

**Kingston, New Hampshire
Board of Selectmen
Meeting of July 24, 2023
FINAL MINUTES**

The meeting was called to order at 8:30 AM by Chairman Bashaw

PRESENT: Chris Bashaw, Chair; Electra Alessio, Glenn Coppelman, and Laurie Szwed, Board Members

ABSENT: Chuck Hart, Vice Chair

APPOINTMENTS

Cory Keeffe, NH Electric Co-op: Herbicide treatment in Right-of-Way

Mr. Keeffe, arborist for NHEC, introduced Andy Powers of Vegetation Control Services (VCS), the contractor who applies the herbicide treatment. He then gave an overview of NHEC's Integrated Vegetation Management Plan, saying it is done in three phases:

1. Mechanical vegetation removal
2. The next year, once regrowth begins, selectively apply low volume herbicide to the incompatible taller growing tree species capable of reaching the wires.
3. Biological control: compatible low growing vegetation competes with the taller species for sunlight, at which time the right of way starts to manage itself.

Mr. Keeffe said the reason for herbicide use is that it reduces the cost of maintenance and also reduces the restoration time after an outage. Thirdly, he said it is done for the safety of the crews and of the general public, to reduce the risk of direct or indirect contact with the conductors.

Mr. Keeffe said that NHEC uses one contractor for herbicide application, which is VCS, which employs trained certified licensed applicators. Mr. Powers said that the least experienced employees working in New Hampshire have 15 years' experience, while he has 25 and one of the other supervisors has 27 years. Mr. Keeffe said they have a state permit, which he displayed on the overhead screen as he began a Power Point presentation. He said the permit is good for one treatment.

Mr. Keeffe explained that they had been under the impression that they could not apply herbicides within the Aquifer Protection Zone (APZ) in the Town of Kingston and after being notified that parts of their right-of-way fell into this zone they had been planning to not spray there. However, they learned that the ordinance allowed for up to 25 gallons to be sprayed in the APZ and have come in to show that they will not go over that limit. He put up a map of the area showing the power lines and where they are in the APZ, which he had created by comparing the town's APZ map with the NHEC right of way maps. He said he included some spans that were on the periphery of the APZ, to be safe. The total feet of power lines came to about 6,000 and allowing for a 50' right-of-way translated to 6.88 acres. He mentioned that the typical ROW is 30', so he showed the calculated acreage either way, and said he would use the higher acreage for calculating the amount of herbicide to be used.

Slides of the two chemicals used were displayed, and Mr. Keeffe noted that the first, Krenite S, is prohibited by law to be sprayed in amounts over 3 gallons per acre. He said they follow the directions for low volume directed sprays and use 10% solution volume; he estimated the total maximum usage of this chemical to be 20.64 gallons for the 6.88 acres.

The second chemical to be used is Escort XP, which is a dry substance, the legal maximum per acre to be applied being 4 ounces, or .15 pounds of the active ingredient. Mr. Keeffe showed his calculations for converting the ounces to liquid gallons; the Escort-XP application per acre will be .18 gallons based on a 50-foot ROW based on this maximum allowed amount.

Selectman Coppelman asked if there is a reason to use one chemical over the other, or if they use them together. The answer from the VCS technician was that they are used together as a tank mix. He said Krenite S is a bud suppressant, while Escort XP helps the Krenite to get to the plant. He said the Krenite does not work well on its own for some species, especially soft woods, so the mixture is used.

Mr. Keeffe concluded by showing the maximum use of the mixture of chemicals, based on a 50-foot ROW and including the spans that are not necessarily in the APZ. He said the total amount of Krenite S would be 20.64 gallons, and the total amount of Escort XP would be .006 gallons per acre, or .18 gallons. The total of regulated substances would be 20.82 gallons in the 6.88 acres. His chart also showed what he said was the realistic amount for a 50' ROW based on their average use, which is 4.14 gallons. For a 30-foot ROW he showed that this reduced further to 2.486 gallons.

Chairman Bashaw said that he understands the mission of NHEC to maintain power, but that chemicals in the Aquifer zone are a tough subject given the recent issues with PFAS in the well water. However, he said he can see there is no malicious intent and he appreciated Mr. Keeffe coming in and presenting data that can be shared with residents.

