

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of November 6, 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**

**Recognition of Librarian Michelle Cole**

Present were Michelle Cole, Adult Services Librarian, and Melissa Mannon, Library Director. Chairman Bashaw called Ms. Cole forward and read a letter from the board commending her on receiving the NH Library Association's 2023 Award of Excellence. Selectwoman Alessio said that about 60 people attended a reception for Ms. Cole held at the library on Friday.

Ms. Cole thanked the Board and said it is a pleasure to work in Kingston and that it is wonderful to be honored for doing something she loves to do.

**PUBLIC COMMENT 1: None**

**COMMITTEE LIAISON REPORTS**

Selectwoman Alessio said that the Wage Study group is nearly done with their work and will be meeting with the Board and the Budget Committee on November 15. She said the library reception was excellent.

Selectman Coppelman said that the new boiler is in place at the museum, and that work is set to begin this week on the Grace Daley barn.

Selectman Bashaw said that the Planning Board is continuing work on the Zoning articles. He also said that forms went out to departments to update the Capital Improvement Plan. Selectman Coppelman said that items the Board had talked about placing on the CIP are all falling under the Department of Public works, including the HVAC and front stairs at the Town Hall, and electrical upgrades to the Plains. The Chairman said that the electrical work will be extensive if done correctly; Selectman Coppelman reminded all that in order to be placed on the CIP, a project needs to exceed \$10,000.

Chairman Bashaw said the Police Department has been lively, and described a recent incident that ended with a subject being taken into custody.

Selectman Hart said that the Budget Committee held its first meeting and will be continuing its work over the next couple of months.

Selectwoman Szwed said that the Kingston Days Committee's meeting will be next Thursday, and they are hoping to hold it at Town Hall and be taped, as they will be appointing new officers.

Selectwoman Szwed also reported that she had participated in a site walk at the closed landfill, with DPW Director Phil Coombs and James Hasselbeck of ReVision Energy, with the goal of answering some of Mr. Coombs' questions about a proposed solar

project ahead of the public hearing that is set for November 13. Chairman Bashaw said that the Solar project public hearing needs to be pushed on social media to be sure the public is informed. Adam Faulconer will be asked to help with the Facebook page and cable channel bulletin board.

Selectwoman Alessio referred to a letter to the editor in the Carriage Towne News about the Town Hall front steps being unusable. She said this should not go unanswered and plans to draft a response.

## **OLD BUSINESS**

### **POET Project Contract - Decision**

The Chairman asked the Administrative Assistant to share the information she has on the bids for this contract. Ms. Ayer said that the most glaring thing is the big gap in pricing, one bid being \$100,000 more than the other. She said she had submitted the bids to Anne Sheehan of Sanborn Head, who are the town's consultants, and Ms. Sheehan did not see anything terribly wrong with either, but noted the big difference and was concerned that the lower bidder (Allied Clearwater) may not have included everything. Ms. Ayer said she followed up by checking references for both companies, and both were good. She then learned that while initially it looked like Allied Clearwater had no experience with PFAS filters, they have been installing them through the state's reimbursement program. She also asked them to explain how their bid was so much lower, and the company's senior project manager said they have a good relationship with the lab, and also are local so their expenses are a little less. She said he seemed comfortable with the amount of the bid. She said that this is as far as the investigation has gone; both companies had the same specifications, and both seemed to understand them.

Chairman Bashaw said there had been additional correspondence from the other bidder, Water Techs, which Ms. Ayer had shared with the Board, and this bidder had asked to address the board or at a minimum to be here to answer questions, which he was.

Selectwoman Alessio said she had a call from a resident that was already in the program with a filtration system, and said they were not happy with changing companies. She said there was some confusion over this, but it is hard not to go with the low bidder, especially when they are a local company that's been in town for 30 years. Ryan Hood of Water Techs was present and asked to speak to the difference, but Chairman Bashaw said that this was not appropriate with an open bid, but that the Board is in receipt of his correspondence. He added that the Board had retained Sanborn Head as the expert to guide them.

Ms. Ayer pointed to another piece of information she had provided, and Chairman Bashaw read NH Code Env-Dw 1407.07 (c) : "After receiving and reviewing bids, the recipient (of a PFAS RLF grant) shall select the lowest responsive bid..... unless approval is requested and obtained from the department (NH DES) to award the contract to a higher bid... based on the lowest bid ... not being from a responsive bidder." Chairman Bashaw asked if Sanborn Head had found any deficiencies in either bid; Ms. Ayer said they had not, just the concern that the Allied bid was so low that it would barely cover the analytical costs.

Selectwoman Szwed said that this is such a stark difference in bids that she is concerned something could be missed, even though all the boxes seem to be checked.

Selectwoman Alessio questioned whether both should be rejected, and the process started again. Chairman Bashaw said that the Board is being told there is nothing appreciably different in the bids. Selectman Hart commented that Allied would be responsible for honoring their bid and can't upcharge once a contract is signed unless something was missed in the RFP. Chairman Bashaw said he just wanted to be sure the town is not missing something that anyone can come back and say is needed and will cost more money, as change orders can add up. Comments included that the RFP was sent out with specifications that Sanborn Head wrote, in fact NH DES had to approve it as well.

