

**Kingston, New Hampshire
Board of Selectmen
Meeting of April 3, 2023
FINAL MINUTES**

The meeting was called to order at 6:30 PM by the Chairman.

PRESENT: Chair Richard Wilson; Vice Chair Chris Bashaw; Glenn Coppelman, Charles Hart, Kevin St. James, Select Board Members

APPOINTMENTS

Complaint regarding shooting at 74 Little River Road

Melanie Dostie of 76 Little River Road introduced herself, saying she is a 40-year Kingston resident and had never had a complaint until the last three years. She said at that time the neighbor at 74 Little River Road moved in and starting shooting. She said she has brought her complaint to the Select Board, the Police Department, Code Enforcement and Fish and Game, but there has been no resolution. She said that the Police Chief has said it is a civil matter. She said she accepts that people have the right to shoot guns on their own property, but it is very loud and goes on for a long time, up to 2 hours, which is unreasonable.

Chairman Wilson asked if the police talked to the person, as in other cases, sometimes a conversation can help make people understand the liability issues and decide to stop or shoot elsewhere. Ms. Dostie said that this person is not willing to stop or go to a range.

Selectman Coppelman asked if the shooting is taking place within 300 feet of a building. Ms. Dostie described the property and said that the police had said there is a shooting backdrop at the lower left of the property. Selectman Hart said that the police department had apparently looked at the distance, the backdrop and the legality, and from their perspective it meets the requirements. Ms. Dostie said that may be true, but it is clearly violating the noise ordinance. Chairman Wilson said that the noise needs to be continuous to be considered in violation. Ms. Dostie said that on a weekend afternoon it will continue for more than two hours. She then played a tape of the shooting that she had recorded from her front porch. Chairman Wilson said that the reading has to come from an official decimeter; Ms. Dostie said that because she had no help she used her own, on her phone. This came in at 100 decibels, where the limit is 60 (it was noted by Selectman Coppelman that in the Single Family Agricultural Zone the limit is actually 55). Ms. Dostie said that inside the house the reading was 70 decimeters, and even with noise cancelling headphones it is loud.

Laurie Farmer, 77 Little River Road, came forward and said she would like to support Ms. Dostie, that even from her house (up the road and 500 feet away) the noise is bad. She said the shooting starts at 2:30 PM on summer afternoons, and it is excessive and loud. She said she does not want to start trouble, but it is ridiculous. She said it is not right for the matter to be dismissed out of hand by the Town. She said the peaceful use of property, by her and her family, including children, matters.

Chairman Wilson said that he will visit the person doing the shooting with the Police Chief, and bring the decimeter that the Police Department now has.

Selectman Bashaw said that he does not see any criminal aspect, annoying though it must be. He said a certified calibrated meter is needed.

Ms. Dostie said there is the potential for crime, and that a rock had flown over from the shooting range and landed on her trampoline. She said she had reported that, but Chief Johnson had said he found it hard to believe the rock came from the shooting range.

Michael Higgins came forward and identified himself as Ms. Dostie's father. He said he is a 40-year resident and a member of the NRA, and at first he told her it would pass. However, he said it gets out of hand, to the point that the noise is so loud inside the house they can't watch a game on TV. He said there are parties involving alcohol and shooting at the property in question, and he is fearful of his daughter or granddaughter being hurt by a ricochet. He asked what is going to be done.

Chairman Wilson told Ms. Dostie to call the Board's Administrative Assistant to get his cell phone number, and to call him when the shooting is happening.

PUBLIC COMMENT 1: None

COMMITTEE LIAISON REPORTS:

Selectman St. James said he had gotten another email today regarding the incursion onto **Conservation** land; this is in the Board's packets. He said it is an old issue.

Selectman Coppelman said he has appointments set up to meet with a **Museum** committee representative and with the **Library** Director.

Selectman Hart said the **Fire** Station Building Committee memberships expired in March but need to be extended for 60 days to complete some work.

MOTION: by Selectman Hart, to extend the Fire Station Building Committee member appointments for 60 days.

SECOND: by Selectman St. James

All in favor

The Fire Station bond fund balance will be reviewed by the Finance Director and Fire Chief.

Selectman St. James thanked Selectman Hart for taking his place at the **Kingston Days** Committee meeting. Selectman Hart said that they have a car group coming and have also found a carnival company that can be there on the new dates.

Chairman Wilson said that all the **stained-glass** windows had been sold (sponsored) as of today. He read the list of donors:

- Glenn Coppelman
- Liz and Ernie Landry
- Stan Wentzell
- Thomas and Stacy Dion
- Ellie Alessio
- Ellie and Peter Coffin
- Dave and Ginny Hallett

- Ben and Betsey Bixby
- Will Van Dyke

He added that donations can still be accepted, and that aside from the major sponsors, many people have contributed small amounts which will offset the cost to the Town for the first window. He said the windows should be installed between May 15th and 20th, and that there will be a celebration at the museum in early June.

