

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of October 3, 2022  
FINAL MINUTES**

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

**PRESENT:** Vice Chair Kevin St. James; Charles Hart, Electra Alessio, Chris Bashaw, Select Board Members

**ABSENT:** Chair Richard Wilson

**PUBLIC HEARING:**

The first of two Public Hearings pursuant to the provisions of RSA 41:14-a, on the intent to sell the following Town-owned property:

- Map U1, Lot 35 - 9 Hooke Avenue - .06 acres

Vice Chair St. James opened the hearing at 6:30 PM; no members of the public were present. The Board was invited to comment. Selectman Bashaw asked if a price had been set, and it had not, so discussion took place on what costs the Town will incur (for the deed and recording). There will not need to be a formal auction this time, which last year constituted the bulk of the cost. The assessed value of the lot is \$9,400, but all agreed that the lot is so small and of little use to anyone but an abutter that \$1,000 may be a more appropriate minimum bid.

Joseph Dusvitch, owner of property at 11 Hooke Avenue (Map U1 Lot 34), who had contacted the Board requesting the opportunity to buy Lot 35 to add to his parcel, joined the meeting and was informed of the discussion thus far. Mr. Dusvitch had no further comments.

Selectwoman Alessio suggested a motion to state that the minimum price would be \$1,000 plus any costs incurred related to deeding and recording.

The Vice Chair closed the Public Hearing at 6:37 PM.

**MOTION:** by Selectwoman Alessio, to set the minimum price for the property at 9 Hooke Avenue, Tax Map U1, Lot 35, at \$1,000 plus any costs incurred for updating and recording the deed.

**SECOND:** by Selectman Bashaw

**All in favor**

**APPOINTMENTS:**

**Appointee to Museum Committee**

Jef Flanders-MacDougall was present, having been invited by the Board to meet them upon her appointment to the Museum Committee. Ms. Flanders-MacDougall gave her background, saying she had lived in Kingston for 40 years and had served on several boards and committees. She said she had been involved in the museum for close to 10 years. She said that museum attendance is down everywhere due to the COVID-19

pandemic and people are still apprehensive. The Vice Chair thanked Ms. Flanders-MacDougal for her volunteer work for the Town.

#### **COMMITTEE LIAISON REPORTS:**

Liaison reports were taken out of order as the second appointment had not yet arrived. Selectman Hart said the first organizational meeting of the **Budget Committee** will take place on October 19. He said the committee is short a couple of members if anyone is interested in joining. He said the schedule has been posted, and departments should submit their budgets as soon as possible.

Selectman Hart then reported on the **Fire Station Building Committee**; he said the generator has been installed and will be tested on Friday. Once it is inspected, the building will formally be turned over to the Town. He said that the open house is set for October 22 and invitations will be going out.

Selectman Hart said that the **Highway Department** has given an update on the TV they had requested through ARPA funding. He said that the cost was due to it having a curved screen in order to be seen from the sides, since the conference room is small. He reported that the carport being built by the DPW behind the Police Station is being done with the help of volunteers and with donated materials.

DPW Director Phil Coombs was present and gave an update on work done on Back Road. He said that some damage had been done by an individual trying to fix it. He said that the road has been fixed, and the only investment the town had was trucking. He said it is now usable in case of emergency or for future logging.

Selectman Bashaw said that the **Planning Board** had discussed zoning proposals at their last meeting. He said that as two projects are pending in the HD-1 zone, the changes to that ordinance will not be done at this time. He said the swimming pool ordinance is being looked at as it is outdated. He said the language is not clear and there needs to be a severability clause for the Select Board to be able to take enforcement action. He said that the Planning Board is also looking at the rules for feather flags, to be more accommodating to businesses. Lastly, he said that the warehouse project at 266 Route 125 is still on the table, awaiting a DOT permit for the access drive.

Selectman St. James asked about the status of driveway permits processing. Mr. Coombs said that a memorandum of understanding had been signed between the Planning Board and himself as DPW Director.

#### **OLD BUSINESS:**

##### **Covid guidance**

**MOTION:** by Selectman Bashaw, to follow CDC workplace guidance on response to exposure or infection, but to make an exception on masking guidance.

**SECOND:** by Selectwoman Alessio

In discussion, Selectman Bashaw said he can't support mandatory masking after a person is cleared to return to work. He said that the federal and state guidelines have stated that they are only for guidance, except in areas such as nursing homes. He said that a person can use their own judgement on masking after 5 days of isolation.

**All in favor**

## **APPOINTMENTS, cont.**

### **Kingston Dog Park**

Bob Bennett and Sandy Ranfone, representing the Kingston “Live Free and Run” Dog Park, were present to discuss the park. Vice Chair St. James said it had been a while since the town had met with anyone from the park, which is located within the old Fairgrounds, so it was time to catch up.