Selectman Coppelman said he is glad that NHEC can show that the usage will fall within the ordinance and that they are taking care in how they do the spraying. But he said he would like to go on the record to say that while there is nothing to say they can't use up to 25 gallons of herbicides, spraying chemicals within the APZ is not a good idea. He said he would prefer use of mechanical methods.

Darrell Temple re: Building Permit for 13 Wadleigh Point

Mr. Temple was unable to make it to the meeting.

PUBLIC COMMENT #1:

Pam Brown, 23 Sunshine Drive, asked for clarification about the plan for mechanical removal of vegetation in year one and spraying the next year; she asked if this is the mechanical year.

Chairman Bashaw said he thought the mechanical work was when they put everything in place in the transmission area; this is the spraying year.

Ms. Brown said she is following up on questions she posed in an email, one of which was about the actual herbicide ingredient vs. the mixture, because the ordinance states actual ingredient OR mixture, so it is not clear whether or not the utility companies are in compliance. She also asked about the request by the local resource group which recommended that an endangered species survey should be done. She said it was only a recommendation but wondered if one was planned.

Finally, Ms. Brown said she is the Chair of the Hampstead-Kingston Republican Committee and hoped for clarification at this meeting about the Kingston Days policy regarding political organizations at Kingston Days. Chairman Bashaw said that will be discussed during the Boards and Committees portion of this meeting.

Some business was taken out of order to fill time before hearing from Boards and Committees:

NEW BUSINESS

Appointments to Rockingham Planning Commission

Chairman Bashaw said a recommendation had been received from the Planning Board to appoint Glenn Coppelman and Robin Duguay to serve on the RPC. He said Mr. Coppelman is a returning appointee, and Ms. Duguay will be new.

MOTION: by Selectwoman Alessio, to reappoint Glenn Coppelman and to appoint Robin Duguay as representatives to the Rockingham Planning Commission for 4-year terms.

SECOND: by Selectwoman Szwed

Selectman Coppelman explained that in return for dues, the Town received services from the RPC including transportation planning. He said Peter Coffin will continue to serve on the transportation advisory committee, which he appreciates.

In Favor: Alessio, Bashaw, Szwed; Abstain: Coppelman; Passes

Audio-visual computer equipment/Streaming to cable channel

Adam Faulconer addressed the Board to explain that meetings are being streamed to YouTube and broadcast to the cable channel, but due to a missing computer component, the broadcasts on TV have no sound. He said it seemed silly to continue to broadcast the meetings with no sound but asked for direction from the Board. Chairman Bashaw said he had initially thought the broadcasts should continue in case viewers would be upset that they were discontinued, but there is really no point as you can't tell what's going on. He said he would rather have people going to the link on YouTube. Selectwoman Alessio said there should be a sign on it that says the broadcasts have been temporarily suspended and directs people to YouTube. Mr. Faulconer said he will still take the YouTube recording and put it into the cycle for rebroadcast so people can still see it there.

MOTION: by Selectman Coppelman, to temporarily suspend the cable broadcasts of meetings due to equipment issues. Viewers will be directed to YouTube.

SECOND: by Selectwoman Alessio

All in favor

Mr. Faulconer said that the YouTube videos are clear and understandable. He said it will be easier to access them if 5 more people subscribe, at no cost - this will allow Kingston to have its own page.

There was then a discussion about the missing component, which Mr. Faulconer said should be fairly easy to swap in to get the system back to where it was. He has done research and the component will cost about \$3,300. He said there had been talk of not replacing it, but instead upgrading the whole system, which is aging. DPW Director Phil Coombs was present and said that due to money constraints, he would now recommend going with what is there and looking at a future budget to replace the system.

MOTION: by Selectwoman Alessio, to have Mr. Faulconer draft a purchase order for the equipment needed, not to exceed \$4,000, to come out of the Cable fund.

SECOND: by Selectman Coppelman

All in favor

Mr. Coombs said that the new microphones are now due on August 8.

BOARDS and COMMITTEES

Planning Board

Chair Lynne Merrill said that the Planning Board's workload is lessened while several cases go through the Zoning Board of Adjustment. She then asked if there is a way to supply a YouTube link to the meetings that could be listed on the agenda. Selectman Bashaw said it is hard to search for as it will come up with several other meetings.

