

**Kingston, New Hampshire
Board of Selectmen
Meeting of July 13, 2015
MINUTES**

The meeting was called to order at 6:30 pm in the Selectmen's Office of the Kingston Town Hall. In attendance were Chairman Mark Heitz and Selectmen George Korn and Peter Broderick.

Discussion of Ambulance Billing Procedures

Fire Chief Bill Seaman, Fire Department Administrator Kelly Langan and Jeff Tassi of Comstar Ambulance Billing Service were present to address Board concerns about ambulance billing collection rates. Mr. Tassi advised that, overall, there were 339 transports in 2014, with collections of \$150,067.00 (an average collection of \$463.00 per transport). The town's collection rate is only 63.29%, due mainly to the amount of deductible and co-pay amounts that are written off rather than collected. It has been the town's policy to collect from resident transports only that amount covered by the patients' insurance coverage. Because insurance policies under the Affordable Care Act have far higher deductibles and co-payments that must be covered by the patient if at all, the town has effectively been writing off a far higher percentage of its collectibles than previously.

Several options for changes in the town's policies relating to ambulance billing procedures were discussed, and the Board will take the matter under advisement. It was agreed that four resident patients who were reimbursed by their providers but who didn't remit the payment to the town will be taken to small claims court for collection. It also was agreed that Comstar will provide paperwork so that the town can apply to Massachusetts Medicaid for a provider number so they can bill for transports of Mass Medicaid patients. A breakdown by name of all unpaid charges from 2014 will be provided so that the Board can see if the same patients are using the ambulance multiple times without attempting to pay the charges. It was agreed that Chief Seaman will work with Finance Officer Cindy Kenerson to fine tune procedures with Comstar and attempt to improve the town's collection rates.

Resident Discussion of 26 North Road Property Use Complaints

The Board discussed with Stephen and Mary Law of North Road a letter they had written to the Board concerning activity at 26 North Road. The letter had first been discussed at the June 30, 2015 meeting. The Laws believe the property owners to be in violation of town ordinances and of the property's current use status. Chairman Heitz addressed each point in the letter and advised Mr. and Mrs. Law as to what the Board has determined in the two weeks since receiving their letter. Alleged violations of noise ordinances would need to be measured from the lot lines and enforced by Police if a violation in fact exists as defined by the Ordinance. There does appear to be a violation of the town's restriction on camper trailers. The Ordinance allows only one occupied camper trailer per parcel for a maximum 90-day period, once a year. There reportedly have been multiple camper trailers at the 26 North Road site, along with sanitary facilities, electrical hook-ups, a picnic pavilion and access roadway. None of the structures has been permitted by the town. Additionally, there are questions as to the designation of the entire property under the Current Use statute. The town's assessor reviewed the property upon reading the Laws' letter, and it appears to him that the approximate 5-acre portion that is cleared, mowed, electrified and regularly used by the owners and their guests may no longer qualify for the reduced assessment and may be subject to a Land Use Change Tax. Concerns about campfires and bonfires on the property were addressed by Fire Warden Bill Timmons, who advised that the owners have obtained the proper permits and are aware of the requirements for monitoring and extinguishing open fires. And Health Officer Peter Broderick advised that no permits are required for the placement of portable toilets on private property other than the requirement to meet the minimum set-back from lot lines and ensure that the toilets are properly maintained.

The Board having reviewed much of the material for the first time that evening, it was agreed that they will take the assessor's recommended changes to the Current Use Assessment and imposition of the Land Use Change Tax under advisement, and will discuss action to be taken to bring the property into compliance with the travel trailer restrictions. The Laws will be kept apprised of any action taken.

The property owners, noting that they had only recently been made aware of the complaints against them or of the town's possible responses, asked that they be afforded two weeks in which to do their own research and, perhaps, to seek legal advice. The Board agreed that they will meet with the property owners at their next meeting, on July 27th, to discuss the outstanding issues.

Discussion of Activity in Adjoining Commercial Condominium

Alan Pelletier, owner of a commercial condominium at 68 Route 125, advised that the owner of an adjoining unit recently has been conducting spray painting activity that has caused excessive fumes to invade his own unit and asked if the town can take any action to remedy the situation. There apparently is no approved site plan for the sheet metal business from which the fumes are emanating and, if painting is a recent addition to the activities in the unit, a site plan review by the Planning Board will be necessary due to the potentially volatile and hazardous nature of the activity. Police Chief Don Briggs was present and contacted Fire Chief Bill Seaman, who will visit the property on July 14, 2015 to determine what activities are being undertaken and whether they may violate Life/Safety codes and regulations. It's expected that the Planning Board will follow through to ensure that a site plan is developed and reviewed.

Non-public Session

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, Chairman Heitz polled the Board for a unanimous decision to adjourn to non-public session under the provisions of NH RSA 91-A:3, II-c. The Board adjourned to non-public session at 8:02 pm.

The Board returned to public session at 8:58 pm.

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick, Chairman Heitz polled the Board for a unanimous decision to seal the minutes of the non-public session for an indefinite period.

Administrative Matters

The Board authorized Road Agent Richard St. Hilaire to remove the buildings from town-owned properties at Circuit Drive, Sixth Street and Mill Road. Chairman Heitz advised that photographs documenting the condition of the buildings and the safety hazards they pose must be taken prior to their removal.

The Board re-appointed Peter Broderick to serve as Health Officer.

Proposed minimum bid amounts for surplus property expected to be auctioned this summer were reviewed and approved.

A letter from a resident concerning a town employee was reviewed.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was voted to accept the minutes of the June 15, 2015 meeting as printed. Chairman Heitz abstained from the vote.

MOTION: Upon motion of Selectman Korn and second of Chairman Heitz it was voted to accept the minutes of the June 29, 2015 meeting as printed. Selectman Broderick abstained from the vote.

Adjournment

There being no further business before the Board the meeting adjourned at 10:02 pm. The next meeting will be held on July 27, 2015.

Respectfully submitted,

**Catherine Grant
Administrative Assistant**