

**Kingston, New Hampshire
Board of Selectmen
Meeting of June 12, 2023
FINAL MINUTES**

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

PRESENT: Chair Chris Bashaw; Vice Chair Charles Hart; Glenn Coppelman, Laurie Szwed, Ellie Alessio, Select Board Members

APPOINTMENTS

Craig Barlow, appointee to the Recreation Commission:

The Board spoke with Mr. Barlow about his interest in serving on the Recreation Commission. Mr. Barlow gave his background, saying he has been a resident of Kingston for 40 years and has volunteered for the Rec Commission in the past, at the time they built the softball field at the fairgrounds. He has also been on the school board. He said he appreciates all the commission does and would like to serve again.

Nick Golon and Jake Dusling, TF Moran Re: Unitil proposed solar project

Mr. Golon briefly reviewed the plans TF Moran has prepared for this utility solar project, which is going before the Planning Board. He said after a preliminary meeting with this Board, they had a conceptual meeting with the Planning Board; he said his primary concern is access, because without that there is no project. He said they are here to update the Board and to be sure the plans are consistent with expectations. He said there are three components to the access plan:

1. Intersection improvements. Mr. Golon said he had worked with DPW Director Phil Coombs to see how best to improve the intersection of Towle Road with Mill Road. He said that this will be a benefit to both the project and the Town, and Unitil is committed to making this improvement.
2. Condition of Towle Road. Unitil will document the road's conditions at the beginning of the project and repair any deterioration due to the construction traffic.
3. Access to the project from Towle Road. From where the Class 5 paved portion of the road ends, Unitil will improve the Class 6 portion by making it a 20' wide gravel road for access to the project.

Selectman Coppelman asked for clarification about the intersection, noting that the intersection currently comes in at a sharp angle, and there is a house there. The road is still Class 5 to the house and will be Class 6 where it goes into the Unitil easement. Selectman Coppelman then noted that it is in the plan for the DPW to repair two bad areas on the road before the beginning of the project. The DPW Director was present and explained that these two repairs were already planned, and this will just move them up.

Mr. Coombs said that the decommissioning of the intersection will be done by his crew. He said this will be better for traffic going onto Towle Road, it is an upgrade for the Town, as the site distance is bad now.

Selectman Coppelman asked about the improvements to the Class 6 Road; Mr. Coombs said that right now it is washed out and not passable. Unutil will bring it up to DOT specifications, with crushed gravel, and 20 feet wide. This will allow them access to the project and also will be what is required by the Fire Department. Mr. Golon explained that swales will be added for managing stormwater.

Selectman Bashaw said that while he had thought the whole access road would be upgraded to Class 5, given where it is, bringing it to Class 6 standards is a vast improvement.

Mr. Golon said that this same package of information will be going to the Planning Board on June 20.

MOTION: by Selectman Coppelman, to authorize access for this project as proposed and per the designs presented, including input of and guidance from the DPW Director and conditional upon Site Plan approval by the Planning Board.

SECOND: by Selectwoman Alessio
All in favor

PUBLIC COMMENT 1: None heard

LIAISON REPORTS

Selectwoman Alessio said she had attended the second community forum hosted by the committee on Age-Friendly communities. She said the two areas of concern in Kingston are communication and transportation. The group will be working further to address these concerns.

Selectwoman Alessio said there was an article in the Union Leader about federal/state funding for voting machines. She will be talking with the Town Clerk to make sure the town's machines get upgraded.

Finally, Selectwoman Alessio said she and library director Melissa Mannon have set up a monthly meeting to exchange ideas. She said that Director Mannon is doing a tremendous job, opening up the library to the public with numerous programs.

Selectman Coppelman said that both the Heritage Commission and Historical Museum Committee were involved in the presentation and celebration at the Nichols building yesterday. He said he attended, as did all of the other Board members except Chair Bashaw, who had other obligations. He said that donors and sponsors for the stained glass windows were recognized, and there was an unveiling of the National Historic Register plaque, which was mounted on a stone outside the building.

Selectman Coppelman said that the HDC will be meeting tomorrow and will discuss preparation for a joint meeting with the Planning Board to discuss possible modifications to the ordinance covering the HDC and also to clarify which board does what when it comes to permitting. Selectwoman Alessio said there are inconsistencies in the ordinances that they would like to clear up now that the town's attorney has met with them and helped to clarify matters.

Chairman Bashaw said he did not have a lot to report; he had asked Selectwoman Szwed to cover the Planning Board for him due to a school concert.

