

**Kingston, New Hampshire
Board of Selectmen
Meeting of January 25, 2016
MINUTES**

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

Police Department Hire Approved

Police Chief Donald Briggs was present with Andrew Garvin of Stratham. The Chief proposed that Mr. Garvin be hired as a part-time officer, who will seek state certification over the next several months at his own expense. He will be paid by Kingston only for those hours when he's training on the job. At present, Mr. Garvin is employed as a Master Technician for BMW, but he hopes at some point to become a full-time police officer. The Board approved Mr. Garvin's hire and signed the papers for his appointment.

Clearing of Dog Park Entrance Approved

Selectman Broderick advised that he'd received a call from Bobbie Whitcomb requesting that the town plow in front of the Dog Park on Green Road. The Board agreed that, since the town plows Green Road anyway, it should be no problem to swing in or use the wing plow to clear the entrance to the Dog Park. Selectman Broderick noted that Road Agent Richard St. Hilaire had questioned whether plowing the entrance might expose the town to additional liability. It was noted that the Dog Park is on town property in either case and liability won't increase because the entrance is cleared.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was voted to approve the minutes of the January 11, 2016 meeting as printed. Chairman Heitz abstained from the vote.

Acceptance of Donation for Purchase of Cable Equipment

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was unanimously voted to accept a donation of \$60,000.00 from Comcast for the purchase of equipment for the town's public access channel.

Discussion of Land Use Change Tax Levy

Peter Bakie was present to discuss a Land Use Change Tax assessed against a North Road property. He presented the Board with copies of RSA 79, which governs the Current Use laws, and requested an explanation of why he is subject to the tax. He noted that excavation work he's completed on a portion of the property several years ago all was properly permitted by the Planning Board, and that he was told that a Change Tax would not be assessed at the time because once the work was completed the property would just be put right back into Current Use. The Board agreed that the excavation work, including creation of a fire pond and an access road, may not have triggered a Change Tax, however the use of the property observed in July of 2015 is not an allowed use under the Current Use Law and that is the change that precipitated the tax. The town's professional assessor has determined that the location of multiple travel / camper trailers, with sanitary facilities and electrical service provided to them, along with a stick-built picnic pavilion and cleared, maintained curtilage area serve to remove the property from any qualified Current Use category and exceeds what reasonably can be

considered a “passive recreation” use. The Board provided an abatement application to Mr. Bakie so that he can appeal the tax to the state Board of Tax and Land Appeals.

Administrative Issues

The Board noted that Albert Edelman has resigned from the Recreation Commission.

Appointment papers were signed for Lynn Gainty, Charles Snow and Charlotte Vinciguerra to 3-year extensions of their terms on the Kingston Days Committee.

The Board approved an application for an Elderly Exemption.

The Board approved an application for a Veteran’s Credit.

The Board reviewed an update of a pending legal case from Town Counsel.

A notarized statement required by the Municipal Budget Act advising that the Selectmen posted their MS-7 with the Town Meeting Warrant due to the Budget Committee’s failure to file a Budget was signed.

Adjournment

There being no further business before the Board, the meeting adjourned at 7:52 pm.

Respectfully submitted,

Catherine Grant

Administrative Assistant