

**Kingston, New Hampshire
Select Board
Meeting of August 21, 2023
FINAL MINUTES**

The meeting was called to order at 8:30 am by the Chairman.

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

MOTION: by Selectwoman Alessio, to adjourn public session and enter non-public session at 8:30 AM, under RSA 91-A:3, II (a), Personnel

SECOND: by Selectman Hart

All in favor via roll call vote

The Board returned to public session at 8:40 AM.

MOTION: by Selectwoman Alessio, to authorize the Town Clerk to hire another part-time clerk to fulfill duties within a budgeted full-time position.

SECOND: by Selectwoman Szwed

All in favor

APPOINTMENTS: None

PUBLIC COMMENT 1: None heard

9:00 AM: BOARDS AND COMMITTEES Information and Discussion

Planning Board: Planner Glenn Greenwood

Mr. Greenwood indicated that he is looking for direction from the Board; he said an issue was recently discovered regarding the land involved in the Rowell Estates subdivision. He said that from the original parcel of 94.8 acres, 20 acres was set aside for the condominium development and common land, while the balance of 74 acres was placed in Conservation easement in 2005. He said that a year later a deed came through which deeded the land to the Town. He said that the Board at the time must have assumed that this was the disposition of the Planning Board case. He said further complicating the matter, the land was never subdivided, so that the full 94.8 acres are still showing on the tax card for the Ash Drive Conservation land.

Mr. Greenwood said that in his opinion a subdivision is needed, but it would be expensive to survey the land. He said he would like to contact Town Counsel to find out if there is an avenue other than subdivision to untangle the situation. He said nothing has been affected by this in 20 years, but that it does represent a liability to the Town that should be fixed if possible.

Selectman Coppelman said he thinks this is the right step; he doesn't remember all the details of the Rowell Estates plan, but that it was developed under innovative zoning. He said it was all final with condominium documents and a recorded plan in 2006; the

deeds show 1/20 of the 20 acres and the rest was given to the Town in Conservation easement.

The Board agreed to allow Mr. Greenwood to consult with the Town's attorney on this matter.

Historic District Commission - Chair Susan Prescott

Ms. Prescott said that the HDC has been working out a few bugs in the way they have always done business, mostly regarding jurisdiction over use. She said the Town attorney has told them they do not have jurisdiction over use. She said she and Selectman Coppelman have been talking about how other towns do things. She said they have come up with changes to the application process, to include as a first step a review by the Town Planner. She presented a flow chart that showed the steps to take when an application comes in. The Planner will determine if the use is permitted, and then if the property is in one of the historic districts; if not, it will be given to the Building Inspector to process, and if so, the applicant will be directed to the Historic District Commission for review. She said they thought this would be a streamlined and consistent way to make sure things don't get mixed up or misplaced. Selectman Coppelman said that a lot of towns do zoning determination before an application goes to a board. He said they have made a quick change to the HDC application to add this step. He said that making a determination on use before the application goes to the HDC means the HDC will not be making a determination on use, which is not in their purview.

The Planner, Mr. Greenwood, said that this makes sense, and he believes he is in the office frequently enough that applications will not sit too long.

Selectman Hart asked if this is going to apply to all building permits, as it could slow the process if a permit for a house on Hunt Road had to be reviewed by the Planner first.

Mr. Greenwood said that this is only if it's an application for a certificate of approval through the HDC.

Chairman Bashaw said it should be made clear that the Planner is not the final decision maker if it is a gray area. He also said that the change needs to be communicated to all departments.

Selectwoman Alessio said it seems they are just clearing up the process and she has no objections.

Selectwoman Szwed said that the full process needs to be clear for the public, so that someone with property in the Historic District is aware of the step-by-step process.

DEPARTMENTS: Information and Discussion

Town Clerk/Tax Collector - Tammy Bakie

Ms. Bakie said that 13 dogs remain to be licensed. There is \$490,000 left in taxes to collect. She said she went to observe the 3 tabulators the ballot law commission is considering for elections, and it remains to be seen which they choose and who will pay for it.

