous Waste Collection Day. Said cost to be reduced by participating towns reimbursing Kingston on a per capita basis and any grants that may be available for such a program. An amendment made by David Moore to reduce the amount to \$5000.00 and change the wording "to fund Kingston's share for a regional Household Hazardous Waste Collection Day. Said cost to be reduced by any grant that may be available for such a program." This amendment was NOT passed.

**ARTICLE 28** - 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 #46, for the purpose of conservation land purchase and associated costs.

**ARTICLE 29** - 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 KCCRSA 36-A:5 for the purposes of acquiring conservation land or interest in land and other costs associated therewith for permanent conservation use. 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 may be expended by the majority vote of the Kingston Conservation Commission and the Selectmen.

**ARTICLE 30** - This article, to raise and appropriate the sum of \$76,000.00 to be used to replace both bridges on Little River Road, was NOT passed.

**ARTICLE 31** - It was voted to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of purchasing Highway trucks and equipment and to raise and appropriate the sum of \$30,000.00 to be placed in this fund, and to designate the Board of Selectmen and Road Agent as agents to expend. An amendment made by Carroll Wright to reduce the amount to \$15,000.00 was NOT passed.

**ARTICLE 32** - It was voted to raise and appropriate the sum of \$700.00 to help defray the cost of

services provided to the Town of Kingston and its residents for fiscal year 1992-1993 by the Retired Senior Volunteer Program (RSVP).

**ARTICLE 33-** It was voted to amend the Cemetery By-Laws by establishing new prices for the sale of cemetery plots, by changing the first paragraph of Section B.: so that the new section would read as follows::

**B. Cemetery plots: Sales, etc. -** Minimum plot size if 8 1/2 'x10 and sells for \$200.00, including perpetual care and which provides for two graves. Next size plot is 10 x10' and sells for \$300.00 , including perpetual care and which provides for three graves. Next size plot is 10' x 20' and sells for \$600.00 , including perpetual care and which provides for six graves. Larger plots can be obtained by joining 10'x20' lots.

**NOTE:** The 8 1/2 'X 10' is a new lot size. Formerly the price was \$150.00 for 10'x10' lot, and \$250.00 for 10'x20' lot. There will be no change in the second paragraph of Section B.

**ARTICLE 34 -** It was voted to authorize the Selectmen to cut approximately 8 acres of land, acquired by tax collector's deed and currently owned by the Town, located in the "Woodman Swamp" next to the Bakie Farm on Route 107A, being parcels 9, 17, 18, 28, 30, 32, 33, 34, 35, 36, 41, 42, 43 and 44 on Tax Map R27., under permanent conservation easement for the purpose of preserving the natural state of the land for posterity.

**ARTICLE 35 -** It was voted to authorize the Selectmen to deed the ownership interest of the land referred to in Article 34 above, burdened by the permanent conservation easement, for One Dollar (\$1.00), to John Bakie, for the purpose of putting ownership of the entire original Bakie Farm land back to the Bakie family, in consideration of their donations of permanent conservation easements over certain other lands.

**ARTICLE 36 -** It was noted to authorize the Selectmen to deed back to the previous owner, real estate located off North Danville Road (Tax Map R32, Parcel 1) which the Town acquired by Tax Collector's deed, upon payment to the Town of an amount equal to the sum of prepaid taxes on that real estate and interest thereon at the statutory rates for unpaid taxes; and all costs of the Town relating to the unpaid taxes and deeding of this real estate.

**ARTICLE 37 -** It was noted to change the name of Country Pond Road South to "Reinfuss Lane".

**ARTICLE 38 -** The following resolution was passed: That the Town of Kingson actively endorses the continuation of recycling and further expansion of recycling as environmentally responsible and necessary to safeguard the future of the Town of Kingston.

**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.

**ARTIVCLE 40 -** It was voted as amended by David Welch to authorize the Board of Selectment to sell tax deeded property exluding waterfront property at public auction or sealed bid, subject to the Public Land Acquisition Ordinance adopted March 11, 1986 Said vote to exclude property described in Article #34 map reference R27-30 previously voted during this meeting.

