

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of February 4, 2019  
FINAL MINUTES**

The meeting was called to order at 6:00 PM in the Town Hall meeting room

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

**ABSENT:** George Korn, Selectman

**Non-Public Session**

**MOTION:** Upon motion of Selectman St. James, **SECOND** of Selectman Coombs, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA NH RSA 91-A:3,II (I): Consideration of legal advice.

**In Favor: Heitz, Briggs, St. James, Coombs; Motion passed.**

The Board adjourned at 06:02 PM

**MOTION:** Upon motion of Selectman St. James, **SECOND** of Selectman Coombs, it was voted by roll call to return to public session at 7:07 PM.

**In Favor: Heitz, Briggs, Coombs, St. James; Motion passed.**

**MOTION:** By Selectman Briggs, to seal the minutes of the non-public session for the period of five years, as releasing the minutes would affect adversely the reputation of any person other than a member of this board.

**SECOND:** By Selectman Coombs

**In Favor: Heitz, Briggs, Coombs St. James; Motion passed.**

**APPOINTMENTS:**

**Newton-Kingston Taxpayers Assn:**

Jim Baker of 1 Ridge Road, Newton addressed the Selectmen on behalf of the Newton-Kingston Taxpayers Association, who had requested a discussion of public access television and placing informational videos on Kingston's channel.

Mr. Baker read a statement in which he gave information about the Association (NKTA), which was organized in 2015 and is registered with the state as a non-profit organization. Mr. Baker said the NKTA is not a political action committee and is entirely non-partisan. He said that they would like to have a series of informational videos they have created to be aired on Kingston's public access channel.

Mr. Baker shared with the Board handouts on Federal guidelines, and said that he thinks that this information demonstrates that NKTA meets the necessary criteria for cable access.

Mr. Baker gave some details on the 6 videos he is requesting to be broadcast. They run from approximately 3 minutes to approximately 8 minutes in length. He said content includes: how an SB2 government works, how a Deliberative Session works, the process and timeline that goes into formulating the School District budget, the schools

and facilities that make up the district, and how a default budget works. Mr. Baker said that none of the videos express opinions but are strictly about process.

Chairman Heitz asked if the videos had been reviewed by NH DRA for accuracy. Mr. Baker said they had not, but that they strictly adhere to the RSA.

The videos had been sent to the Board last summer, and Selectman St. James said he had reviewed them at that time and found them to be benign. He said that the Town's contract gives as reasons to reject content political gain, commercial fundraising, or for-profit. He said he thought the Town should consider a policy first, but that Newton does broadcast the videos.

Chairman Heitz said that the reason he asked about the DRA was that he wanted to be sure the information is factual. He said he would take a look at the videos and also reach out to Comcast.

The Board took this issue under advisement and will also be working on a Cable Access Channel policy.

### **Kingston Days Water Use**

Lynn Gainty, Chair of the Kingston Days committee, met with the Board to discuss the issue of using the water on the Plains during this event. Chairman Heitz said that after discussing the concerns over PFOAs in the water supply with the Road Agent and Health Officer, they would like to know how the water is being used and by whom.

Ms. Gainty said she had met with Mr. St. Hilaire and was up to speed on the discussion. She said that 25 vendors at Kingston Days would be affected. She said that at the food tent volunteers bring in big jugs of water, and that the water available from the hoses is only used for washing hands. She said the carnival uses the hose water for dishes, as do others, only using the water for washing pots and pans and not for drinking. She said this has been the stated policy for 6 years.

Chairman Heitz said the Board has been concerned by reports that water was used for fountain systems or lemonade. Ms. Gainty said there was no hookup to the lemonade tent.

There was a discussion of whether to offer water at all in the future. Chairman Heitz said that if water is supplied at all, the Town would definitely want a statement to be signed by all vendors that they understand the water is not potable. Ms. Gainty said there would be pushback on supplying no water at all. She said that Mr. St. Hilaire had said something about adding a small filtration system for the Plains, and that she may be able to get a donation toward that.

