

**Kingston, New Hampshire
Board of Selectmen
Meeting of July 14, 2014
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 George Korn and Peter Broderick.

Police Department Discussion

Chief Briggs was present to discuss his intent to offer a 2006 cruiser for sale by sealed bid. The Board approved of that sale.

Chief Briggs also asked for and received approval of the Board to solicit bids for the town's propane needs. Kingston at present pays approximately \$1.86 per gallon, but that contract is set to expire.

Non-Public Session

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick 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, b, c and e. The Board adjourned at 6:45 pm. The Board returned to public session at 7:07 pm.

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick Chairman Heitz polled the Board for a unanimous vote to seal the minutes of the non-public session for an indefinite period.

Discussion of Nichols Museum Compliance with Life Safety Code

Fire Chief Bill Seaman and Building Maintenance Supervisor Rich St. Hilaire were present to advise that they are concerned about the level of compliance of the Nichols Museum building with an engineering report commissioned by the Library Trustees in 2014. Several Trustees and Historical Museum Committee members were present. The list of items with which the town needs to comply was read and most of the items will be addressed prior to opening of the building to the public at the Kingston Days Celebration. It's necessary to obtain one expansion of an existing waiver from the Fire Marshal, i.e., to allow certain structural deficiencies in the steps leading into the library to remain due to the historical nature of the entryway. SFC Engineering has said that they will apply to the Fire Marshal for that waiver at a cost of approximately \$1,000.00. It was clarified that the building will continue to be designated as a place of business rather than as a place of assembly, and that occupancy will continue to be restricted to 48 or fewer. ADA compliance will be achieved through "equivalent experience" rather than through structural upgrades, which is allowable due to the historic nature of the structure. Selectman Korn noted that the engineering report prepared by SFC refers to the equivalent experience option in terms of its being an interim solution until such time as structural upgrades are made. He voiced concern that the town may be exposed to liability if it fails to comply. Lesley Hume, Chairman of the Library Trustees, advised that she has been assured that the building falls under the provisions of Title II of ADA and that strict adherence to the requirements for provision of an equivalent experience constitutes ADA compliance. Ms. Hume also noted that the museum facility located in the old Fire House building on Depot Road will be open during Kingston Days and that the number of visitors allowed on the upper floor of that building will be strictly monitored due to structural concerns.

Mr. St. Hilaire commended the volunteers who have been working tirelessly on the Nichols Building, the Depot Road Building, and the Daley Barn. Some of the volunteers are very skilled in carpentry and engineering and have accomplished a great deal in preserving the buildings. He did ask that any work be funneled through him so that he can track repairs and perhaps advise, and he noted that work being done on the section of the Grace Daley House that connects the house to the barn should take into consideration the fact that the underpinnings need to be reinforced, the roof needs to be re-done and the interior needs to be gutted and re-

done. It's the hope of the museum groups that that section of the house can be retained, along with the barn, as a display area for some of the town's artifacts.

Discussion of Solid Waste Collection Issues

Diane Coll of Travis Cove Road was present to discuss with the Board the fact that Waste Management seems to no longer be picking up bulk waste along with the weekly household trash collection. She advised that she had removed tires from Pow Wow Pond and had had to pay for their disposal at the Newton Transfer Station. Waste Management will be contacted and advised that their drivers are required under the town's contract to pick up all curbside household trash, including small bulk items. She also asked what the proper channel is to have items that have been thrown into the waterways removed. Selectman Broderick will contact the State to see to what office inquiries of that nature should be directed. It was agreed that if the Pow Wow Pond Council collects tires that have been thrown into the river, they can call Mr. St. Hilaire and the tires, within reason, will be collected for eventual disposal.

