

Kingston, New Hampshire
Board of Selectmen
Meeting of April 2, 2018
MINUTES

The meeting was called to order at 7:00 PM in the Meeting Room at the Kingston Town Hall.

PRESENT: Mark Heitz, Chairman; George Korn, Phillip Coombs, Kevin St. James and Donald Briggs, Jr., Selectmen.

Discussion of Kingston Article 401: Alcoholic Beverage Ordinance

Richard Johnson, 8 Elkins Road, addressed the Board to request information about how permission is given for alcohol to be served at an event on the Town Plains, and mentioned a fundraiser to be held to benefit the Kingston 325th Celebration set to take place during the 2018 Kingston Days. Mr. Johnson said that two years ago, he had asked then-Administrative Assistant Cathy Grant whether he could have a wedding reception on the Plains and she told him that under no circumstances would alcohol be allowed on Town property.

Chairman Heitz read the Alcoholic Beverage Ordinance, which in part reads, "No person shall use or consume any alcoholic beverages while in or upon the following:

- A. Any Public way, park, playground or any way or place in which the public has a right or access as invitees or licenses, except with a permit issued by Board of Selectmen"

Mr. Johnson said that if he had been told to submit a permit form, he would have, but as it was, he felt he was deliberately lied to. Mr. Heitz said that he could not speak for Cathy Grant but he could not personally recall ever granting a permit for a private event on Town property. He said that the event to be held this summer is for a fundraiser for a Town event, which will offset the cost of the 325th celebration. He said that the difference is between a private event and one that is held for the benefit of the Town. He added that there is nothing stopping anyone from submitting a permit application and that the Selectmen would review it, but that he personally would not be in favor of allowing a private party involving alcohol to take place on the Plains.

Mr. Johnson reiterated that he felt lied to, in this case and in other instances over the years.

Selectman St. James said that while the past cannot be changed, if Mr. Johnson or anyone else has a problem with a Town employee or department head, they should come to the Board.

Approval of Meeting Minutes - March 26, 2018

MOTION: By Selectman Korn to approve the meeting minutes of March 26, 2018, as written.

SECOND: Selectman St. James, approved by all.

MOTION: By Selectman St. James to approve the non-public session minutes of March 26, 2018, as written.

SECOND: Selectman Coombs, approved by all.

Correspondence/Information - Temporary Trailer placement

In follow-up to the question brought to the Board on March 26 about the legality of placing a temporary trailer on a neighbor's property, Town Counsel had given his opinion that there is no law to support this. Selectman Briggs informed the Board that this matter is resolved, as the property owner had found a way to place the trailer on her own property.

Town Meeting 2018- Deficiency in Postings Found

In a letter dated April 4, 2018, the NH Department of Revenue Administration (DRA) informed the Selectmen that an issue was found with the manner in which the 2018 Budget was posted. Specifically, the MS-737 form, generated by the Budget Committee, was not posted with the Warrant at the required time prior to Deliberative Session. Chairman Heitz said that instead, a copy of the budget spreadsheet was posted, as had been done in previous years, but the DRA requires that the MS-737, signed by the Budget Committee, be posted. For that reason, another public meeting will have to be held to ratify the results of the March 13 meeting.

Chairman Heitz read from the letter, which directed the Town to hold a procedural defect meeting, in accordance with RSA 31:5-b. The warrant article to be voted on will be "to see if the town will vote to ratify the results of the March 13th annual meeting even though the posting requirements were not met."

Finance Officer Cindy Kenerson will be directed to work with the DRA on this matter.

Proposed Fire Station Building Committee

Muriel Ingalls of Main Street introduced herself as a Director of the Lake Association and said that she and others on the Lake Association were curious about the committee proposed at the last meeting of the Selectmen, to be composed of residents interested in helping with the plans and siting for a new fire house.

Chairman Heitz said that it is hoped to form a board of 11 people from a cross-section of the Town, to include members of the fire department, a Selectman, and interested parties from Town. It was agreed in discussion that a balance of interests and points of view need to be included, not all Fire Department personnel but not all Lake Association people, either.

Interested parties were instructed to send letters of interest to the Selectmen's Office, and the Selectmen will make a final determination of members. No deadline was set, but rather a committee will be formed when enough people respond.

FIRE DEPARTMENT

Ambulance Bids

Fire Chief Bill Seaman was present to give his recommendation on the bids for a new ambulance that were opened at the March 26 meeting. Chairman Heitz cautioned that while the Selectmen will take the Chief's recommendation under advisement, the ambulance cannot be purchased until the matter of the Town Meeting posting deficiency is remedied. No large expenditures or appropriations can be made until after the special town meeting takes place.

Of five bids received, Chief Seaman reported that two (Greenwood Emergency Vehicle) were excluded as they were 2016 demo vehicles and not to bid specifications.