Kingston Days

Selectwoman Szwed spoke for this committee as the Board representative. She said that at a recent meeting a committee member said there had been concern among citizens about a political figure at the last Kingston Days walking around with a long arm weapon. There was a discussion on how to curtail that, which included options of not allowing political parties at the event, or not repeating the raffling of a firearm. She said the minutes reflected a motion to not include political parties, which was tabled. The Chair of the Committee was going to draft some guidelines. The topic came up again at the next meeting, where it was decided that political parties could not be excluded, but she said the minutes did not reflect that. At this past week's meeting, she said there was a discussion on how to ensure that vendors stay within their booths and not walk around soliciting. Because the topic stemmed from the firearm incident, there was a suggestion that if the raffle happened again, the actual firearm would not be there, just a photograph of it. Addressing Pam Brown's concern, she said that anyone will be allowed to have a booth.

Chairman Bashaw said he had heard from people who had heard political parties would not be allowed at Kingston Days, and he said it would be hard to tell the political representatives that we ask to support projects in the community that they are not welcome. As for the firearm incident, he said he had learned that the people walking around with the gun were not working at the booth. He also said that this is New Hampshire, it's an open carry state, and if the Town tries to ban firearms from Kingston Days, it will turn into an open carry statement event. He said any rules about booths and items in there need to be consistent. Selectwoman Alessio said that she can understand being appalled to see a weapon, there are people like that, but this is a live free or die state. Selectwoman Szwed said that the discussions were robust and spanned three meetings, but the end result was that no one will be kept from participating, and that if you are raffling off an item it stays in the booth. She said this is not about open carry, but about concern about the way this one person was doing it.

Library Director Melissa Mannon said that there are very specific laws governing solicitation and suggested these be reviewed, as she doesn't think people can be prevented from wandering around. It was clarified that they can walk around, the rule would be about the items they are selling.

Ms. Merrill brought up the topic of people soliciting at the fair without having rented a booth. She said she didn't see how this can be prevented, but it's not fair to those who paid to rent a booth. Ms. Szwed said that there will be meetings every Thursday night up until the event, and public discourse is needed on some of these discussions.

Selectwoman Alessio said that Kingston Days has always been an opportunity for political candidates to talk to people.

DEPARTMENT HEADS

Public Works - Director Phillip Coombs

Director Coombs said that chip sealing is due to be done tomorrow on Jericho Road and Williams Path. He said it is a different finish than regular road paving, which is why it is a quarter of the price. He said Trash pickup on these roads will be at 7 am on Tuesday.

Mr. Coombs also said that Dowling will be coming to start service on air conditioning, beginning with the library and Town Hall tomorrow, followed by Public Works, Police Department and Recreation Center on Wednesday.

Mr. Coombs thanked the Town Clerk for selling Cow Patty deeds for Kingston Days. He said in conjunction with Touch a Truck, proceeds will go to fund a scholarship for students entering the trades.

Mr. Coombs said that they are short handed right now, but their primary focus is road safety and dealing with road washouts due to the rain. He also said his department will be issuing keys to the Kingston Days people for storage containers so that if anyone needs to get anything out of their storage container they can coordinate with the committee rather than with the DPW.

There was then a brief discussion of locking in fuel pricing. Mr. Coombs said that they had heard from Irving; last year's contract rates were \$3.77 per gallon for oil and \$1.72 for gas, and today's rates are \$3.00 for oil and \$1.39 for gas. He said the rates change daily and this seems like a good enough rate to lock in now.

Mr. Coombs said it has been easier for the Town to deal with one supplier. He said the Town is in a contract in conjunction with several local businesses, which results in far better rates.

There was a discussion of whether this is an exception to the Request for Proposals rule, and Chairman Bashaw suggested that Mr. Coombs come back with a formal presentation of the numbers so that the Board can articulate why this is not going out for bids. On the other hand, he said he recognized that the way the commodity markets are, a delay of a few days could cost the Town a lot of money. Selectwoman Alessio suggested that they could move forward with the caveat that an update to the policy is needed to articulate that sometimes an exception can be made.

Mr. Coombs said that to go to a different vendor would have a cost associated with changing the tanks. He said for a point of reference, last year this contract did go out to three vendors. He said in the past the former Chief of Police had handled this because he had been involved in setting up the buying club.

Chairman Bashaw said given the season, he does not see this pricing going down.

MOTION: by Selectman Coppelman, to authorize the DPW Director to waive the RFP process and to lock in fuel rates.