Selectman Hart reported that the Conservation Commission had talked about all the work done on the trails. He said the Trails subcommittee had done a tremendous job and that there are a lot of trails in town. There was a brief discussion of the percentage of town land that is currently in conservation easements; Rick Russman (8 Beach Road,

member of the Trails committee) was asked about this and said he believes the percentage is around 21% currently. The Town has 12,000 acres, and the goal was to conserve 25% which would be 3,000 acres. Mr. Russman said that some of the land counted belongs to the Town, some to the South East Land Trust, but it is generally all counted as conserved land, and that they are near the goal now with some recent additions.

Selectwoman Szwed said that at the Planning Board meeting there was a discussion of the rewriting of the stormwater management standards with the help of Madeleine Dilonno of the Rockingham Planning Commission. They went through the portions that pertained to Planning. On June 17th there will be a Site Walk at the intersection of Towle and Mill Roads, that was discussed tonight.

Selectwoman Szwed said that the Kingston Days Committee is regrouping. They will be having a 5K running race and are seeking sponsorships.

OLD BUSINESS

13 Wadleigh Point Road: Demolition Agreement (update)

Darrell Temple and Andrew Elwarner were present to discuss the agreement proposed by the Board at the June 5 meeting, regarding posting a bond to ensure that demolition of the old house on the property takes place as soon as the new one is built. Mr. Elwarner said that he sees that the amount of the bond, based on a demolition estimate, is now \$25,000. He said he is going to seek a second estimate, hoping to bring the cost down.

Mr. Elwarner then shared with the board that the conditions of the shoreland impact permit they obtained from NH DES requires not only that they destroy the house, but that the area be restored by bringing it back to grade and seeding it. He said that as the DES requirements go above and beyond what the Town is asking, he wants to know if they can waive the bond. He said he is not concerned about the bond being required as he fully plans to bring the site into compliance, but he is concerned that it will make him \$25,000 short of the funds needed to do the project. He said he has also noticed that there is nothing in the agreement identifying when the bond would be released.

Selectman Coppelman said he is concerned about how actively the state will pursue the matter; he said he thinks the local entity has the responsibility and will be more responsive.

The Town's attorney will be asked if the DES letter is enough to remove the need for a bond, and if not, will be asked to add language setting a timeframe for release.

Mr. Elwarner also had questions about including an ADU in the new home; he was referred to the Town's ADU ordinance.

NEW BUSINESS

Request for trash pickup at vacant lot with temporary camper

Steve Riley, owner of the lot at 74 Danville Road, said that he has been camping on his land every summer for the last 15 years and always had trash pickup. He said this year he was told by the DPW that as he does not have a residence on the property he will need to come to this Board to request a trash barrel.

DPW Director Coombs said that the standard is that trash and recycling pickup are only for residential properties, and as this site is not classified as residential, he deferred to the Board to make a final decision.

Selectman Hart asked if his trash was picked up before, and Mr. Riley said that they always picked up his bags. Mr. Coombs said they did this everywhere, whether the property was a business or a residence. Selectwoman Alessio asked how many other summer residents there are in Town, and what exposure granting this trash barrel would cause the Town. Mr. Coombs said that the other discussion like this was for an association property that was taxed at a full rate. In that case, it was decided to supply a temporary barrel for the season. He said there are buildings on the property and it's a unique situation.

Selectman Bashaw said that he would not be opposed to providing trash pickup, but as the property is not taxed as residential and no impact fees have been collected on it, something needs to be charged for the barrel. There was a discussion on what the amount should be; the cost to a resident for a second barrel is \$687 based on a five-year contract. Selectwoman Alessio said that whatever is decided it will need to be consistent going forward. Selectman Bashaw said he felt the full 5-year fee should be charged, and Mr. Riley can put it away when he is not here to use it. In discussion it was noted that seasonal residences received a trash barrel.

Mr. Riley said that it doesn't make sense to him to pay the fee when he is on the property for such a short period of time, so he will find another way to dispose of his trash.

Request for Proposal forms

The Board reviewed RFP forms to be posted for Mosquito Control services and Assessing Services. After some discussion of both, it was decided that the Mosquito Control RFP may be posted as it is; the RFP for the Assessing contract will be brought to the Department Heads meeting for further review.

The Board had also been given a sample RFP for installing point of entry filtration systems, which has been chosen as the preferred method of PFAS mitigation. It was agreed that discussion of this is premature, as the Town does not yet have confirmation that the state grant applied for will be granted.

With regard to the steps going forward in the PFAS mitigation process, the Administrative Assistant will prepare a workflow chart with the help of the Sanborn Head consultants.