Selectman St. James questioned whether a filtration system and shed are needed for water only used once per year. Ms. Gainty said it could house the electric as well, and that options should be kept open. Selectmen St. James and Coombs both expressed concern about the safety of using water with PFOAs, which could leave trace elements on dishes and also runs back into the ground.

Selectman Briggs said that if there was a donation for the filtration system he may have trailers that could be used to store the equipment.

Chairman Heitz said that even with filtration he would still not want to consider the water potable, but it would address further contamination due to discharge into the ground.

It was agreed to have the Health Officer prepare a statement to be signed by all vendors, which will also be posted at the event. Ms. Gainty will pursue the possibility of a donation for a filtration system, which would be housed in a trailer, not a permanent building.

#### **Kingston Days/325<sup>th</sup> Expenditures**

The Selectmen took time to discuss several purchase orders with Ms. Gainty. One was for use of Chase Field, which she explained was a \$200 deposit to the school, which the school required for cleanup, though she hoped it will be waived. Selectman Briggs said that he doesn't believe the school should be charging the Town.

Another purchase order is for design of the update to the History of Kingston book, which is planned to be available for the 325<sup>th</sup> celebration. Bob Bean of the committee was present to discuss this, and showed the Board the last book published in 1969 as compared to a large bound book recently sold by the Town of Brentwood. There was a discussion of the cost of the book and revenue sources planned to cover it, including sponsorships and sales. Ms. Gainty compared the project to what Brentwood did, pointing out they sold out all their books. She provided a budget for the books, which showed expenses totaling \$17,500 (including cost for the designer of \$7,500), offset by estimated sponsorships of \$6,000 and sales of \$7,500. Selectman Coombs pointed out that Fremont's books sold out at \$45 each, and that the suggested sale price for Kingston's book of \$25 could be raised.

The contract for the designer will be forwarded to the Selectmen for approval.

#### **Kingston Volunteer Fire Association: Beer and Bonfire Event**

There was a discussion of this proposed event, for which the Selectmen have received a facilities use/special event permit application. It is planned for June 29, 2019 from 11:00 am until midnight. Following up on prior discussion, Graham Pellerin of the Kingston Volunteer Fire Association was present to answer questions. He said that 4,000 participants and 6,000 spectators are anticipated. He said that the Road Agent, Fire Chief and Police Chief have been at meetings for event planning, and should have no issue with signing the application.

Some details of the event were shared: There will be a road race at 11 am, and the beer fest would run from 3:00 until 7:00. Food vendors would be set up outside the beer tent area. At least 2 detail officers would be present. Mr. Pellerin explained that the beer tickets could be purchased online, and food is separate. The beer would be purchased by the Fire Association from the vendor, who would serve the beer.

Mr. Pellerin said the event is kid-friendly and will include a bouncy house and cow patty contest in the afternoon. Fireworks will be shot off from the ball field at the State Park and viewed from the Plains; the bonfire would begin at 9:30. Mutual aid trucks will be available during the bonfire; damage from the bonfire will be taken care of before the 325<sup>th</sup> Celebration in August.

Insurance for the event was discussed; the Fire Association has its own liability policy; Chairman Heitz read the back of the special event permit application which requires that the Town of Kingston remain harmless.

The Selectmen agreed that they will sign approval for the application as soon as the Department Heads have signed.

Selectman St. James asked permission for the Town Clerk to sell the cow patty deeds; the Board had no issue with this.

## **NEW BUSINESS**

### **Solar Metering Bill; LED streetlights:**

Rick Russman asked to speak to the Selectmen on these topics. He said he hoped they would sign a letter of support for NH House Bill 365 to raise the solar metering cap from 1 megawatt to 5 megawatts. He said that the Kingston landfill represents an opportunity for a solar array but not without the cap being raised.

The Selectmen agreed to have a letter to Kingston's state House representatives written up for signatures, in support of the bill.