SECOND: by Selectwoman Alessio

All in favor

The purchasing policy was discussed briefly and will be updated to include the option of waiving the bid process by unanimous vote.

Police Department - Chief Joel Johnson

Chief Johnson relayed information about vandalism on the Plains by someone who drove a truck on the grass and did “donuts”. The persons involved were found and will be paying restitution.

Chief Johnson then said that the full-time officer acting as School resource officer is retiring but would like to stay on as part time School Resource Officer, a position that will be paid for by the school. In light of this, he said he would like to advertise for a full-time replacement. He said he would like to base the pay on a fully certified officer. This will be discussed in non-public session.

Chief Johnson then requested that the limit of \$1,000 for purchases to need a purchase order be increased to at least \$3,000. He said the cost of everything has gone up so that it is very easy to go over the limit.

Finance and Human Resources - Director Paula Mahoney

Director Mahoney said that all is going well. She said Town Hall and Highway employees need to be aware of the upcoming upgrade to the server and leave their computers on at the end of the day tomorrow. On Wednesday morning, employees will need to contact Block 5 in order to get signed on to the new server.

Ms. Mahoney said that bids will need to be solicited for a new auditor, as the contract is up at the end of the year.

Library - Director Melissa Mannon

Director Mannon referred to her letter to the Board, in which she outlined the major goals for outdoor spaces projects for which she will be pursuing a grant through the Community Development Finance Authority. She said she is requesting a letter of support from the Board for this application. She described the project as having five parts, to include accessible space for seniors to gather in, handicapped accessible trails, and a pavilion for an outdoor programming area.

Selectman Coppelman noted that the letter of support should be tailored to the CDFA grant. Selectwoman Alessio said that the goals itemized in Director Mannon’s letter should be included.

Mr. Coombs asked to be shown landscaping plan before it is finalized. Ms. Mannon said that a conceptual meeting with the architect will take place on August 21, which he may wish to attend.

MOTION: by Selectman Coppelman, that the Select Board issue a letter of support to CDFA regarding the library’s grant application.

SECOND: by Selectwoman Alessio

All in favor

Ms. Mannon informed the Board that there are about 100 families participating in the summer reading program, which will be wrapping up with the second annual Imagination Festival. She said she is looking into increasing Senior programming and has contacted UNH to work with professionals who work with Seniors to determine ways they may help. She said that she learned that UNH offers mental health training, which she believes is beneficial to her employees, but that she also wanted to open up to the Town government, and if there is interest, she will ask UNH if there is a cost to offering a class.

Ms. Mannon then said she has just completed updating the library's entire policy manual, which will be going before the trustees and will come back to this Board by the end of the year.

Recreation - Director Paul Butler

Director Butler said that camp is fully staffed. He said that field trips have been going very well and thanked the Town Clerk and her staff as well as Ms. Mahoney for helping with payments, which he said is a huge help. He also thanked the Susan Ayer and the Seacoast Ukulele Players for performing on the Plains on Sunday; he said it was a great success and everyone had a good time. He thanked the Police Department for the detail, saying that Officer Tess Watler was fantastic.

Mr. Butler said that Senior lunches are continuing once per month and are doing great; there is another one coming up in August that is filling up fast.

Mr. Butler thanked the Fire Department in advance if they are able to come on Friday to spray down the campers when it is going to be 94 degrees. He also thanked the Police Chief his department's visit to camp to show their vehicles, which is always a highlight.

Zoning Board of Adjustment - Chairman Peter Coffin

Chairman Coffin noted that everything seems to be coming to the ZBA lately. He said it is good that Robin Carter's time as Administrative Assistant was budgeted for, after the warrant article to make her position full time failed. Planning Board Chairwoman Merrill concurred, noting that there are several Right-to Know requests and legal matters that require a lot of secretarial time.

Human Services - Director Marissa Federico

Director Federico said that volume continues to be up, as people need help finding resources. She also mentioned that the comedy show that will benefit the food pantry is happening this week in Amesbury.

Ms. Federico said she will start holding office hours once per month at the library, which is an opportunity to help seniors. She said it is going to be after one of the Bold Builders programs, as some of the Seniors have trouble with transportation. She said they will see how this goes and may go to twice per month.