Chairman Bashaw said that he is sure the clerk's office has received spirited comments about the increased assessments. He said he was surprised to receive his letter, that even he had not known they were being mailed. He said that is just one of the internal communication pieces we want to work on, because obviously it would have been good for Ms. Bakie to know this was coming, because even though the letter read from the

Select Board and the number to call with questions was for the Assessing company, people are always going to call the Tax Collector when they think their taxes are going up. He said he posted some information on social media, which is also on the website. He said that the increase of 50% or 60% in assessed value does not mean the taxes will go up by the same percentage; the overall average increase for the Town is 57% so some properties may go down or stay the same. The increase in assessment is due to the high sales prices.

Ms. Bakie said that everyone should email other departments when they know of something that will affect others, and that her office should have been notified. Susan Ayer, the Select Board Admin commented that absolutely, an official notification should have gone out, but that this had been a topic of conversation in the office for weeks. Ms. Bakie said that there was talk amongst yourselves but not across the hall. Ms. Ayer said she agreed that an email should have gone out, but that the Assessing Clerk had spoken to Ms. Bakie as well as to the Chair about the letter and anticipating calls.

Fire Department - Chief Graham Pellerin

Chief Pellerin said that he will be meeting with the ISO auditor in a month or so to go over the ISO for the Town. He said that ISO is Insurance Services, and goes off of how much training they do at the Fire Department, how much apparatus, how many calls, etc. He said he has not done this before so will report back.

Chief Pellerin said they had 50 calls this month. He said they will be conducting training on the Plains and possibly at the Fairgrounds, with other departments that Kingston works with.

Finance - Director Paula Mahoney

Director Mahoney said that she has been going over the budget and getting everything ready to give to the departments for 2024. She said she is beginning meetings with the department heads this week.

Ms. Mahoney said that she has heard from departments that want to set up new detail accounts, but that this will have to wait until the election in March for voter approval; all the detail money at this time goes into one detail fund.

Ms. Mahoney asked that all purchase orders come to her first before dropping them off downstairs, as she is finding they are often not filled out completely or signed.

Budget Committee

Selectman Hart said that the Budget Committee will be meeting for the first time this week. Stacy Dion of the Budget Committee said that there are currently 9 members on the committee, so they could appoint a few more. She said that the Budget Committee would like an update from the Salary committee.

Kingston Days Committee - Stacy Dion

Ms. Dion said that the committee is still looking for volunteers for various things, such as selling raffle tickets. They are also looking for volunteers for the dunk tank.

Solid Waste and Recycling Committee - Stacy Dion

Ms. Dion reported that there are plans for collection points in town for recycling, and that there will be an ongoing battle going on over what can be recycled. Selectwoman

Alessio asked if there has been any effect shown on the recycling costs since people have stopped recycling glass. Director Coombs said that it is too early to gauge that.

Historical Museum Committee - Jef Flanders- McDougall

Ms. Flanders-McDougall thanked Selectwoman Alessio for donating the fee for the Heritage Day event on the Plains. She said they were happy to see three Select Board members in attendance.

Ms. Flanders-McDougall then said that the Museum Committee has requested a trash container for the museum and were told they couldn't have one but that the maintenance crew would pick up their trash. She said this has not happened, so she has been taking the trash home with her. Director Coombs said that the understanding was that they would come by periodically, but they did not realize the volume of trash; he said they will come by.

Recreation - Director Paul Butler

Mr. Butler thanked Ms. Bakie and Deputy Clerk Caitlin Milhomme for their help in coming by to collect money at the Recreation building. He said she understated how helpful it was, that it helped the counselors and the kids, himself and the parents, and he's sure it will get better every year. He said Camp is done for the year and it went very smoothly.

Director Butler went on to say that music at the Rec is continuing, there was an event yesterday with ice cream supplied by What's the Scoop, and there will be another next week, again starting at 4:00 PM.

Senior lunches are very well attended, they always fill up and have a waiting list. A trip to Lake Winnepesaukee in October is full. Coffee and cards on Friday mornings will start soon.

Department of Public Works, Director Phil Coombs

Director Coombs said that he is hoping to put a collection point at the state shed and has learned that since it will be only for recycling, it will only require a Permit by Notification, not a full permit. He said he is working with the Dam Bureau on this, and in the process of doing a survey, it was discovered that about a quarter of the Recreation land is owned by the state, mainly the playground area. He said that is just information at this time.