**ARTICLE 41 -** It was voted to adopt the grand total of the budget and all articles at \$2,350.,817.00. This was an affirmation of the total sum spent at this Town Meeting.



Lynne Merrill, Chairman of the 300th Anniversary Committee notified voters of the progress being made by the committee for the celebration planned for 1994. In 1992 there will be events taking place on August 7th and 8th she also mentioned that there are many souvenirs available for sale in the Town Clerk-Tax Collector's office. Volunteers are still needed and would be welcomed on the committee working for all of the events being planned.

It was voted to adjourn at 10:15 P.M.

Bettie C. Ouellette  
Kingston Town Clerk

Note: On March 17, 1992, the Town Counsel ruled that William Timmons, Jr. and Norm Hurley are both able to serve as Trustee of Trust Funds and Member of the Budget Committee respectively.

## APPROPRIATIONS AUTHORIZED BY 1992 TOWN MEETING VOTE

### PURPOSES OF APPROPRIATION

#### GENERAL GOVERNMENT

Executive .....	\$183,270
Election & Registration .....	5,450
Legal Expenses .....	15,000
Employee Benefits .....	85,500
Planning & Zoning .....	16,681
General Government Bldg .....	53,278
Cemeteries .....	20,407
Insurance .....	117,000
Advertising & Reg. Assoc. ....	4,473
Contingency Fund .....	20,000
Municipal Budget Committee .....	100
Other General Government .....	29,250

#### PUBLIC SAFETY

Police .....	248,344
Civil Defense .....	2,412
Fire .....	102,065
Building Inspection .....	13,250
Forest Fires .....	500
Outside Details .....	1,500

#### HIGHWAY AND STREETS

Highway & Streets .....	324,532
Street Lighting .....	11,500
Block Grant Aid .....	75,162

#### SANITATION

Administration .....	37,260
Operations .....	386,565
Maintenance .....	18,500

#### HEALTH

Health Agencies & Hospitals .....	4,100
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Animal Control.....	4,029
<b>WELFARE</b>	
Direct Assistance.....	35,200
Welfare Administration.....	5,811
Social Services .....	44,216
<b>CULTURE AND RECREATION</b>	
Parks & Recreation .....	2,400
Library .....	66,177
Patriotic Purposes.....	500
Recreation Commission.....	13,967
<b>CONSERVATION</b>	
Conservation Commission.....	625
<b>DEBT SERVICE</b>	
Interest on Tax Anticipation Note .....	100,000
<b>OTHER</b>	
Marriage Licenses .....	1,400
Dog Licenses .....	400
<b>TOTAL APPROPRIATIONS.....</b>	<b>2,050,824</b>

#### **SPECIAL ARTICLES**

ARTICLE 13 - Nichols Memorial Library Capital Reserve .....	\$10,000
ARTICLE 15 - Landfill Closure Capital Reserve Fund .....	23,847
ARTICLE 19 - D.A.R.E. Program .....	2,000
ARTICLE 21 - Ambulance Capital Reserve Fund .....	2,596
ARTICLE 22 - Fire Apparatus Capital Reserve Fund.....	30,000
ARTICLE 23 - Fire Truck (to come from Capital Reserve ) .....	150,000
ARTICLE 25 - Cross Roads House .....	850
ARTICLE 26 - Volunteer Recycling Program .....	15,000
ARTICLE 27 - Limited Regional Household Hazardous Waste Collection Day.....	25,000
ARTICLE 28 - Conservation Land Purchase Capital Reserve .....	10,000
ARTICLE 31 - Highway Trucks & Equipment Capital Reserve .....	30,000
ARTICLE 32 - Retired Senior Volunteer Program (RSVP) .....	700
<b>TOTAL SPECIAL ARTICLES .....</b>	<b>299,993</b>
<b>GRAND TOTAL (with \$150,00 being spent from Capital Reserve) .....</b>	<b>2,350,817</b>