Fire Department - Fire Chief Graham Pellerin

Chief Pellerin said he is not fully staffed; call numbers are up and per diem numbers are down. Chairman Bashaw said that the reason per diems are down is that the pay is terrible. Chief Pellerin said he will be working on that, as well as adding two more positions in the spring, which will still not be enough but better. He said they are getting

many simultaneous calls happening so when he is fully staffed, they can run two ambulances out the door, but they need more people to deal with the volume. Chief Pellerin then shared what he called a borderline abuse of their system by a certain business in town that calls constantly for lift assists. He said they can't bill for lift assists but there is a work-around if they submit a contract between the Select Board and that business. He said it seems to be getting worse. The business is a "no lift" facility, so that when somebody falls they have to leave them down until the EMTs arrive. He said that they are an assisted living facility, but they are taking on more borderline nursing home candidates. He said he would come in with further steps on the contract solution, which Kelly Muldoon is researching.

Town Clerk-Tax Collector - Tammy Bakie

Ms. Bakie said that 79 dogs continue to be unlicensed, and they have issued the civil forfeitures so now the cost of the license has gone up. In addition, Officer Harvey will start making some home visits to hopefully get the 79 dogs licensed.

Ms. Bakie said that her office has collected 10.2 million dollars and have \$582,000 left outstanding at this moment. As for elections, she said she has been going to Concord a lot and they are talking about a lot of things that they would like to implement before next year. She said she is going on August 2 to look at four tabulators, one or two of which will be approved by the state. At that time, it will need to be determined if the state will help to pay for the new machines. Ms. Bakie added that poll workers are desperately needed for next year.

Lastly, Ms. Bakie said that she ordered 250 boat launch area keys, ran out and ordered 50 more, and is out again. She asked for input on whether more should be ordered.

There was a brief discussion about parking at the boat launch; Mr. Coombs said that the Kingston side was full last weekend, and he doesn't feel any more keys should be ordered. Discussion continued on parking issues and the number of boats on the lake. It was decided that no more keys will be ordered for this year.

Salary and Wage Subcommittee

Chairman Bashaw said that this committee had its initial meeting and will be reaching out to Departments as they research job descriptions.

OLD BUSINESS

Dog policy

Chairman Bashaw said the Board had looked into this after it was discovered that a part time employee was bringing his dog into the office. Advice was sought from Primex, but they responded that the Town sets this policy. He said he would like input from the departments.

There was a discussion of the pros and cons of allowing dogs, either that the public brings in or employees bring in. The options of restricting all but service animals or otherwise trying to reduce risk were briefly discussed. The Chairman asked that everyone give this some thought.

Sponsors for Kingston Days

Selectwoman Szwed said that sponsors are needed, but the committee has been told by several businesses that they don't see any reason to help when Kingston does nothing

for businesses. She asked why they have this opinion. In discussion it was suggested that the various approvals needed for signs, etc., and the length of time it takes to get through the Planning Board process have caused this perception. Ms. Merrill said this is improving and is one reason a full-time land use secretary was recommended. She said the Town is business friendly in many ways, but it is hard to change perception.

Electricity on the Plains

Mr. Coombs said, in reference to Kingston Days, that there are massive electrical problems on the Plains with the infrastructure it can support. He said the electrical inspector has donated a lot of time and materials, but he needs to meet with him on this; he said they will try to get a bandaid on it to get through this year, but major infrastructure upgrades are needed.

Public Works software contract

Two bids had been received and opened by the board at the last meeting:

1. IWorq Systems \$11,500 year one \$9,000 years two and three
2. People GIS \$19,000 per year

Mr. Coombs recommended that the IWorq Systems software as a better fit for the Town.

MOTION: By Selectwoman Alessio, to award the contract to IWorq systems as recommended by the Director of Public Works.

SECOND: by Selectwoman Szwed

All in favor

Police Prosecutor bids

Two bids for this position had been received and opened by the board at the last meeting:

1. Heather Iworsky \$37,000 first year; 2% COLA each subsequent year
2. Ventura Law \$45,000 per year

The Police Chief said that of the two bids received, he recommends Heather Iworsky, as her bid was lower, and she has already been working with the department.

MOTION: By Selectwoman Alessio, to award the contract to Heather Iworsky for \$37,000 per year, as recommended by the Police Chief.

