

**Kingston, New Hampshire
Board of Selectmen
Meeting of May 16, 2022
Final MINUTES**

The meeting was called to order at 7:00 PM by the Chairman.

PRESENT: Chairman Richard Wilson; Kevin St. James, Vice Chair; Charles Hart, Phillip Coombs, Select Board Members (Selectman Coombs arrived at 7:50 pm)

COMMITTEE LIAISON REPORTS:

Selectman St. James said he had heard from the Officer in Charge at the Police Department that there are now two openings for officers. He said that there is a person that the town may be able to hire; he said he brings it up because the situation shows the benefit of having a pay scale.

Chairman Wilson said that the process is in place for hiring a new Police Chief; applications are being taken and will be reviewed by an oral board.

Chairman Wilson said that certain agenda items will need to wait for Selectman Coombs, who is in another meeting, to arrive. He went through the agenda taking some items out of order.

OLD BUSINESS:

LED lighting for Police Station

Selectman St. James followed up on the details of the agreement with Affinity Lighting, noting that this was meant to be a Town-wide replacement of bulbs, but is being implemented building by building. As the Police Station is the most used, it is being done first; the lights will cost \$13,340, and the incentive award through NH Saves pays just under \$4,000. Selectman St. James said that the savings in the electrical rates will be over \$1,200 per year and the calculation is that it will pay for itself in 7 years. He said that he thinks this is enough to make it worth going forward with the Police station, and then look at the budget later in the year to continue with the Fire Department, Town Hall and Museum.

As the Chair had already been authorized to sign this agreement, pending information about the incentive, it was now signed.

Engineering Report - Small Pox

Chairman Wilson said that Town Engineer Dennis Quintal had visited the site of excavation on Small Pox Road and submitted his report to the Board. He said that owner Dan Parks had called again today, looking for permission to haul sand while the property is still under a Cease and Desist.

At this point, Mr. Parks joined the meeting and was invited to speak on the subject. Chairman Wilson asked if Mr. Parks' engineer had sent a plan to NHDES yet; Mr. Parks

said that an application form had been received from DES and the engineer is submitting it.

Chairman Wilson said that the letter of May 5 from NHDES had stated that a wetlands permit is required for any work within 100 feet of wetlands. He said that it also asked that Mr. Parks voluntarily refrain from carrying out any additional work except for the installation of siltation and erosion controls until NHDES further investigates the matter. Mr. Parks said he has not been doing any work; Chairman Wilson said he observed a truck leaving the property on Saturday that was loaded with material. Mr. Parks said that he had helped load that truck but that it was loam, which is his son's business, and not sand, which is his.

There was a discussion of the site and where the loam pile (near the workshop) and sand piles/excavation site are (at the other end of the property). It was determined that NHDES has not been to the site, but had received a complaint, for which Mr. Parks had 20 days to respond. He said he has been trying to reach the DES but has not gotten any calls back. He said his engineer had talked to someone who asked him to produce a new signed plan, which he said the DES should have received.

Selectman St. James said that while he would like to allow Mr. Parks to sell his stockpiled sand, he still wants to hear from the DES first. Chairman Wilson agreed, saying that the board needs to know that the DES is aware of the situation and is okay with the sale of sand already dug.

Tax deeding- waiver decision

The Chairman said that the owner of the one property which is subject to deeding had been contacted about a payment plan, but today the owner's representative had informed the town that they have decided to let the property go. The Town Clerk-Tax Collector will be asked to prepare a Tax Collectors Deed for the Board to sign.

Town Hall Audio-Visual update

Selectman St. James said he has three bids for this work to improve communications in the meeting room and is waiting for one more. He said he has asked Chairman Wilson to review them. He gave some details on the three that were received, from Tailor-Made, Music Mill, and Audio Video Experience, Inc.

NEW BUSINESS:

Police personnel: severance of contract

The Officer in charge of the Police Department has asked the Board to accept a contract buy-back agreement with an officer who is leaving to take a full-time job in another town prior to his 3-year contract being fulfilled. Lt. Johnson has said the officer will remain in Kingston on a part-time basis.

MOTION: by Selectman St. James, to accept the buy-back of this contract for \$10,000

SECOND: by Selectman Hart

All in favor

Fire Department personnel

Fire Chief Graham Pellerin was present and said he has made a conditional offer of full-time employment, which has been accepted. He said he will bring the new EMT/Fire Fighter, who is currently working in a part-time per-diem capacity, to the next meeting; he said this will cut down on over time in his department.

Selectman St. James asked about training staff on the Automated external defibrillator in the Town Hall. He said he is certified to train and would be willing to help.

BOARD BUSINESS:

Sale of Town-owned land 2022

Two requests to consider selling town lots have been received and were briefly reviewed by the Board. It was decided to work on identifying such properties and have a list in place by the end of June.