Mr. Coombs said this started a conversation on a collection point and details such as keeping cardboard dry. He then said that a letter to the editor in E. Kingston, who also uses Waste Management, pointed out that the trucks have cameras on them that can show proof of items in recycling that are not allowed, and trigger a trash audit.

In answer to a question from a resident about putting stickers on the cans that spell out what can and can't be recycled, Mr. Coombs said that unfortunately the stickers that Waste Management has are not correct. He said they are in the process of creating a very vibrant colorful sticker.

Mr. Coombs said that recently it was brought to his attention that the community did not feel they were adequately informed about road work. He said that his department is looking into producing a quarterly newsletter, the initial one of which will be in print and encourage people to sign up for the Subscribe To feature on the website. He said that

as stormwater will be one topic in the newsletter, the cost can come from that budget line. The Board had no issue with this proposal.

Director Coombs distributed information about the appointment of a Tree Warden and said he would like Shawn Clough to be appointed to this position. He said Mr. Clough has been in tree service for 15 years and is very competent.

A motion was made by Selectwoman Alessio and seconded by Selectman Coppelman but withdrawn after discussion of a stipend for the position. Mr. Coombs said because the Tree Warden is an on-call position, it should come with a stipend. It was decided he should talk with the Finance Director because while he has money in his budget now, in future, if fully staffed and the Town went to a default budget, there may not be enough. Mr. Coombs then reported that software integration has been started, and asked if this is a budget item or if it will be paid through ARPA funding. The Chairman said that the agreement was that the initial contract amount can be paid through ARPA and then it can be determined when the contract expires if it is to be renewed, and if so it will become a budget item.

There was a question about the status of the front steps of the Town Hall. Mr. Coombs said that in the past they were repaired by a questionable contractor who did not properly shore them up. To repair them now will have to include stabilizing the structure underneath, which is going to be a big job. He has no pricing for this yet because he was told not to spend money on anything this year. Selectwoman Alessio said that it is becoming a bone of contention as the steps have been partially unusable for 4 years now. She said it makes sense for this to go to a warrant article. Mr. Coombs will get a cost estimate.

Police Department: Chief Joel Johnson

Chief Johnson reported that he has a full-time position open and has received numerous applications but none of the applicants have the right experience so far. He said he is looking for a certified officer.

The Chief also said that his department has started a school supply drive for the elementary and middle schools, and items can be brought to the Police Station.

Chief Johnson then said that the Highway Safety Grant is up for renewal and that he needs a Board signature for the application. Chairman Bashaw said that this grant is for additional enforcement.

MOTION: by Selectwoman Alessio, to authorize the Chair to sign documents relating to the application for Highway Safety Grant, agreement #24-097.

SECOND: by Selectman Hart

All in favor

Library: Director Melissa Mannon

Director Mannon said that the library is also doing a school supply drive in cooperation with the Human Services department.

She said the big news is that the library has received the concept plan for their outdoor space, and she met with the NH Municipal Association last week to talk about how they can help with the grant process. She said the project is in 5 phases and they will get help as they move ahead. She said the library is thinking about creating a foundation to accept private funds, and she will be pursuing grants. She said if anyone is interested in the plan, there is a meeting tonight to discuss it.

Memorial suggestion

Clerk Tammy Bakie said that former Electrical Inspector Joe Thompson had passed away a few years ago and she did not know of anything that had been done in his memory. Mr. Thompson was very active in Kingston Days.

Resident Jef Flanders-McDougall questioned whether the dead tree in front of the Fire Station is to be removed. Selectman Coppelman proposed that the dead tree could be replaced with a tree planted in Joe Thompson's memory, with a granite plaque.

Community Service

Chairman Bashaw said that he had been approached about a High School student who is required to perform community service; he said that if any of the departments can use some help to let him know.

OLD BUSINESS

Mosquito Control Contract

DPW Director Phil Coombs said that he had reviewed the two proposals received and that the current provider is the low bidder. He said that cost will stay the same over the 3-year contract, as opposed to the other bidder, whose cost would increase each year.

MOTION: by Selectman Coppelman, to contract with Northeast Vegetation and Mosquito Control for three years at a cost of \$27,000 per year.