Of the other three bids, after adjusting the prices for components not seen in the first read, PL Custom (Sugarloaf Ambulance and Rescue) was the low bid at \$215,280. Bulldog Fire Apparatus' bid was \$235,005 and Road Rescue was \$227,348. Chief Seaman said that none of these prices include the trade of the old ambulance, which is not recommended. He said that after comparing warranties, and because the Fire Department owns other vehicles from this company, he is recommending that the Town accept the low bid and buy the ambulance from PL Custom for \$215,280.

MOTION: by Selectman St. James, to proceed with the bill submitted by Sugarloaf Ambulance and Rescue (PL Custom) for a new ambulance at a cost of \$215,280.

SECOND: Selectman Briggs, approved by all.

There was a discussion of other ambulance equipment to be purchased with the balance of the 2018 Warrant Article funds, to include a stretcher (\$17,937), a narcotics lock box that includes a key pad and can track and monitor the custody of narcotics (\$1500), and a two-way telephone handset for the back of the ambulance (\$285).

All four purchases will be held until after the special town meeting takes place, estimated to be in about 30 days.

NEW BUSINESS

Highway

Road Agent Rich St. Hilaire addressed the Selectmen to say he will be back at work tomorrow and to thank his crew for a great job in his absence.

He then informed the Selectmen that his office and the Town Hall offices are receiving phone calls asking if there will be a temporary brush dump set up for disposal of winter storm debris.

There was a discussion of whether this is called for given the amount of limbs down, and if so, how to set up and monitor a temporary brush dump.

It was decided to leave disposal of brush, limbs and yard debris as the responsibility of residents, and to verify that Landscapers Depot is still taking these items (for a reduced fee) from Kingston residents.

Discretionary Preservation Easement

Stanley Shalett of 22 Cheney Road came before the Selectmen and distributed photographs of a 21' x 24' barn on his property for which he is submitting an application for a Discretionary Preservation Easement. A preliminary barn floor assessment written by Emanuel Engineering was also presented. Mr. Shalett said he has been in touch with Historic District Commission Chair Virginia Morse, and also attended a conference on barn preservation recently put on by the NH Preservation Alliance. He said he believes the barn meets the requirements set forth in RSA 79-D.

Mr. Shalett said that the barn was restored a bit by a former owner, and has historic significance as part of the Cheney Mill. He said he would like to maintain it so that it will not fall into disrepair and have to be removed.

Chairman Heitz said that it looks like it is already in disrepair; Mr. Shalett answered that it needs to be shored up. Asked about the age of the structure, Mr. Shalett said he believes it dates to the 1700's.

Chairman Heitz said he would like to review the RSA to see what, if anything, it says about the condition of the structure to be preserved. Mr. Shalett said that he is trying to restore the barn, and that is what the program is about, preservation and protection. Selectman St. James said he approves of the effort to restore barns, that there are only 180 historic barns left in the state, and that there is a special fund that may also be worth looking into.

The Selectmen will look into the RSA and determine if this barn meets the criteria for preservation easement before acting upon the application.

Mr. Shalett invited the Board to come for a site walk of the barn and house.

PERSONNEL

Town Hall Staff

There was a brief discussion of the salary for the Administrative Assistant position. Before setting this salary, salaries in nearby towns of similar size will be researched.

ADMINISTRATIVE ISSUES

- Abatement applications: Three abatement applications were reviewed along with letters of recommendation to approve or deny from Assessor Fred Smith. An abatement was approved for 7 Monarch way; two others were denied for lack of information demonstrating over-assessment.
- Assessment Correction: Fred Smith submitted a request to correct the property information for Map U5 Lots 23 and 24. He said he believes a tax map depicting lot U5-24 as 50 feet wide was drawn in error, and that U5-24 should be 60 feet wide with a 10-foot ROW, which eliminates the “unknown owner” parcel at U5-23. The Board accepted the Assessor’s recommendation to forgive the lien on U5-23 and eliminate parcel.
- A letter regarding possible drainage issues at Pheasant Run was reviewed and it was agreed to have the Road Agent look at the property.
- A copy of a draft agreement between Eversource and NH Fish and Game for an access easement over Rowell Road has been received. The Board will wait for a fully executed agreement to review before going forward with its own access easement agreement for that area.
- A letter from NH DOT listing upcoming resurfacing projects in District 6 was reviewed. Selectman Briggs pointed out that there are significant changes to what Kingston agreed on in 2009. He will follow up with a letter requesting updates and notification of changes in advance.

Adjournment

There being no further business before the Board, the meeting adjourned at 8:58 PM.

(MOTION: Selectman Coombs; SECOND: Selectman St. James)

Respectfully submitted,

Susan Ayer
Administrative Assistant