

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of October 17, 2011  
MINUTES**

The meeting was called to order at 7:03 pm in the Selectmen's Office of the Kingston Town Hall. In attendance were Chairman Peter Broderick and Selectmen Charles Hart and Mark Heitz.

**Proposed Groundwater Management Zone Discussed**

Jim Brown and David Peterson of the Environmental Protection Agency and Drew Hoffman of the N. H. Department of Environmental Services were present to discuss with the Board a proposed Groundwater Management Zone to encompass the Ottati & Goss Superfund Site. A plan of the area was presented for review, and the proposed text for a regulatory ordinance was discussed.

To provide a brief history of the site, Mr. Brown explained that 4700 cubic yards of soil had been excavated during the 1980's, and that the building had been removed in 1993-94. During the early 2000's, 3 source areas in which the bulk of contamination was located were identified and subjected to on-site excavation and treatment. Beginning in 2008, an amended treatment plan for in situ injections of sodium persulfate was undertaken. The process has sped the clean up, and the nine or ten injections thus far have put approximately 500,000 pounds of the chemical into the soils, which is much more effective than the former method of cleanup. Still, until the clean up goals have been achieved - which may be a 20 year minimum period - the EPA and DES would like a local ordinance in place to ensure that withdrawal of groundwater from the site doesn't occur.

Chairman Broderick asked if the EPA has the authority to prohibit withdrawal of groundwater. Mr. Brown explained that it does, however they like to have local ordinances governing the issue because that alerts authorities as early as possible that groundwater may be removed and also because it affords another layer of control over a situation that would constitute a public health and safety risk.

Chairman Broderick asked if the area comprising the Groundwater Management Zone is subject to change. Mr. Brown explained that the northwest quadrant of one of the lots is the least contaminated and may at some point be removed from the zone, necessitating an amendment to the ordinance.

Planning Board member Jay Alberts asked what adverse affects could be expected from use of groundwater from the site. Mr. Brown explained that there are various carcinogens as well as arsenic at present. Mr. Alberts asked if the plume of contamination is contained within the site. Mr. Brown explained that the site boundaries have been identified as the boundaries beyond which contamination will not travel.

Planning Board Chairman Richard Wilson explained the upcoming public hearing process through which the proposed ordinance will go prior to Town Meeting.

The Board thanked Mr. Brown, Mr. Peterson and Mr. Hoffman for their presentation.

### **Notice of Violation on Hunt Road Property Withdrawn**

A Notice of Violation issued in September to a property owner on Hunt Road was agreed to be withdrawn upon review of a report by Building Inspector Robert Steward indicating that the apparent violation has ceased to exist.

### **Review of Previous Meeting Minutes**

**MOTION:** Upon motion of Selectman Hart and second of Selectman Heitz it was unanimously voted to approve the Minutes of the October 3, 2011 meeting as printed.

### **Applications for Use of Town Facilities Reviewed**

Selectmen approved an application for use of the Town Hall Meeting room to hold the annual Snowmobiling Safety Class for young adults on December 10 and 11, 2011.

Selectmen denied a request for a weight loss company to hold weekly classes for 12 weeks in the Town Hall meeting room.

### **Appointment to Town Office**

Selectmen signed an appointment for Scott Harlow to serve on the Solid Waste Task Force. Mr. Harlow will assist in coordinating the biannual Hazardous Waste Collections as well as helping with the monthly waste oil collection at the highway garage.

### **Report on N. H. Preservation Alliance Annual Seven to Save Meeting**

Selectman Hart reported on his attendance at the N. H. Preservation Alliance's meeting to announce the Seven to Save historical landmarks targeted for preservation. Among the seven chosen for 2011 is the Little River Road Grist Mill, built prior to 1717 and in particular need of exterior renovation (some of the interior components appear still to be workable).

### **Discussion of Road Construction Adjacent to New Library**

Library Trustees Danielle Genovese, Lesley Hume and Elaine Van Dyke; Library Director Sarah Jaworski; and Architect Ron Lamarre of Lavalley-Brensinger were present to review with the Board requirements for construction of the road way adjacent to the new Library.

Trustee Chairman Genovese noted that she and the rest of the Trustees had unanimously voted their confidence in the role of Trustee Lesley Hume as liaison between the Trustees, the project contractors and the town. She noted that such a vote wasn't necessary, but demonstrates the Trustees' total confidence and appreciation in and for the countless hours of work and high level of diligence that Ms. Hume has expended on behalf of the project from the initial planning stages.

Chairman Broderick noted that his understanding of the issue at hand is that Town Engineer Dennis Quintal would like an additional 1" of asphalt -- ½" to the binder and ½" to the top coat - more than what is called for in Bid Alternate #6, adopted by the Trustees.

Road Agent Richard St. Hilaire advised that, due to communication errors for which he is willing to take partial responsibility, approved changes to certain components of the parking areas were assumed by the Trustees to refer to the roadway as well. However what's been proposed under Bid Alternate #6 doesn't meet present town standards and couldn't be approved either by him or by the Town Engineer, who haven't the authority to lessen town standards.

Library Trustee Lesley Hume disagreed with Mr. St. Hilaire's assertion that he and Mr. Quintal hadn't been involved in the decision that Bid Alternate #6 would be acceptable both for parking areas and the road surface. She noted that email correspondence between her and them that she had previously provided to the Selectmen clearly indicates that the final decision of the Trustees had been based on conversations with Mr. St. Hilaire and Mr. Quintal. She also noted that, once the decision had been made, the money saved by accepting the bid alternate had been re-allocated to other aspects of construction, particularly to a \$23,000.00 additional storage area that had been dropped from the original design due to lack of funds but could be added back in with the savings from the road specification changes.

Chairman Broderick advised that, while the binder is expected to be laid on October 27<sup>th</sup>, the top coat won't be laid until next spring. If necessary at that time, Road Agent St. Hilaire has agreed to cover the cost of the extra 1" of material from the highway budget. Mr. St. Hilaire asked if his Trustees would be interested in his arranging to purchase the asphalt at the highway department's bid price of \$69/ton - an \$11 savings from what the library's contractor had arranged. If he's able to arrange the purchase, the library could pay for the extra 1" of material and still realize savings. It was agreed that Mr. St. Hilaire will attend an October 18<sup>th</sup> construction meeting on site to discuss his proposal with the contract manager.

Library Director Sarah Jaworski asked for some guidance in developing her 2012 budget with certain changes to the guidelines enacted by Selectmen. Selectmen explained that the Board is asking each department to include within their budgets whatever costs they anticipate for utilities and custodial services. It's expected that outdoor maintenance will continue to fall under the buildings maintenance budget. Chairman Broderick explained that inclusion of the utility and custodial items will afford a more accurate figure for what it costs to operate individual departments.

### **Human Services Discussion**

Human Services Director Ellen Faulconer advised the Board that she will be presenting a draft copy of amended Welfare Guidelines at some point in the near future.

### **Acceptance of Donated Items**

**MOTION:** Upon motion of Selectman Hart and second of Selectman Heitz, it was unanimously voted to accept on behalf of the Nichols Memorial Library Trustees \$91.00 in individual donations of materials including books, video tapes and games.

### **Adjournment**

There being no further business before the Board, the meeting adjourned at 8:37 pm and the Board retired to address administrative issues.

Respectfully submitted,  
Catherine Grant  
Administrative Assistant