Sandy Ranfone introduced herself as the director of the park and said it has been in operation since 2008 but there has been no formal written agreement between the Town and the park. She said there has always been the understanding that the Town has no liability for activities at the park, but she believes there should be a document that absolves the Town of all responsibility and is in place as board members change.

Bob Bennett introduced himself as a board member. Vice Chair St. James then asked several questions about the park, beginning with who is on the Board of Directors. In discussion, it was learned that there are 7 Board members, but there are two vacancies. The board members are from several different towns, but Ms. Ranfone said they try to have at least one from Kingston. The Board meets quarterly. The park is open to everybody.

Vice Chair St. James asked about the insurance policy, and it was affirmed the park has insurance and will provide a copy of the binder each year that names the Town as additional insured. Selectwoman Alessio asked if the Town is held harmless, and Mr. Bennett said it is. He said the Town could still be held liable if someone is injured on the property, but that the park’s insurance would kick in. There was also a discussion of finances. The park collects membership fees, that are \$20 for Kingston residents and \$25 for all others. She said they are a not-for profit, and the fees go back into the park for maintenance. She said it is totally run by volunteers. They do not have an official audit, but they do get a Treasurer’s report quarterly.

Selectman Bashaw said he has a problem with the statement that the Town would not be held liable for an injury that happens on Town land. Mr. Bennett said that there is no way to shirk the fact that the Town owns the land, and someone may sue them, but that the park holds the primary insurance.

Vice Chair St. James asked about the spreading of rap in the parking lot. Mr. Bennett said that they had paid for the material, and the Town Highway Department had helped to transport and spread it, but that they had not had enough money to complete the project. He said they are hoping they will have the use of Highway equipment again.

Selectman Hart said there is a shed on the premises that was built without a permit, and other lean-tos. Mr. Bennett said that the shed was put in early on, and the person in charge had not known a permit was needed, but after learning about it, permits had been obtained for other shelters/lean-tos that went in. He said there is no further construction planned.

DPW Director Coombs was called forward to discuss the parking lot project. Mr. Bennett explained that the sides of the parking lot area need to be completed, where it gets mushy, about 6" at the road edge. Mr. Coombs said that on the right side of the lot, it can't be paved further because the water runs off into wetlands. He also said that his only other concern is if people park where they will block access to the brush dump. It was discussed that signs may be posted, but also that they do try to be diligent about where people are parked. Mr. Coombs added that he expects the rules for the dog park to be in place as the Town expected of the ballfields, such as no alcohol. Ms. Ranfone said they have a sign posted with the rules for the park.

In further discussion, it was shared that the park has an estimated 200 members at any one time (people come and go). Members fill out a registration form and the dog's license and rabies vaccination information is obtained from the town. The tags change color every year. Asked how many of the members are from Kingston, Ms. Ranfone said that it is relatively low, about 15% to 20%. Mr. Bennett said that the park expresses friendliness and invites all and would not want to restrict membership.

The Board agreed that the document submitted by Ms. Ranfone is fine. They asked for a list of members of the Board of Directors every year, along with updated insurance.

#### **PUBLIC COMMENT 1: None heard**

#### **OLD BUSINESS, cont.:**

##### **Updated list of ARPA fund proposals and expenditures**

DPW Director Coombs gave an update on the TV monitor he had requested, explaining that the reason for the higher cost is the curved screen. He said that without that feature, a monitor would not be worthwhile for the room. In response to questions of the board about what the TV would be used for, he said that in addition to the CDL training, there are various other training videos such as for road salt usage and flagger training. He said the benefits committee met there as well. Other towns may attend training as a courtesy.

Renovations to Town Hall: Mr. Coombs said that he has been assessing the stage area with the help of the Town's engineer. He said that there is ducting and electrical wiring underneath. He suggested switching to mini-splits for the downstairs offices, which would reduce the amount of ducting. He said the next phase will be to evaluate the front steps. He said he will bring a rough sketch to the Board in a couple of weeks after he gets some estimates for the work.

Police radios: Selectman Bashaw said he wants to advocate for purchasing the radios with ARPA funds to expedite the purchase, as some of the radios are not working. He said paying for only some, or only the full-time officers' radios won't put the matter right. Selectman St. James expressed concern about spending \$53,000 right now for something that should be budgeted, although he said he does understand it affects life safety. There was a discussion about the pros and cons of only paying for some of the radios or authorizing all 15; it was decided to postpone the decision until the next

meeting when Police Chief Johnson can be present to discuss it. Meanwhile, Selectman Bashaw can reach out to vendors.

### **Playground Funding**

Vice Chair St. James said he had met with Mr. Coombs and Recreation Director Paul Butler about the status of the grant Mr. Butler is pursuing to supplement funding on hand for the new “Stepping Stones” playground. He said that the voters had approved \$29,000 for the playground in 2021, which was encumbered to this year. In addition, Partners Bank donated \$10,000, and the sale of bricks had earned \$2,000. The balance of what is needed for the current plan was to come from a federal grant.

