

**Kingston, New Hampshire
Board of Selectmen
Meeting of May 16, 2011
MINUTES**

The meeting was called to order at 6:30 pm in the Main Meeting Room at the Kingston Town Hall. In attendance were Chairman Peter Broderick and Selectmen Charles Hart and Mark Heitz.

Non-Public Session

MOTION: Upon motion of Selectman Hart and second of Selectman Heitz, Chairman Broderick polled the Board for a unanimous vote to adjourn to non-public session under the provisions of N. H. RSA 91-A:3, II-c. The Board adjourned to non-public session in the Selectmen's Office of Town Hall at 6:34 pm.

The Board returned to public session at 6:58 pm.

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

Emergency Management Memorandum of Understanding

Selectmen reviewed and signed a Memorandum of Understanding with SAU 17 that provides for use of School District Facilities during emergencies. The facilities will be made available for use as points of distribution (for dispensing or administering of emergency vaccinations, etc.) or emergency shelters when necessary. Emergency Management Directors Donald Briggs and Richard St. Hilaire explained that separate agreements with other communities that may use the facilities will be reached. A meeting of area Emergency Management officers had been held on May 10th and it was agreed that neighboring towns will be requesting that funds be set aside in their towns' budgets, from which reimbursement of the SAU can be made if their residents make use of the facilities. Those communities also will provide a fair share of the manpower necessary to operate the facilities while they're being used. Additionally, resources will be made available by the Red Cross or by the regional coordinating office.

Buildings Maintenance Updates

Richard St. Hilaire presented to the Board a bid for replacement of the Police Department heating/cooling system. Detection of mold spores in the present system's duct work will entail a major cleaning project with a price of approximately \$9,000.00. Since that system is more than 18 years old, is determined to be highly inefficient, and was a lower quality system when installed, the Board had asked for a quote on system replacement so that a cost analysis could be done. The bid presented is for a 2-furnace zoned system, at \$31,800.00 installed. Because part of the mold problem with the present system is its location in the attic crawlspace area of the building, a new system would be set up in the downstairs where there is adequate ventilation and temperature control. Removal of the old furnace could coincide with planned roof repairs of the building, since some of the roofing plywood needs to be replaced due to mold anyway. Mr. St. Hilaire will develop specifications and advertise for additional bids. Chairman Broderick asked if, since this is a project that wasn't foreseen and isn't included in the budget, it can be delayed until 2012. Mr. St. Hilaire advised that, with a mild contaminant presenting an issue for employees in the building, it's advisable to take whatever action is necessary and fund the

expense from the Capital Reserve Fund set up for just that purpose. The Board agreed and a request for proposals will be prepared.

The cost of 50-year asbestos shingles - for comparison to the cost of metal roofing for the Police Station - will be available at the next meeting.

A proposed Request for design-build Quotes for the new highway garage was presented for board review. If approved, the Request will be published in the next couple of weeks. Selectman Hart asked that specifications include provision for the proper removal/relocation of the fuel tanks on the site.

Library Project Update

Library Trustees Dannielle Genovese, Lesley Hume and Jane Christie and Library Director Sarah Syscz were present to update the Board on their progress with the new library project.

Ms. Hume advised that their Building Committee has been constituted and is meeting on a weekly basis. Members include Trustees Elaine VanDyke, Jane Christie, Dannielle Genovese and Leslie Hume; Library director Sarah Syscz; residents Mark Furlong, Rich Wilson, Ellen Faulconer, Jeff Flanders-McDougall, Don Briggs, Dave Himmer, and Bruce Goodwin; and Selectman Chuck Hart. Specifications for the Request for Proposals are being finalized. An ad requesting that local vendors become pre-qualified has been published and the form for pre-qualification is available on the Library web site.