Discussion of Conservation Property Trails Program

Phil Auger of the Southeast Land Trust was present to update the Board on a trails project to be undertaken on the Tucker Road conservation property acquired a couple of years ago by SELT. The project will be funded with a \$30,000.00 grant from the Recreational Trails Program and will entail 3.5 to 4 miles of trail, ten bridges and a trail head kiosk. Required wetlands permits already have been obtained. Mr. Auger requested the Board's authorization to install a gate at the point on Tucker Road where the Class VI portion becomes a Class A Trail (as voted by Town Meeting in 2010 - Article 25). He also requested authority to improve approximately 750' of Tucker Road from North Road in to the parking area. He noted that most of the trails will be open to snowmobilers (although ATV's are not allowed on any of the SELT's lands), and that both Road Agent Rich St. Hilaire and Police Chief Don Briggs have given their approval to the project. The Board gave their approval to proceed with the project as presented, including the changes on town property, and thanked Mr. Auger for coming in.

Sanborn Junior Indians Football Club Discussion

Sunny Ternullo of the Sanborn Junior Indians Football Club was present to request an amendment to the original approval for use of Comeau Field. She would like as an alternative to the requirement that the field be vacated by 7:00 through August and by 5:30 after September 1st, a provision that the field be vacated 15-20 minutes prior to sunset on any particular date. She provided a listing of times of sunset for the months of August through September, and noted that last year they had used an air horn to announce to coaches that the fields were to be vacated. The Board agreed that the system will be allowed as long as it's adhered to by all of the coaches and parents. Richard St. Hilaire advised that the sheds that have been moved on to the fields need to be removed and asked Ms. Ternullo when the equipment will be removed from them. Ms. Ternullo will find out what the projected date in August is and will let Mr. St. Hilaire know.

Fire Department Discussion

Fire Chief Bill Seaman requested Board approval of his proposal to hire a professional grant writer to apply for funding of new air paks for the department. The present paks will become obsolete in 2016 and the FEMA grant program that may help with funding considers such a purchase to be a priority, but has become so competitive that he believes a professionally prepared application will greatly improve the department's chances of success. The total cost of the paks is estimated at \$175,000.00 and any grant application will include provision to reimburse for the grant writing expense of \$1,400.00. The candidate Chief Seaman proposes to hire is Erin Newnan, who works for Concord Fire Department and has obtained grants for them, for Rockingham County, and for her home town of Chester, as well as for other towns and departments. Her resume and a list of the grant awards she's achieved were presented to the Board. Ms. Newnan's husband is a member of the Kingston Fire Department. Chief Seaman noted that the grant requires a 5% match from the town, for which he'll budget in 2015 if the grant application is successful. If the grant is not awarded, he'll need to budget for the purchase

or for a lease/purchase agreement in 2016. The Board approved hiring of the grant writer with the \$1,400.00 to be expended from the 2014 Fire Department budget line for that purpose.

Discussion of Highway Garage Bids

The Board discussed with Road Agent Richard St. Hilaire the bids received for the new highway garage. Mr. St. Hilaire advised that while he hasn't yet discussed the bid results with the engineering firm that developed the specifications, he believes the fact that the lowest bid was more than \$130,000.00 over what was available for the project is excessive. It was agreed that the project needs to be limited to what voters approved in 2014 unless a second vote is sought. Mr. St. Hilaire will discuss options with the low bidder to adjust the specifications so that the project can be completed, and he will report back at the next meeting, on July 28th.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick it was voted to approve the Minutes of the June 16 meeting as printed. Chairman Heitz abstained from the vote.

Administrative Issues

The Board signed Intent to Cut for Mill Road and Brookhaven Drive. A request that the Town Charter be made available for display at the Kingston Days celebration was approved. Three Requests for Enforcement Action received from the Planning Board were reviewed. It was agreed that Chairman Heitz will serve on the Capital Improvement Program committee.

Non-Public Session

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick 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, b, c and e. The Board adjourned at 9:50 pm. The Board returned to public session at 10:17 pm.

MOTION: Upon motion of Selectman Korn and second of Selectman Broderick Chairman Heitz polled the Board for a unanimous vote to seal the minutes of the non-public session for an indefinite period.

Adjournment

There being no further business before the Board the meeting adjourned at 10:18 pm.

Respectfully submitted,
Catherine Grant
Administrative Assistant