

**Kingston, New Hampshire
Board of Selectmen
Meeting of November 7, 2016
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 Peter Broderick and George Korn.

Non-public Session

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, Chairman Heitz polled the Board for a unanimous vote to adjourn to non-public session under the provisions of NH RSA 91-A:3, a and b. The Board retired at 6:40 pm. The Board returned to public session at 7:18 pm.

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

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, it was voted to authorize Police Chief Donald Briggs, Jr. to hire an additional two part-time officers. The department's 2017 Budget proposal will be increased by \$20,000.00 to fund the salaries for the two positions, and uniforms and equipment for the officers will be funded through the Police Details or Drug Forfeiture funds.

Non-public Session

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn, Chairman Heitz polled the Board for a unanimous vote to adjourn to non-public session under the provisions of NH RSA 91-A:3, c.. The Board retired at 7:25 pm. The Board returned to public session at 7:48 pm.

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

Highway Department Issues

Road Agent Richard St. Hilaire advised that replacement of the front steps on the Town Hall is complete. He will need to seal the grout twice a year to prevent moisture from seeping into the joints, and in ten years some areas may need to be re-grouted, but other than that the steps should last for many years.

Resident Discussion of Penniman's Grove Road

Mary Alice Healey of Penniman's Grove Road and Warren and Suzanna Bye of 30 New Boston Road were present to discuss ownership of Pennimans Grove Road. Ms. Healey asked for whatever documents are available to indicate when Penniman's Grove became a Class V town maintained road as opposed to a private road. Road Agent Richard St. Hilaire advised that when he began working for the town in the mid 1970's the road was already being maintained and was considered to be a Class V road. He doesn't believe it ever was officially accepted by the voters; it became a public road by virtue of the fact that the town was maintaining it. Most of the roadways in town became Class V roads in this manner; relatively few of the roads were acquired either by conveyance or by voter acceptance. Ms. Healey then discussed at length her belief that the right of way area leading from the road to the waterfront is part of the road. The Selectmen and Road Agent disputed this, advising that the town's interest only includes the travelled way that constitutes the roadway. Mr. St. Hilaire also noted

that the state's straight line drawings show the roadway to encompass only the travelled way. Ms. Healey explained that the heirs of the original developer have conveyed their interest in the entire right of way - including the beach access - to one of the development's property owners. The Selectmen explained that any such conveyance has no effect on the town's position. Penniman's Grove Road will continue to be considered a Class V roadway and the town will continue to have no interest in the beach access way. Ms. Healey discussed her personal interest in having the beach access remain open to use by the public; the grantees of the access have posted No Trespassing signs and are keeping Ms. Healey from using the area. The board suggested that she seek counsel and ask for a court ruling if she disputes ownership of the area. Chairman Heitz advised that the Board has no intention of becoming involved in a personal dispute over land that the town has no interest in.

Selectman Broderick thanked Ms. Healey and the Byes for coming in and wished them well in finding a resolution to the issue.

Grace Daley House

Selectman Korn reported that the Heritage Commission has been unable to find an alternate solution to demolition of the Grace Daley House on Main Street. The Board had given the Commission a two year extension of time to find some means to retain the building. Voters decided in 2013 to demolish the structure rather than spend more than \$150,000.00 to do the work necessary to make the building safe. Ms. Powers will be contacted and asked to verify in writing that the Commission hasn't been able to find a solution that will allow the building to remain at its present site.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick, it was voted to accept the Minutes of the October 17, 2016 meeting as printed. Chairman Heitz abstained from the vote.

MOTION Upon motion of Selectman Korn and second of Selectman Broderick, it was voted to accept the Minutes of the October 31, 2016 meeting as printed. Chairman Heitz abstained from the vote.

Adjournment

There being no further business before the Board, the meeting adjourned at 9:10 pm.

Respectfully submitted,

**Catherine Grant
Administrative Assistant**