SECOND: by Selectwoman Alessio

All in favor

Saddle Up Saloon Outdoor events

There was a discussion of three events this business requests Special Event permission to hold under the agreement they have with the Town to have up to 10 events this season. Two of the events are "bike night" fundraisers, on August 22 and September 12, from 6 pm to 10 pm. The third event is a "Cigar Event" on September 16 from noon until 5:00 pm. The cigar event was described as a "Sopranos" event with cast members from the show present.

Planning Board Chair Lynne Merrill said that the last time Berkshire Dominion Holdings, the owner of the restaurant, was before that board, it was decided that there would be no amendment to the site plan to allow regular events with outdoor music, that these would be under the purview of the Select Board via a Special Event permit. She said that the Planning Board was adamant at the time that there would be no blanket approval, so they would have to come in and ask each time. She said there is no reason for them to come back in, that they were denied before because the privilege had been abused. Selectman Coppelman said he feels that the applicant is using the Special Event process to avoid going back before the Planning Board.

Selectwoman Alessio said that in fairness, there have not been the complaints this year as in the past, and also that between the summer meeting schedule and the weather, it has been awkward for the owners to navigate the approval process.

Ms. Merrill said that the Planning Board issue was basically noise, and maybe it will change this time.

In discussion of the bike nights, Chairman Bashaw said it had been learned that a lot of the engine revving noise came from bikes passing by and seeing the gathering, not from those at the event itself. He said they can't hold the owners accountable for that.

MOTION: by Selectwoman Alessio, to approve the two bike night fundraisers for August 22 and September 12.

SECOND: by Selectman Hart

In favor: Alessio, Bashaw, Hart, Szwed; Opposed: Coppelman; Passes

MOTION: by Selectwoman Alessio, to approve Cigar Event for September 16

SECOND: by Selectman Hart

In favor: Alessio, Bashaw, Hart, Szwed; Opposed: Coppelman; Passes

NEW BUSINESS

Policy Review

The Board reviewed a new policy governing contracts and a revision of the purchasing policy. Selectwoman Szwed, who has implemented the new policy procedures and template, said there had been a couple of questions from departments after these two policies were distributed for comment.

On the Contracts policy, there was a question from the Kingston Days committee asking if there would be an exception from the Contract review as most of the entertainers send a simplified contract. Selectwoman Szwed asked if there is to be a threshold for requiring review, or if they will all be reviewed. Chairman Bashaw asked Stacy Dion, Kingston Days Committee chair, if the policy as written would hold her up. She said that they have contracts for all kinds of things, from artists to porta-potties to audio. She said that for the most expensive items, such as tents and porta-potties, they solicited three bids. Chairman Bashaw asked if language should be added authorizing committees to engage in contracts up to a certain cost level. It was agreed this would be only for Town-sponsored events, and not be too specific, so that the Board has the latitude to make common sense decisions.

There was then a discussion of the Purchasing Policy, specifically the change to Section 5.7, which outlines spending limits. The threshold for requiring a purchase order had been increased to \$3,000. The expense approval limit for departments or committees under a \$20,000 limit was increased to \$500. The first three lines of the chart in this section will all read "Department Head or Committee Chair". In addition, language will be added that purchase orders are to be reviewed by the Finance Director.

Planning Board Chair Lynne Merrill questioned the need for approval for such things as hydrogeology review. Selectman Coppelman said that peer reviews are billed to the applicant via an escrow account and are not Town funds. Language will be added to the effect that the need for Board approval does not apply in certain cases.

Selectwoman Szwed will incorporate changes to these two policies and bring them back for approval.

DPW/Recreation: Pickle Ball courts

Mr. Coombs said Mr. Butler had brought forward a proposal for a new pickle ball court, and his thought was that the area should be made as multi-use as possible. He suggested that in the winter, sides could be added, and the court flooded as a skating rink. His rough estimate of the cost was between \$15,000 and \$20,000, which would go to the voters in a warrant article.

Liability and ongoing maintenance costs will be considered when putting a cost proposal together.