BOARD BUSINESS

Building Inspector/Code Enforcement Officer position - Discussion

Chairman Bashaw said he had asked to have this matter on the agenda, and he had sent out an email to the Board members, as had Selectman Coppelman. For the benefit of the public, he said that several budget shortfalls had been discovered, first with Solid Waste and Recycling due to the way different recycled materials are either charged or credited in the new contract. This created a fluctuating monthly charge that had not been anticipated. Then it was discovered that the Assessing line had been given the same budget amount as prior years, as it had not been recognized that the fifth year of the contract, the revaluation year, is \$60,000 more. The Chair said that now that the Finance Director is through with the annual audit, he will ask her to do a full review of all contracts to be sure nothing else is missed.

Chairman Bashaw said that the Town is fortunate to have ARPA funds available, but he does not like to deplete those funds due to lack of foresight. He said that the Code

Enforcement/Building Inspector position represented a substantial amount of expense to the Town, not only the salary but the benefits package. He said that provisions for covering the department are in place with a part-time inspector serving on an interim basis. He said he would like to leave this part-time solution in place at the very least until the contracts can be audited, in case more shortfalls are identified. He went on to say that if it could be left this way until the end of the year there would be substantial savings to the Town, and it would allow time to evaluate whether a full time Code and Building Inspector is really needed. He added that he had talked with the interim inspector, who has indicated he is willing to stay on until the end of the year if needed. He said it may be found that this job does not need to be full time, but that money might be spent better by hiring a part time clerical person for the department.

Selectwoman Alessio said that she agrees in holding off for a while, but she also agrees with Selectman Coppelman's opinion, shared in his email, that with various large projects such as the Seminary, Summit Distributing and the warehouse on Route 125 all coming up, as well as the needs of the MS-4 stormwater permit requirements, the full time position is warranted. However, she said that the large projects have been delayed, so the next 6 months should not be too much of a challenge. She said that the board needs to meet the town's financial obligations.

Selectman Hart said that he feels that a Code Officer is not as important to have, but that a Building Inspector is needed now. He said that the interim inspector has the right knowledge but is not a Building Inspector. Selectman Bashaw suggested that if the position is part time, a retired inspector may take the position.

It was decided to pause all postings and hold off on hiring for a flexible amount of time, and options will be kept open. All applicants will be sent a letter informing them that hiring is paused but that once the search resumes, they will be contacted again.

Lefevre/Pellegrino Cease and Desist

The Town's attorney is preparing a cease-and-desist letter for 13 LeFevre Drive, where the owners are living without an occupancy permit, and where plans and a permit are needed for an ADU that was added. Impact fees have not been paid. Chairman Bashaw was authorized to sign the letter when it is ready. Selectman Hart said there is a second home in the Solar Hills subdivision that is being sold without an occupancy permit; this is also being followed up on. The bond covering Phase 2 of Solar Hills has been reviewed and it has been determined there are sufficient funds to cover the balance of the project.

Budget

Selectman Hart went through some budget lines to see if there are further shortfalls. Line 4411-07 for bottled water is one that concerned him. It was pointed out that once the PFAS filtration systems go in, the Town will no longer need to supply bottled water. Selectman Hart said that there is currently roughly a \$150,000 short fall in the budget. He said the \$60,000 generator grant for the fire station, currently in the fund as unencumbered, as well as ARPA funds are two sources of money to look into. There was a brief discussion of what the generator grant money can and can't be used for. Selectman Hart mentioned other sources of revenue such as land use change taxes and timber taxes; Selectman Bashaw said that unanticipated revenues can't automatically be used to offset the budget. He added that he will be cautioning the department heads at the next meeting that this is not the year to use up all leftover budget funds.

Grant application for PFAS remediation: update

Selectman Coppelman said that the application for this grant funding has been submitted to NH DES. In the meantime, he said the question arose whether the households that have been supplied with drinking water even though they had no exceedances in the last round of testing would be eligible for a filtration system under the grant. He said that 7 of the 20 households that are included in the application had exceedances in the 2019 round of testing, but not in the last round in 2022. They have received water anyway pending further testing, as levels can fluctuate. Selectman Coppelman said that he had talked to the PFAS Administrator at NHDES and she had confirmed that these 7 households would still be eligible.