APPOINTMENTS:

Ruth Albert re: Tax Map R29 Lot 6

Ms. Albert was present along with her realtor, Donna Carter, and Heidi, a realtor for Lucia and Corrado Amenta, also present in the audience. Paperwork provided showed that there are three lots in a row along Route 125; lot 6 belongs to Ms. Albert, lot 2 belongs to the Amentas and lot 4 belongs to Ian Wallace.

Ms. Carter addressed the Board to explain that the main reason they are here is to get permission to clear the access road. She said they had talked to the Road Agent and the Town's Planner and learned that the 50' width is not wide enough for a road, but that it is enough for a private drive. Chairman Wilson said that it is up to the owner to do anything with the road.

There was a discussion of what is allowed in the zoning ordinance, and it was concluded that this is a discussion for the Planning Board, not this Board. As for the roadway, Chairman Wilson said there is a procedure, and they should start with a proposal, but they have the right to maintain the road to access the property. He said he will talk to the Road Agent about the options and procedure.

PUBLIC COMMENT 2: None

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- An application to be allowed to have a food truck at a business open house at 3 Newton Junction Road was approved on a motion by Selectman St. James, Second by Selectman Hart, all in favor.
- Town Counsel had provided the Board with a letter he had written for another Town with regard to the Police Department hiring an officer to be paid by the school as a School Resource Officer. Officer in Charge Joel Johnson will meet with the Town's attorney tomorrow to discuss protections for the Town.

APPROVAL OF MEETING MINUTES:

MOTION: By Selectman St. James, to approve the meeting minutes of May 9, 2022, as written.

SECOND: by Selectman Hart

All in favor

OLD BUSINESS

Selectman Coombs joined the meeting and led discussion on two topics:

Intent to Cut R15 Lots 8, 8-1

Selectman Coombs said that the easement for this property was put in place in the 1980's and mentions white cedars in several places. He said the engineer's Forest Management Plan does not mention the cedars, so although the plan as a whole would work, he would like to be sure the cedars are taken into consideration. He said that the term "clear cut" was used at the last meeting, but this intent does not amount to that. He said he thinks it will be valuable to meet with the owner of the property before signing the intent.

NEW BUSINESS

Extension of Solid Waste and Recycling Contract

Selectman Coombs brought information from a meeting he and Chairman Wilson had with Pete LaChappelle of Waste Management. Waste Management will extend the Town's contract for 5 years. He said that the company will not do a 6-month to a year extension as had been hoped, but that this price will go up if the contract goes out for bids rather than being extended. He said this proposes that the town would switch to all automated pickup because of manpower issues, and they will need a new truck. He said it would not make sense for them to provide the trash barrels and buy a new truck for a short-term commitment. Selectman Coombs said that the Solid Waste and Recycling Committee had voted in favor of going with this extension contract. He said the issue they ran into is that there was only one provider even willing to provide a quote on short notice.

Pricing provided by Mr. LaChappelle was reviewed and it was noted that it reflects significant increases per year. There was a discussion of the rates; it is the same as Towns that have pooled resources are receiving. Selectman Coombs said that Waste Management owns the closest landfill, which will save on fuel costs. Tipping fees have gone down.

Selectman St. James said that this is more than an extension, it is actually a full contract, and bids should be solicited. Selectman Coombs said that it is very late to go out for bids, that he was told three months ago they would need to have been notified "yesterday". Selectman St. James said he still thinks at least one more bid should be obtained. Selectman Coombs said that very few providers have their own landfill, and one new proposed landfill won't be in use for years. Incinerators are at capacity.

Further discussion took place on fuel costs and the costs associated with recycling various items. Selectman Coombs said that the Solid Waste & Recycling Committee is exploring ways to reduce what goes into the waste stream and to collect some items in town. He said he had learned that the value of cardboard, for example, will be credited

back to the town, but glass costs money to dispose of; for this reason, one idea is to have a dumpster just for glass in town.

It was agreed that a decision will be made next week after Selectman St. James makes some phone calls.

Assessing/Taxation

Selectman Coombs said that he would like to have an audit done of some parcels in town, as he said the list of highest taxpayers seems out of whack. He said he thinks some commercial properties are not being taxed correctly. This will be discussed with the Town's Assessor.

NON-PUBLIC SESSION:

MOTION: by Selectman Hart, to enter non-public session under RSA 91-A:3, II (a) Personnel

SECOND: by Selectman Coombs

Meeting adjourned to non-public session at 8:12 PM.

MOTION: by Selectman St. James, to return to public session at 8:30 PM

SECOND: by Selectman Wilson

All in favor

Discussed in non-public session: Hiring of a public employee

Motion made to seal minutes of non-public sessions?

Motion made by Selectman Wilson, seconded by Selectman St. James, because it is determined that divulgence of this information likely would...

☐ XX 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:

Phillip Coombs	Y	Richard Wilson	Y
Kevin St. James	Y	Electra Alessio	Absent
Charles Hart	Y		

Motion: PASSED

Meeting Adjourned at 8:30 PM

Respectfully submitted:

Susan H. Ayer

Administrative Assistant to the Select Board