DPW: Unutil small commercial Turnkey Program

Mr. Coombs had supplied a chart of the cost, Unutil incentives, and estimated savings related to replacing the lighting in Town buildings with LED bulbs. It was agreed that a more formal proposal is needed but that this project makes sense, to include all buildings listed including the South fire station. The Chairman recommended that this be paid for with ARPA funds.

The ARPA fund proposal and expenditures chart will be reviewed at the next meeting.

Solar Projects

Selectman Coppelman said that there is new legislation that may allow for new opportunities for the Town to develop large solar arrays. He said the solar committee will be reactivating. He said he is the Select Board's representative to that committee, and also a community member appointed to the committee. He said that Selectwoman Szwed has an interest in solar power and suggested that she should be appointed as a second Board member.

MOTION: by Chairman Bashaw, to appoint Selectwoman Szwed to the Solar Committee as a second Board representative

SECOND: by Selectman Hart

Selectwoman Szwed said she is absolutely interested and has recently installed solar panels on her home. She said she believes it is in the best interest of the town to look into alternate means of power.

Mr. Coombs commented that he thought in the past it had been determined that there should not be two Select Board voting members on a board or committee.

Chairman Bashaw amended his motion to appoint Selectwoman Szwed to the Solar Committee as an alternate member (alternate to Selectman Coppelman). Selectman Hart seconded the amended motion.

All in favor

PUBLIC COMMENT 2: None heard

APPROVAL OF MEETING MINUTES:

MOTION: By Selectwoman Alessio, to approve the public and non-public meeting minutes of August 7, 2023.

SECOND: by Selectwoman Szwed

All in favor

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Facilities Use application for use of the Plains for school cross country practices and meets was approved, on a motion by Chairman Bashaw, second by Selectman Hart.
- A solar exemption application was approved for Map U10, Lot 8
- On a motion by Selectwoman Alessio, second by Selectman Hart, it was agreed to sign a letter allowing the former police prosecutor to withdraw from a County court case.

- An order from the court releasing the balance of the Phase 1 bond for the Solar Hills subdivision was discussed; the amount still needed for completion of the road will be confirmed before release of any further funds.
- Notice of wetlands permit application for 24 Towle Road, the Unitil solar project
- A vendor check for welfare rental assistance was discussed and then approved.

Code Enforcement and Building Inspection

There was a discussion of how much the interim inspector is willing to be involved in Code Enforcement. The administrative assistant there had been some pushback to being sent out to follow up on complaints, and when asked to check on a report of a driveway going in without a permit, the inspector said to call the DPW Director. Mr. Coombs said that he has been given authority by the Planning Board to issue driveway permits, but no enforcement authority. He said in that case he did go out and tell the person he needed a permit but he is not an enforcer.

It was affirmed that the interim position includes both Building and Code. Chairman Bashaw said that the inspector will not respond to anonymous complaints. Mr. Coombs said that anonymous complaints should not be responded to, because they cause liability to the Town. The exceptions are safety and health related concerns, in which case the police or health officer can be called in.

Selectman Hart said that Code complaints can be sent via email to the entire Board if the Inspector is not available. He said this is how they used to be handled, and complaints can't be ignored until a full-time inspector is in place. Mr. Coombs said that he would defend the inspector because this used to be a 20-hour position just as building inspector and he is sure he is running into a lot of work to do on a very limited time schedule.

Code and Building office hours need to be set as well, for a minimum of 2 hours twice per week. Chairman Bashaw will have a conversation with the inspector.

Selectwoman Alessio asked how things are going with the newly chip-sealed roads. Mr. Coombs said that he has had more comments, but no new complaints, and the road is progressing as expected. He is looking for nearby roads with the same surface to compare it to. Adam Faulconer, AV Technician, said he lives on Jericho Drive, and while walking on the road recently, when he stumbled or shuffled his foot, inadvertently, pieces of the road came up. Mr. Coombs said that there are still loose stones, which will adhere to the road as it is driven on more.

Selectman Hart said he had done some homework on the cost of bringing in more help for the Planning Board and Assessing offices, to help with the scanning project. He had looked into where in the budget there may be some funds to cover a part time clerk. Chairman Bashaw said that although he agreed there is a need for help in these areas, he would like to look at the budget globally in September before any such decision is made.

Meeting Adjourned at 11:24 AM

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board