Selectman Coppelman said that notwithstanding the information sent in by Mr. Hood of Water Techs, the town has done its due diligence the best it could, by checking references and working with Sanborn Head. He said that given the information that has been gathered, such as it is, he did not think that the Town can consider the low bidder nonresponsive, that much as the high bidder may take exception, the town has no evidence of that.

Chairman Bashaw said that there are two options tonight, to award the contract, or to reject both bids.

**MOTION:** by Selectman Hart, to accept the bid of \$156,700 from Allied Clearwater to perform the POET System work as specified.

**SECOND:** by Selectman Coppelmen

In discussion, Selectwoman Szwed said she was still concerned and not sure Allied can do the work for that amount of money, and that there is usually not that large of a discrepancy. Selectwoman Alessio said in Allied's defense, they are a local company; she said she has had a water treatment system in her home for 50 years and it is not necessarily rocket science. She said if they are aware of the right filtration to put in she doesn't see how the town can reject the bid. Chairman Bashaw said he agrees that the large discrepancy is a red flag, but that is why the Town sent it out to Sanborn Head for review. He said he wants to have drinkable water but as he is not an expert he has to defer to the experts.

**In favor: Alessio, Bashaw, Coppelman, Hart; Opposed: Szwed; Motion passes**

Chairman Bashaw advised Mr. Hood that he could speak during Public Comment if he wished to stay for that.

## **NEW BUSINESS**

### **Environmental Insurance Cost Recovery**

Chairman Bashaw said this is a no-cost contract opened in 2019 with a law firm that will pursue reimbursements for PFAS testing and mitigation expenses from the Town's old insurance company, which did not have an environmental clause. Ms. Ayer explained that this firm had approached the Town in 2019 and the contract was accepted, but at the time there was no money yet being expended for this purpose. She said the lawyer had recently circled back to check and has been given the current information. She said that he has sent a copy for Board approval of a claim he is ready to submit, which is in the packets. There was no objection to the claim being filed.

### **Capital Improvement Plan worksheets**

It was determined that projects the Board has discussed, such as repair of the Town Hall front steps and replacement of the Town Hall HVAC system, as well as upgrading the electrical capacity on the Plains, all will be included in the CIP for the Department of Public Works. The Board's sheet will be updated to remove completed projects; Selectman Coppelman said that the final CIP spreadsheet for all departments will come to the Board for approval.

**Letter from NH DOT: Property easement for Route 125 project**

The Board reviewed this letter, which is informing the Town that a small Town-owned parcel of land on Rte. 125 will be impacted by the planned upgrades to the highway. It was agreed that the DPW Director should be asked to respond to the DOT contact and attend the requested site visit.

**Code Enforcement - Cease and Desist letter for Board review**

Interim Code Enforcement officer Kyle McManus had drafted a letter in response to a code complaint. The Board approved the letter to be sent to the property owner.

**BOARD BUSINESS**

**Review of Executive budget for 2024**

Finance Director Paula Mahoney presented the Board with a printout that highlighted the most significant changes to the budget, with explanations. This was reviewed in detail.

There was a discussion of whether or not to include a cost-of-living increase in the budget; this had been debated due to the development of the wage and salary matrix. It was determined that the Federal increase is around 3.4%. Selectwoman Alessio said she would support a COLA of 4% for 2024, to ensure that the Town keeps up and does not lose personnel.

Selectman Coppelman said he thought 3% would be sufficient.

**MOTION:** by Selectwoman Alessio, to support a 4% cost of living increase for 2024.

**SECOND:** by Chairman Bashaw

**In favor: Alessio, Bashaw, Hart, Szwed; Opposed: Coppelman; Motion passes**

Chairman Bashaw said this is a starting point for budgeting purposes and can be modified.

**Meeting of November 20**

It was decided that due to Thanksgiving holiday activities of Human Services that take up the meeting room, there will be no meeting on November 20. A special meeting can be called if necessary to conduct urgent business.

**PUBLIC COMMENT 2: None**

**CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:**

- A veterans tax credit was approved for Map R3 Lot 4-LU3-2
- A letter from the Town Planner to Bresnahan Moving and Storage has been copied to the Board. There was a brief discussion of the decision by the Planning Board that plantings required by their site plan must be installed as approved by April 30, 2024

- The Board reviewed Purchase Orders

**APPROVAL OF MEETING MINUTES:**

**MOTION:** By Selectwoman Alessio, to approve the meeting minutes of October 30, 2023, public and non-public, as submitted.

**SECOND:** by Selectwoman Szwed

**All in favor**

Chairman Bashaw asked why the Budget Committee does not meet at the Town Hall, as he felt they should in the interest of transparency. He said too many people do not know how the budget process goes.

**MOTION:** by Chairman Bashaw, to ask the Budget Committee to move their meetings to the Town Hall meeting room so that the public can view the meeting and the YouTube recording.

**SECOND:** by Selectman Coppelman

Selectman Hart said this depends on the availability of the Town Hall, and also said Adam Faulconer needs to be asked if he is available to tape the meeting.

**All in favor**

**Meeting Adjourned at 8:30 PM**

Respectfully submitted:

Susan H. Ayer, Administrative Assistant to the Select Board