Grant application assistance -CTAP

Selectman Coppelman said that there is a program (CTAP- Coaching and Technical Assistance Program) just launched by the New Hampshire Municipal Association to aid smaller communities to seek funding for projects. They are seeking communities who are interested in participating. He said there is still a lot of money available at the federal level, but smaller communities that do not have the staff that larger cities have get left out. He said he went to the website and it is a simple application; this is due by July 5. He said they are targeting communities with financial needs and Kingston may not be chosen but he thinks it is worth a try, so is bringing it to the board as a suggestion. Selectwoman Alessio commented that the Town does not have the staff to devote time to this, that they are struggling to take care of business as it is. She said she is not in favor of reallocating staff to this. Selectman Coppelman said the only way it would be of use to the town is if there is an identified project, for which he is reaching out to Department Heads. Selectwoman Alessio suggested that the board should reach out to members of the community who may have expertise in this area and would be willing to help. Selectwoman Szwed questioned what “technical assistance” means. Selectman Coppelman will get more answers and a decision will be made at the next meeting.

Pay Salary Study Committee

Members of the community will be asked to submit letters of interest in joining this committee prior to the initial meeting. Notices will be posted to solicit letters from interested parties.

Department Heads meetings - include Committee and Board representatives

Selectman Coppelman asked if there could be time in the agenda for the monthly Department Heads meetings to include a representative from any and all town committees and boards. He said this way they would know they had the opportunity to address the Board at least once per month. All were in favor.

PUBLIC COMMENT 2:

DPW Director Phil Coombs said he had put forward a quote for software, and he has another quote that he wanted to bring forward. He said it was substantially more than the earlier quote, but he shared with the board the description of what is included. He said the IWorqs program has most of the functionality that this one does. He explained the need for software, saying that the DPW processes a lot of information, maps and software that is not very accessible and that is costing money and efficiency. He said

this is not cheap but he feels it needs to be seriously considered. It involves the mapping of roads tracking of storm water, signage, maintenance schedules and all the things the town is legally responsible for tracking in one place. Plow routes, as an example, would be accessible by the driver from his phone. Mr. Coombs said he wanted to share this information and asked if the Board would like a demonstration of the software. It was agreed this would be helpful.

Selectman Bashaw also said he is looking into whether the ARPA funds can be used for a multi-year contract that goes beyond the deadline for expenditures if it is paid upfront. The first year of this contract would be \$14,000 and each year thereafter would be \$9,000. Mr. Coombs said they looked at a lot of software and they are trying to find something that does what the Town needs without adding expensive additions that are not needed.

A demonstration will be set up that will include other department heads.

Town Hall front door

There was a discussion of whether or not the front door of the Town Hall should be locked for security reasons; this question had been asked by Adam Faulconer.

Selectwoman Alessio said she had talked about this with the Finance Director, as she is in her office in the front of the building all the time and the Human Services Director is also frequently up here as well. She wondered if the locked door policy of the past needs to be continued now that staff are on this floor on a regular basis.

Adam Faulconer said his concern is that the offices are not always occupied, and it would be too easy for someone to break into the audio visual booth where there is a lot of expensive equipment.

Mr. Coombs said that the front stairs are an issue. He said work has been done on the side stairs, but from a liability standpoint he feels traffic should be kept to a minimum. He also said that the door was initially locked so that eyes will be on everyone that comes in. He said that now there are cameras watching the main hallway downstairs and he feels that back door should be the primary entrance.

It was decided that the front door should be kept locked.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- **Reach the Beach relay Special Event application:** Department Heads had given their approval for this event that will take place on Town roads on September 16. Police will be placed along the route as requested by the Police Chief; it was acknowledged that this event has been going on for years with no issues. On a **Motion** by Selectman Coppelman, **Second** by Selectman Hart, all were in favor of approving this permit.
- **Saddle Up Saloon outdoor music request:** Two more dates have been requested for outdoor acoustic music. As there have been no complaints on the first two dates granted, the dates requested (June 20 and 25) were approved (**Motion** by Selectman Bashaw, **Second** by Selectman Hart, **4 in favor, 1 opposed (Coppelman); motion passed**). All agreed that both the Draft House and Saddle Up Saloon need to go back to the Planning Board after this season and amend their Site Plans to include outdoor music if they wish to continue.

APPROVAL OF MEETING MINUTES:

MOTION: By Selectman Hart, to approve the meeting minutes of June 5, 2023 as submitted.

SECOND: by Selectman Alessio

All in favor

MOTION: by Selectwoman Alessio, to adjourn public session and enter non-public session at 8:28 PM, to discuss personnel under RSA 91-A:3, II (a).

SECOND: by Selectman Hart

All in favor via roll call vote

MOTION: by Selectman Hart, to adjourn non-public session and return to public session at 9:15 PM

SECOND: by Selectwoman Alessio

All in favor

Discussed in non-public session: Personnel

MOTION: by Selectman Bashaw, to accept two personnel evaluations shared during non-public session, and to implement raises in accordance with Town policy.

SECOND: by Selectwoman Alessio

All in favor

Meeting Adjourned at 9:20 PM

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board