

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of February 28, 2011  
MINUTES**

The meeting was called to order at 7:00 pm in the Selectmen's Office at the Kingston Town Hall. In attendance were Chairman Mark Heitz and Selectmen Peter Broderick and Charles Hart.

**SELTNH Documents Signed**

David Viale and Richard Russman of the Southeast Land Trust of New Hampshire were present to ensure that proper signatures and initials have been affixed to the easement and management documents relating to Town Forest areas.

**Highway Department Updates**

Road Agent Richard St. Hilaire discussed with the Board whether he should make repairs to the body of the existing Ford 250 truck with a \$2,600.00 insurance check, or hold off because the truck's going to be auctioned in the Spring. He noted that, although it would effectively be an increase in the number of vehicles in his fleet, he finds having the extra truck available to be very useful. It has 165,000 miles on it and there are some problems with the gear box but he believes that, once the bed has been repaired and jagged edges removed, the truck will pass inspection and be useable for at least another year. Selectmen approved getting the truck repaired.

Mr. St. Hilaire then reviewed with the Board a letter received from Paul Nichols, LLS, relating to the Fire Department's Main Street property and the adjacent discontinued roadway areas. It's been determined that there is no record of ownership for the properties so it might be inferred that they were part of the original 1694 King's Grant, kept as part of the common land. The letter and accompanying plan will be sent to Town Counsel Sumner Kalman with a request that a Motion to Quiet Title be filed with the courts.

Mr. St. Hilaire and the Board then reviewed project plans for the Ball Road culvert replacement project. An existing, privately owned dam will need to be removed in order for the project to go forward but the owner has expressed reluctance to grant the necessary permissions. It was agreed that the Town may need to do a taking for the public good. The property owner will be requested to attend a meeting to speak with the Board about the situation.

The Board the discussed submission of an application for State Bridge Aid to assist with the matching portion of the \$1.2 M project cost for the Main Street Bridge replacement project at Great Pond outlet. \$400,000.00 of the total project will involve the bridge, so as much as \$320,000.00 may be eligible to be covered with Bridge Aid funds, which could go toward the 25% match that the overall FEMA project will require of the town. The Board agreed to go ahead with an application.

## **Non-public Session**

**MOTION:** Upon motion of Selectman Hart, second of Selectman Broderick and a unanimous vote, the Board adjourned to non-public session under the provisions of NH RSA 91-A:3, II-c. The Board adjourned at 8:05 pm. The Board returned to public session at 8:23 pm.

**MOTION:** Upon motion of Selectman Broderick and second of Selectman Hart, it was unanimously voted to seal the minutes of the non-public session for an indefinite period.

## **Review of RSA 165:5 Protest Petition**

Selectmen reviewed a petition received that will require a 2/3rds affirmative vote in order for Zoning Article 10 on the March 8<sup>th</sup> ballot to pass. The original of the petition has been provided to the Moderator, who will post it at the Election and will announce the fact that a 2/3rds vote will be necessary.

## **Proposal for Off-site Backup of Computer Files Accepted**

**MOTION:** Upon motion of Selectman Broderick and second of Chairman Heitz, the Board unanimously accepted a proposal by Botnay Bay Computers for not more than \$6,210.00 to install off-site backup capability for Town Hall and Fire Department computer data files. A purchase order for one-half the estimated maximum cost will be prepared.

## **Approval of Memorandum of Understanding**

**MOTION:** Upon motion of Selectman Broderick and second of Chairman Heitz, it was unanimously voted to approve a Memorandum of Understanding between the Kingston Police Department and the Rockingham County Drug Task Force and to authorize Chief Briggs to grant indemnification of participating officers as required in the Memorandum.

## **Premium Increase Cap Acknowledged**

The Board reviewed and signed an agreement capping annual increases for Worker Compensation and Liability Insurance rates to 7% or less. The agreement serves as an addendum to the multi-year insurance agreements signed in 2010.

## **Review of Previous Meeting Minutes**

**MOTION:** Upon motion of Selectman Hart and second of Selectman Broderick, it was voted to approve the minutes of the February 14, 2011 meeting as printed. Chairman Heitz abstained from the vote due to his not having been present for the meeting.

## **Adjournment**

There being no further business before the Board, the meeting adjourned at 9:33 pm.