The financial management team, comprising Finance Officer Cindy Kenerson, local CPA and former Budget Committee member Debra Powers, Trustee of the Trust Funds Chairman Brad Maxwell, and Library Trustees Treasurer Jane Christie has been formed and has devised the process by which project payments will be made and documented. There remains a question about how interest earnings on the funds appropriated in March from the former Infrastructure Improvement fund will be determined and added to the Library's available project funds, but the Trustees of the Trust Funds are working to develop that process. A copy of the project financial management plan was provided to the Board for review. The Library Trustees are expected to review the plan for approval at their May 23rd meeting.

Selectman Heitz asked if bills will be submitted directly to the Trustees of Trust Funds for payments. Ms. Hume explained that the process involves drawing down from the appropriated funds based on the construction schedule, which is yet to be determined. Mr. Heitz asked if the \$300,000.00 Capital Reserve will be expended first. Ms. Hume stated that the Department of Revenue Administration has advised that the 2011 appropriation should be expended first, since there is a time limit for expenditure on those funds whereas the Capital Reserve is an expendable trust from which expenditures can be made at any time once the necessary Public Hearings are held. Discussion was held concerning the intent for any funds remaining once the project is completed. Ms. Hume and Ms. Genovese explained that their most likely course of action would be to submit a Warrant Article to the voters proposing return of the funds to the Infrastructure Improvement Fund, to a Library Maintenance Fund or to the General Fund. Given that so much of the project has been scaled back to stay within the budget, the Trustees don't foresee that there will be any of the appropriation remaining. If bids should come in lower than anticipated, there are project upgrades and furnishings expenditures that could be added back into the project. Selectman Heitz asked if there is any limit to what can be spent on the project. Ms. Hume stated that there is a limit to what the tax payers will contribute to the project, based on the amount that they voted to appropriate, however funds that otherwise become available through donation, fund raising, etc., can be spent on the project without limitation. She did assert that actual construction of the library will not exceed the \$2.2 M presented to voters as the total project cost. Any expenditure over that amount will be from donated funds, interest

earnings, etc., and will be for furnishings, technology, etc. She noted that the Guaranteed Maximum Price provision of the original project agreements protects the town from risk in the event that bids exceed what was agreed to.

Trustee requested and the Board agreed that, pending acceptance by voters of the provisions of RSA 202-A:4-d, the Selectmen will formally accept on behalf of the town any gifts or donations of personal property or in-kind services that may be offered for the Library project. The process whereby the Trustees will request such acceptance by the Selectmen was explained and the forms to be used were provided.

Discussion was held as to the determination by the Trustees to pay a flat fee of \$168,000.00 to the architectural firm. Ms. Genovese advised that the means of payment was based both on a determination that the arrangement was in the best interest of the town financially and on the number of hours and attention to the project displayed by the architect throughout the fall and winter leading up to approval of the project by voters.

An offer by the Trustees to include the Selectmen as signatories on the final contract documents for the architects and builders was declined by the Board, as they hadn't been involved in contract negotiations.

Review of Previous Meeting Minutes

MOTION: Upon motion of Selectman Heitz and second of Selectman Hart, it was unanimously voted to accept the minutes of the May 9, 2011 Selectmen's meeting with the following correction: On page 2, under the heading "Area Selectmen's Meeting Discussion", references to "Danville" are to be replaced with references to "a neighboring town", as no town actually had been mentioned during the discussion and as the town alluded to was not Danville in any case.

Funding for the 2011 Lake Host Program Approved

Selectmen approved a Budget Committee request to provide the \$2,000.00 necessary to fund the Kingston Lake Host program. The proposed budget amount had inadvertently been left out of the 2011 budget presented to Town Meeting.

Stormwater Permit Compliance Evaluation Presented

The Board was provided with a copy of an Evaluation prepared by GeoInsight, Inc., for Kingston's compliance and implementation progress relative to the MS4 EPA permit for stormwater management.

Application for DES Groundwater Permit for former Landfill Site Presented

The 2010 application for renewal of the Department of Environmental Services groundwater permit, prepared by CMA Engineering, Inc., was presented for review.

Adjournment

There being no further business before the Board, the meeting adjourned at 8:47 pm and the Board retired to address administrative issues.

Respectfully submitted,
Catherine Grant
Administrative Assistant