OLD BUSINESS:

Watershed Management Plan Grant

Questions regarding the amount of advance payments that will be required of the Town (to pay the consultant, FB Environmental) and how long it will be before they are reimbursed by grant money have been satisfactorily answered. The contract with FB Environmental is being reviewed by the attorney.

Conservation land encroachment

Chairman Wilson said he will go down and check this out with Conservation Commission Chair Evy Nathan.

NEW BUSINESS:

Request to place “little free library” on the Plains

The Board reviewed this request received from a resident. Selectman Coppelman said he thinks there is a standardized format for these, and that there may be one at the Bakie school. The person will be directed to contact DPW Director Phil Coombs about placement.

MOTION: by Selectman Coppelman, to grant permission to place a “little free library” on the Plains under the direction of the DPW Director.

SECOND: by Selectman Hart

All in favor

Stolen trash totes

Director Coombs and Police Chief Johnson were present and asked to discuss this matter. Chief Johnson said that stealing a bin is a violation, the value being under \$1,000. Mr. Coombs said the bins are serialized and his department is coordinating with Waste Management to watch for the stolen ones. Mr. Coombs said that the DPW has stamped spare bins to loan; he said if the bins are destroyed through neglect or misuse, the resident will need to replace the bin, but if it is stolen they can have a loaner. However, he said they have only a limited number of spares. Selectman Bashaw said that given that the cost of replacement should be only the cost of the bin, which is \$75, rather than the overall contractual costs over 5 years (\$687).

MOTION: by Selectman Bashaw, to replace Waste Management bins if stolen and a police report has been filed; if a bin is damaged due to misuse, it will be replaced at a cost of \$75 (for a 96-gallon tote); the damaged tote must be turned in.

SECOND: by Selectman St. James

All in favor

Request for refund of tax interest penalties

The Board considered a request from a taxpayer who said two separate check payments were lost in the mail. Tax Collector Tammy Bakie was called in for more information; she said that she never got the payments, and the amount being requested- the interest only - was very small as the person had come in person to pay the bill. The Board concluded that they can't control the postal service and it is the taxpayers' obligation to pay attention to their checking accounts and legal notices, therefore no refund will be given.

Meeting with Hawks Ridge Homeowners' Association President

Selectman Hart reported that he and Chairman Wilson had met with Duane Brown of the Hawks Ridge Association, to go over matters which Mr. Brown said are still not completed or corrected in the subdivision. Planner Glenn Greenwood was present at the meeting and will go over the plans, and when Town Engineer Dennis Quintal returns, he will go out and see what if anything the Town should do, looking specifically at drainage.

ZBA increase to certified mail fee

The ZBA has asked the Board to approve an increase to their Certified Mailing fee so that it matches what the Planning Board charges, and to keep up with postage increases. This will be an increase from \$11.50 to \$12.25 per abutter letter.

MOTION: by Selectman St. James, to mirror certified mailing fees across all Town boards and committees, increasing as needed to meet rising costs.

SECOND: by Selectman Bashaw

All in favor

BOARD BUSINESS:

PUBLIC COMMENT 2:

None.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Solar Exemption application: approved pending verification of building permit
- Veterans credit application (1): approved
- Elderly exemption applications - 3 received; two approved and one held pending further research
- Notice of intent to excavate, Dorre Road - hold to next meeting

APPROVAL OF MEETING MINUTES:

MOTION: By Selectman Hart, to approve the meeting minutes of March 27, 2023, as submitted.

SECOND: by Selectman Bashaw

Selectman Coppelman pointed out one error, that he had abstained from the vote on the minutes during that meeting. Selectman Hart revised his motion to "as amended".

All in favor

MOTION: by Selectman Bashaw, to adjourn public session and enter non-public session at 7:20 PM, to discuss personnel matters.

SECOND: by Selectman Coppelman
All in favor via roll call vote

MOTION: by Selectman St. James, to adjourn non-public session and return to public session at 8:15 PM

SECOND: by Selectman Hart
All in favor

Discussed in non-public session: Personnel performance

Motion made to seal minutes of non-public sessions.

Motion made by Selectman Bashaw, seconded by Selectman Coppelman, because it is determined that divulgence of this information likely would...

☒ X Affect adversely the reputation of any person other than a member of this board.

☐ Render a proposed action ineffective

☐ Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to Seal Minutes:

Richard Wilson	Y	Chris Bashaw	Y
Kevin St. James	Y	Glenn Coppelman	Y
Charles Hart	Y		

Motion: PASSED

Meeting Adjourned at 8:15 pm

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board