Mr. Russman also asked the Selectman to consider switching streetlights to LED bulbs; he said the Town currently spends \$130,000 in heat and lights, \$11,000 per month. He has spoken to a representative at Unitil, who recommended Affinity Lighting of Dover as a resource. He said he needs a letter from the Selectmen to get the ball rolling.

There was a lengthy discussion of the process and cost of replacing the bulbs. Unitil does not have a program to replace the bulbs except as they wear out. Selectman Briggs said it was looked into a few years ago but Unitil was going to charge for the fixtures. Selectman St. James said there are programs, and Mr. Russman said that the Town needs to be proactive and ask the right questions. He said it is a process and the benefit analysis should be done, and suggested having someone come in to do a presentation, or at least send a letter to Unitil to get started. Chairman Heitz agreed to look into this.

### **Town Policies - Public Participation at Board meetings**

There was a discussion of the Town Meeting Participation policy of the Town of Alton, which has been brought forward by Selectman Briggs as a template for the town to consider.

Aspects of the policy were reviewed; public comment is provided for at two points during the agenda. During these opportunities, speakers are allotted 5 minutes each to speak only on agenda items. The time may be extended at the discretion of the Board. The

Alton policy also requires that speakers that wish to be on the agenda on any topic will contact the Selectmen's office ahead of time, and request an appointment in writing. Discussion took place on the limitation of comment time, and Selectman St. James said he felt people should be allowed to speak.

The policy of the School Board was brought up, which has similar restrictions, and Tammy Maloney of Kingston offered that the reason to restrict comment to items on the agenda is so that someone can't commandeer discussion into a new topic. The reason to have items on the agenda is so that people who might want to participate in the discussion know it is coming up.

There was further discussion about whether to include public comment on non-agenda items. It was agreed that the idea is to eliminate off the cuff discussion and allow the Board the opportunity to do due diligence on agenda topics.

**MOTION:** by Selectman St. James, to adopt the policy for Public Participation at Public Meetings as written for the Town of Alton.

**SECOND:** by Selectman Briggs

**All in favor**

#### **APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectman St. James to approve meeting minutes of January 28 and January 31, 2019, as written.

**SECOND:** by Selectman Coombs.

**All in favor.**

#### **ADMINISTRATIVE:**

##### **Applications, Purchase Orders, Correspondence:**

The Board reviewed the following:

- Invitations received by Selectmen to come to the Bakie School to look at the murals on display celebrating Kingston's 325<sup>th</sup> anniversary, prior to the School's Deliberative Session on February 6.
- Information from the Rockingham County Commissioners having to do with state funding, which was explained by Selectman St. James.
- The Chairman was authorized to sign the contract renewal with Total Notice for services to the Tax Collector.
- Veterans Tax credit application (1).

#### **Non-Public Session**

**MOTION:** Upon motion of Selectman St. James, **SECOND** of Selectman Coombs, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA NH RSA 91-A:3,II (c), Matters which would likely affect adversely the reputation of any person other than a member of this Board.

**In Favor:** Heitz, Briggs, St. James, Coombs; Motion passed.

The Board adjourned at 9:07 PM.

**MOTION:** Upon motion of Selectman Coombs, **SECOND** of Selectman St. James, it was voted by roll call to return to public session at 9:30 PM.

In Favor: Heitz, Briggs, Coombs, St. James; Motion passed.

**MOTION:** By Selectman Briggs, to seal the minutes of the non-public session for the period of five years, as releasing the minutes would affect adversely the reputation of any person other than a member of this board.

**SECOND:** by Selectman Coombs.

In Favor: Heitz, Briggs, St. James, Coombs; Motion passed.

**Adjournment**

**MOTION:** by Chairman Heitz to adjourn at 9:30 PM

**SECOND:** by Selectman Coombs

All in favor.

Respectfully submitted,

Susan Ayer

Administrative Assistant