

**Kingston, New Hampshire
Board of Selectmen
Meeting of April 15, 2013
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.

Summer Camp Fees Discussion

Selectman Broderick asked Selectman Korn if he'd received a response to his email inquiry to Recreation Director Donna Duddy concerning fees charged at the town's summer camp program on Main Street. The initial request to Ms. Duddy was made at the March 11, 2013 meeting. Selectman Korn noted that he's not yet received a reply. It was agreed that the matter will be discussed further.

Acceptance of Donated Items on Behalf of the Library Trustees

MOTION: Upon motion of Selectman Broderick and second of Selectman Korn it was unanimously voted to accept on behalf of the Library Trustees \$352.00 worth of donated items.

Selectmen's Board and Committee Reports

Selectman Broderick presented to the Board some Planning Board requests for enforcement action relating to various properties. Selectman Heitz suggested that, prior to sending of Notices of Violation, the property owners be invited to a Selectmen's meeting for the purpose of advising them of the apparent violations and of how their properties can be brought into compliance with the Ordinance. Selectman Broderick agreed to visit the properties and invite the owners to a Selectmen's meeting.

Selectman Korn advised that the Museum/Library Task Force is in the process of discussing use of the Nichols Building and of renaming the facility to reflect its new uses. It was agreed that the Library Trustees will be invited to a Selectmen's meeting to discuss their continued involvement with the building.

Discussion of Land Acquisitions / Letter of Agreement

Brian Hart, Phil Auger and Rick Russman of Southeast Land Trust were present to discuss with the Board how best to finalize acquisition of three properties approved for purchase by the 2013 Town Meeting. It was noted that since the meeting, two additional parcels in the same area of Rockrimmon Road have become available. One will be donated and the other it's hoped can be purchased with NAWCA grant funds for which application already has been made. SELT and FOKOS hope to convey a single Conservation Easement for all the properties once the fee titles are in the town's name. It was agreed that SELT will prepare a Memorandum of Understanding authorizing them to serve as project manager to handle the documentation and sales as well as the overall easement for the properties. The Board cautioned Mr. Hart that the limit for which the town will be responsible is the \$424,000.00 approved at Town Meeting.

Discussion was held regarding the recreational uses for which the properties can be put following granting of the Conservation Easement. Mr. Hart explained that SELT, as easement holder, prefers to work with snowmobile clubs rather than individuals, and the only stipulation given on use of the properties is that the trails established by SELT be used, as they are routed in such a way as to do minimum damage to the surrounding land. He also noted that ATV's are expressly prohibited from use on the properties under easement. Other than that, the recreational uses allowed all are listed within the easement. Selectman Broderick advised that the Town wants to ensure that it retains water rights, and Road Agent Richard St. Hilaire

advised that the town now will also need to retain the right to construct and maintain stormwater treatment structures on the properties in order to comply with EPA stormwater regulation guidelines. He also suggested that the Board carefully review the easement with regard to the town's responsibility should SELT discover instances of third party encroachment into the easement areas, since past easements have required that the town undertake to end the encroachments and to pay SELT's legal fees should they bring action against the town. He also is concerned that the town retain as part of its fee interest the right to harvest timber and retain the proceeds for conservation purposes.

Administrative Matters

The Board signed Intent to Cut Notices for two parcels of property on Danville Road.

The Board signed an acceptance for a Department of Safety APX 2500 radio valued at \$1,585.00 on behalf of the Emergency Management Directors.

It was agreed that Chairman Heitz will attend an April 18th meeting in Bedford for MS4 towns who will be requesting an extension of the comment/review period for the new stormwater management regulations proposed to be enacted by the EPA. The Selectmen agreed that Chairman Heitz will be authorized to commit to up to a \$5,000.00 expenditure for legal fees to provide representation for a coalition of towns in their dealings with EPA.

The Board agreed to a SRHS Boosters Club request that a police detail be provided for the After Prom Party on May 11, 2013 at no charge.

Highway Department Updates

Road Agent Richard St. Hilaire presented for review four bids received for the Community Recreation Center heating system. Selectmen noted that the bids address differing components relating to the number of furnaces, installation of duct work in anticipation of eventual air conditioning, etc. Mr. St. Hilaire agreed to request that the companies provide more uniform bids and will return with them at a later meeting.

Mr. St. Hilaire advised that the Board will need to consider ADA compliance, Fire Safety Code compliance, Energy Code compliance and possible issues with mold as it considers future uses of the Nichols Building. He noted that some grandfathered exemptions were in place when the building was used as a library, but those exemptions may have ceased when the library use ended. Selectman Broderick advised that continual use of the building as a reading room and repository for books and historical documents should allow the town to keep its grandfathered status relative to those aspects of the building's design that don't comply with current standards. The issues will be discussed with the Library Trustees when they come to discuss the building's future.

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 April 8, 2013 meeting as printed. Chairman Heitz abstained from the vote due to his not having been present at the meeting.

Adjournment

There being no further business, the meeting adjourned at 9:45 pm and the Board retired to address administrative issues.

Respectfully submitted,
Catherine Grant
Administrative Assistant