SECOND: by Selectman Coppelman

All in favor

Saddle Up Saloon events

Two Special Event applications have been received, one for Saddle up Saloon for a fundraising event set for tomorrow, and one from the Ash Cigar Lounge, which is on the Saddle Up property, to hold 10 acoustic music events of their own. Chairman Bashaw said there will be two points of discussion, including whether the 10 events allowed are per business or per site. He gave background for those not aware, that the Draft House restaurant had been granted 10 dates to hold outdoor acoustic music, as outdoor music is not included in their site plan. When Saddle Up came in to request outdoor music as well, the same benefit was granted to them, with the understanding that after this they will need to amend their site plan in order to continue.

With regard to Saddle Up's request for the large fundraising event, Chairman Bashaw said that there had been a problem already as they held an event that was vastly

different than what was applied for under the 10 events permission. He had talked to the owner about that event, who said he had sent an email about it, but this could not be verified. Be that as it may, he said he had told the owner that the permit was for simple outdoor acoustic music, not for large motorcycle events with a band and other activities; that would have to be an entirely separate permit. He said he thought the Board had made this clear from the beginning.

Chief Johnson said he had sent down detail officers to that event, and said it was a good thing he did because people were crossing back and forth across Route 125. He said he will require a detail officer whenever they will hold an outdoor event involving alcohol. He said these events tend to be a little rougher and if people are walking around the parking lot with alcohol, he will have a problem with that. He said it is only a matter of time before people get hurt. Chairman Bashaw said that is exactly why he wanted this type of event addressed separately. Chief Johnson said that they did not ask for the detail and told him they did not plan on the event, but he said it was on their Facebook page.

Chief Pellerin said he felt this goes along with the policy for use of the Plains, in that there needs to be policy for events at businesses, inside and outside. Chief Johnson said that even if an event is inside, if it is attracting twice the number of people, he wondered if it should also require a detail officer.

Selectwoman Szwed pointed out that there is a sign off on each application, so that he would then require a detail.

Selectwoman Alessio brought up the Ash Cigar Bar, and it was clarified by Chairman Bashaw that this was added to the property recently. It is on the same property and walled off with its own entrance. Peter Coffin was asked about this and said it is essentially a separate business due to the nature of its sale and service of cigars. He said this came up as part of their liquor license. Asked if they had come in for their own site plan, he said that at the time, Richard Wilson said they did not need to because they were already approved by the state.

Chairman Bashaw said that the Board can't act on the request for a music permit by the Ash Cigar Bar as it is not a business granted via site plan review.

MOTION: by Selectman Coppelman, to deny the application by Ash Cigar Bar for a permit for outdoor music because the Town has no knowledge of that business due to lack of a site plan.

SECOND: by Selectwoman Alessio

All in favor

MOTION: by Selectwoman Alessio, to deny the application by Saddle Up Saloon for a permit for a fundraising event on July 25 because of lack of timeliness and requested detail on the application.

SECOND: by Selectman Coppelman

All in favor

Chief Johnson said that people are still going to show up as it is happening tomorrow, so he will have detail officers there.

Building and Code Position

Selectman Hart had asked that this be on the agenda; Selectwoman Alessio said that it had been agreed to leave this position as part-time interim until the end of the year. In

discussion, it was noted that regular office hours are needed, and the initial agreement had been for 2 hours twice per week. Chairman Bashaw said he would talk to the interim inspector about this. The Administrative Assistant said the office staff and public need to know when those hours will be each week. Health Officer Mike Dorman will be asked to fill in when Code/Building Inspector Kyle McManus is on vacation.

NEW BUSINESS

Solid Waste and Recycling Committee: Draft Revision to Article 501

There was a brief review of changes to Kingston Ordinance Article 501: Solid Waste Management Planning Committee drafted by the SWRC. The changes include removing most of the wording and replacing it with wording that reflects the new "Solid Waste and Recycling Committee". Chair Stacy Dion will attend the next meeting of the Board to present the changes.

New Policy for Use of Plains

Chairman Bashaw began the discussion by referencing recent comments regarding the need for turf management and also the idea that there should be more events on the Plains. He said he is not against public events utilizing the Plains but it is also nice to have the area open for residents to use without having to consult a schedule. He also said there had been concerns raised about overuse.