Mr. Coombs said that getting grant money looks like a good idea, but it requires a survey of the property. He said that the survey the Town has on file is for the entire parcel, and they need one just for the recreation portion. He said that in general he is concerned about taking federal funds because of ADA compliance issues and other restrictions that may be attached that could affect the entire Fairgrounds property. He said that the property is a wild card for the Town, and the grant could inhibit the Town’s options in the future.

Mr. Coombs said that pursuing the grant is hindering progress at this point, and he is looking at ways to use the money already secured to put up fencing and improve the equipment, leaving open space and rehabilitating what is there. He said he doesn’t feel it makes sense for the town to box itself in.

Selectman Hart asked about the original plan for which the warrant article funding had been acquired. Mr. Coombs said that a consultant had come out and given an estimate to rework the playground, but his plan would have been one-third the size of the original.

The Board agreed that it will be best to pull out of the grant process. Mr. Coombs said that he will work with Mr. Butler on what is already there; he said a lot can be accomplished this fall, including a fence. A grant can be pursued in the future.

**MOTION:** by Selectman Bashaw, to withdraw from the grant application process and move forward with playground improvements as discussed.

**SECOND:** by Selectwoman Alessio

**All in favor**

### **Solid Waste and Recycling: new contract**

Mr. Coombs gave an update on the changes with the new Waste Management contract that will be in place soon. He said the postcards went out to residents, and in the next weeks the company will start delivering trash barrels. They are all 96 gallon sized, the same size as the recycling bins. He said that residents can repurpose their old trash cans, but there are also plans for an event to recycle trash cans.

The Town will have 150 64-gallon cans available for anyone who would like to swap for a smaller bin.

The recycling bins are still good.

Mr. Coombs said that the Solid Waste and Recycling Committee had met to discuss the cost to residents of an additional trash barrel. The cost to the Town is \$75 for the barrel itself and \$122 per year for the extra stop. This means the cost over the 5-year contract period will be \$687. He said he sees this as an impact fee; the can will be theirs after the five years are up.

There was a discussion of this cost and Selectman Bashaw said he would like to see pro-ration as an option. It was acknowledged that the public perception is that their taxes should pay for this. The Board decided to bring the question of payments vs. one time expense to the Town Clerk and Highway Administrative Assistant, for their opinion on payment plans and collection.

Mr. Coombs said that people do not realize how expensive trash pickup is; the Town's budget is \$45,000 to \$50,000 per month, the largest budget item. He said that long-term, people need to find ways to cut down on what they are throwing out. He said that the Recycling and Solid Waste Committee has been meeting for a year now and have done a lot of work. A newsletter is soon to be up and running at [talkingtrash@kingstonnh.org](mailto:talkingtrash@kingstonnh.org).

Kingston will be hosting the fall Household Hazardous Waste Day on October 29 from 9:00 am until noon. This will take place at the High School via Kelly Road; there will be signs.

Mr. Coombs asked and received permission to contact town counsel regarding a cease-and-desist letter for a violator of driveway permit requirements.

#### **NEW BUSINESS:**

None

#### **BOARD BUSINESS:**

##### **Bond release, Alternative Sales**

Town Engineer Dennis Quintal has signed his approval to release the balance of this construction bond. (Selectman Bashaw recused himself from this discussion.)

**MOTION:** by Selectman Hart, to release the bond for the Alternative Sales project as recommended by the Planning Board and Town Engineer

**SECOND:** Selectwoman Alessio

**In favor:** Alessio, Hart, St. James; passes

##### **Town Hall updates: status**

New phones for the Town Hall have been ordered and should be in place in a few weeks. The new sound system in the meeting room is still lacking an amplifier.

#### **PUBLIC COMMENT 2:**

Adam Faulconer asked if it is a good idea to leave a \$700 barrel at the curb; Mr. Coombs said they all have an ID and service number with Waste Management.

#### **CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:**

- Application for Special Event permission, Wicked CAS car show: Letter of permission has been received from the property owner and a police detail has been secured. All were fine with this event going forward.
- BYOB craft event at the Recreation Center: All agreed that as this has been done in the past, does not involve sale of alcohol or many participants, it can go forward.
- Application for Solar exemption: On a motion by Selectman Bashaw, Second by Selectman Hart, all agreed to approve and sign this application.
- Letters have been received by two members of HDC and an abutter to 186 Main Street, regarding the application to that committee to use the property as a Veterans residence. Selectman Bashaw suggested that the Town's attorney should be asked to review the matter again. The letters will be sent to the attorney for an opinion.

#### **APPROVAL OF MEETING MINUTES:**

**MOTION:** By Selectwoman Alessio, to approve the meeting minutes of September 26, 2022, as submitted.

**SECOND:** by Selectman Hart

**In favor:** Alessio, St. James, Bashaw; **Abstain:** Hart; **Passes**

**Next meeting:** A special meeting will be set for next week to open water testing bids.

**Meeting Adjourned at 8:24 PM**

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board