Mr. Coombs said that in a year like this when there is plenty of rain, it is not as much of a concern, but in drought years too many events will be a problem. He said that a larger concern for him is commercial use of the Plains. He referenced a past antique show event that was one-time and structured, as compared to the request before the Board for a recurring event (yoga classes). He said they have not arranged for porta potties, and also have not provided a clear idea of how many participants there will be. He also said that it could become a situation where people who come down to use the Plains will be told they can't be on that area because it is in use, or that people sitting close can eavesdrop on the class. He said it comes down to how to manage commercial ventures on the Plains.

Chairman Bashaw said it seemed the yoga instructor was looking for authorization to use an area and have exclusive use of it, and also had cost prohibitions in that having to pay a fee every time was not going to work for them. He said this is where it becomes a balancing act, and referenced a cupcake truck in Exeter that caused trouble with the local businesses because it was able to operate and access all the foot traffic without paying the high rents others did. He said this is a different sort of business, but what will happen when another business, such as a food truck, wants to do the same? He said it is a choice between allowing one-time events vs. essentially renting prime real estate for commercial activities, and possibly limiting access by people who just want to go play ball with their kids.

Selectwoman Alessio said that she does not have a problem with a group of 8 or 10 people using the Plains for yoga without charge. She said the Town needs to know about it, so they need to apply but the fee can be waived. She said there used to be Civil War reenactments on Thursday nights, that drew a bit of a crowd, but it was not unruly, and she feels that is what the Plains are all about. Chairman Bashaw asked how anyone could tell the difference between 10 friends doing yoga and a paid class. He also said he did not want to waive the fees for some businesses and not others. Selectwoman Szwed

suggested a flat fee for the season rather than charging for each time. Mr. Coombs said it comes down to what the Town wants the Plains to be like, do they want it busy every weekend, and if there will be different categories. Selectwoman Szwed asked what the difference is between yoga and little kids playing soccer; there are no traffic concerns and it's not a large gathering. Chairman Bashaw said he didn't want people to need permission for every little thing, so maybe the category and impact of the activity should be considered. Selectwoman Szwed pointed out that the wrestling business uses the Plains all the time for practice, and has a lot of kids out there running. She said she feels this is what the Plains is for, and the real issue is the large events. There was some further discussion on how to qualify events, and of some possible unintended consequences and precedents. Mr. Coombs offered to research what other Towns are doing and bring back the information.

With regard to the yoga class request, it was decided to assess a one-time \$50 fee and inform the applicant that once seasonal fees are set, if it is more than \$50 she may need to make up the difference.

It was agreed that when revising the fee schedule set in 2019, there should be language added that the Board is authorized to assess lower fees for low impact activities.

PUBLIC COMMENT 2

Pam Brown, 23 Sunshine Drive, asked to be given a copy of the Power Point presented by NHEC.

As to the Kingston Days clarification, Ms. Brown said that as a reminder the Kingston Days Committee is an advisory committee that does not make policy. She said she felt that going from the matter of someone brandishing a gun to barring political organizations, which she read in the June 8 minutes, was quite a stretch. She said that rather than holding offline discussions with a few people, items need to be on the agenda because otherwise they could be violating Right to Know. She said that her organization put in their application on June 13, and she feels that affected organizations should be invited to a meeting, so they know it's coming and have the opportunity to speak.

APPROVAL OF MEETING MINUTES:

MOTION: By Selectwoman Alessio, to approve the public and non-public meeting minutes of June 12, 2023.

SECOND: by Selectwoman Szwed

All in favor

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS

- Veterans Credit application Map R17 Lot 34 was approved and will go into effect in 2024
- Facilities Use application: Yoga on the Plains (approved per discussion above)

MOTION: by Selectman Coppelman, to adjourn public session and enter non-public session at 11:24 am, to discuss personnel and confidential matters under RSA 91-A:3, II (a) and (c)

SECOND: by Selectwoman Szwed

All in favor via roll call vote

MOTION: by Selectman Bashaw, to adjourn non-public session and return to public session at 12:02 pm

SECOND: by Selectwoman Alessio

All in favor

Discussed in non-public session: Personnel; Confidential departmental matters

Motion made to seal minutes of non-public sessions.

Motion made by Selectwoman Alessio, 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:

Chris Bashaw	Y	Charles Hart	Absent
Glenn Coppelman	Y	Electra Alessio	Y
Laurie Szwed	Y		

Motion: PASSED

Meeting Adjourned at 12:02 PM.

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board