

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of February 11, 2019  
FINAL MINUTES**

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

**PRESENT:** Phillip Coombs, Kevin St. James, Donald Briggs, Jr., Selectmen.

**ABSENT:** Chairman Mark Heitz; George Korn, Selectman

Selectman St. James was named acting Chair for this meeting.

**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, if discussed in public, would likely affect the reputation of any person other than a member of this board.

**In Favor: 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 6:55 PM.

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

**MOTION:** By Selectman Briggs, to seal the minutes of the non-public session for an indefinite length of time, 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: Briggs, Coombs St. James; Motion passed.**

**Health Officer**

Health Officer Peter Broderick asked the Selectmen for guidance on whether or not he should do test pits for the large new commercial project going in on Marshall Road. He said he does not do test pits for subdivisions, but was uncertain if he or the County would be responsible for a commercial project of this size. Mr. Broderick said he had talked to the Town Engineer and Town Planner, both of whom he said felt strongly that he should not do these test pits; he said they will take about 8 hours of time and will be very complex.

The Selectmen agreed to look into this and get back to Mr. Broderick in a timely manner.

In the absence of Chairman Heitz, Selectman St. James called the meeting to order at 7:00 PM.

**APPOINTMENTS:**

**Recreation League for Baseball/Softball; Use of Magnusson Field**

Tim Archer of Chester NH was present to represent NEB-NH, a competitive traveling baseball league that wishes to use Magnusson Field as home field this year. They have submitted a Facilities Use application and Mr. Archer has spoken with the Road Agent;

the league would like to use the field on Sundays from 9:00 until 1:00 during April and May. Mr. Archer said they have chosen Sundays specifically so they will not interfere with the Magnusson League, representatives of which were present.

Selectman St. James asked if the league would provide their own insurance, and Mr. Archer said that they do have insurance and would add the Town as an insured. Anthony Scafidi and Chris Bashaw, President and Vice President of Kingston Youth Baseball and Softball (KYBS) joined the discussion. Selectman Briggs asked them if there is anything the Board should be aware of with regard to impact on the fields of another organization using them. They said that NEB would be filling the spot used in past years by another organization, Seacoast United, who were contacted and said they are not interested in using the field this year. As for impact, Mr. Scafidi said that the more the infield is used, the better for keeping weeds and grass under control; he added that they like to see more kids play. NEB would not be using the snack shack. Mr. Bashaw said that electricity and trash come out of the KYBS account. Mr. Archer said they would talk about what to do to not add financial strain.

There was a discussion of fees to the Town for use of the field. Selectman St. James said that as the Town is in the process of setting a fee structure for various things in town, he would ask Mr. Archer to negotiate a reasonable fee to cover maintenance by the Town. After some discussion, it was agreed that NHB-NH would pay \$200 for use of the field during April and May, which needs to be submitted, along with a waiver and insurance certificate, before April.

Selectman St. James noted that the \$200 fee is only for this year, until a fee structure is adopted.

Discussion then turned to a proposal submitted by KYBS to utilize funds from the Magnusson trust. They hope to use \$12,000 to upgrade some of the field equipment, improve fields, and purchase a new shed. The main equipment they hope to buy is a used field groomer (sand rake) at a total cost of \$4,337. The shed would cost \$4,492. Existing sheds and snack shack, and how the new shed would be used were discussed. Selectman Coombs said that any equipment with a motor should be serviced by professionals. Selectman St. James said the County may be able to help with building a shed.

It was agreed that this is what the money is for, but that the matter would be taken under advisement until a full board is present. The Road Agent will also be consulted.

### **Pallet company code complaint**

Fire Chief Seaman and Health Officer Broderick were present to discuss this matter, which was brought to the Board's attention by a code complaint submitted via the Town website.

Chief Seaman and Mr. Broderick had already gone by the property, a pallet business at 26 Hunt Road, and Chief Seaman shared photographs taken. He compared aerial photos from the past with current street view photos. He said that the used pallets are stacked high and close to the road, and that he would not be able to get a fire truck onto the property if needed. He said research showed that the phone number for AS Pallet, the former company on the site, has been disconnected. A truck onsite was from Granite State Pallet in Londonderry, but it was found they are no longer in business there. Mr.

Broderick said he considers this more a Fire than a Health issue, but stated that the pallets are clearly no longer usable, and are just junk. Chief Seaman and Chief Briggs will do a benign site visit to gather information and bring it back to the Board.

## **NEW BUSINESS**

### **Town Policies**

#### **Cable Channel Policy:**

Selectman St. James said that discussion will begin with the proposed Cable Channel Policy, in order to include members of the Newton-Kingston Taxpayers Association, who are present. Noting that NKTA had requested that their videos be placed on the Kingston cable access channel, he said that before this decision can be made, and in order to meet federal guidelines, Town policies and procedures governing the channel need to be put in place.

Selectman Briggs said that the Board has reviewed policies from Rochester and Exeter and he has contacted the New Hampshire Coalition for Community Media for information and support. He said the Town does not have rules or procedures in place and is just starting to collect information and hopes to adopt a policy in the next couple of weeks.

In the meantime, the Board offered to place a Bulletin Board screen on the cable channel to guide viewers to the NKTA website for more information. Selectman Briggs said he would be getting a waiver form to adopt, that will need to be signed in advance.

#### **Meeting Participation Policy:**

The Selectmen reviewed this policy and made two minor changes. It was agreed to change Section G to reflect that scheduling appointments to meet with the Selectmen shall be within the sole discretion of ~~the majority of the Board~~ **the Chair or their designee**. Under Ground Rules, Letter D was changed to "The Board ~~will~~ **may** make no decisions during Public Input".

**MOTION:** by Selectman Briggs to adopt the Meeting Participation Policy as amended.

**SECOND:** by Selectman Coombs

**All in favor.**

Later in the meeting it was agreed to distribute this policy to other Town Boards for their consideration.

#### **Purchase Order Policy:**

As the Board had just received this policy, drafted by Finance Officer Cindy Kenerson, they will take time to read it and have it reviewed by counsel, and discuss at a future meeting.

#### **Hazard Mitigation Plan:**

Chief Seaman reported that he had reviewed the 2019 update of the Town's Hazard Mitigation Plan and corrected some minor details. He also said it had been approved by the State. The opinion of the Emergency Management team is to adopt this update. He said that the Hazard Mitigation Plan is tied into a lot of grants and other aid.

**MOTION:** by Selectman Briggs, to approve the updated Hazard Mitigation Plan and authorize Selectman St. James, as acting Chair, to sign it.

**SECOND:** by Selectman Coombs.  
**All in favor.**

## **OLD BUSINESS**

### **Floor Drains at Fire House:**

There was a discussion of the issue of the floor drains at the Fire House, which had been ordered by the state Department of Environmental Services to be blocked until work was done to replace the dry well with a holding tank. Following correspondence between DES, Stantec Engineering and the Fire Department, the DES has agreed to allow the floor drains to be open so that fire trucks and equipment can be rinsed, as long as conditions meant to prevent contaminants entering the ground are agreed to. The pit will be dug as soon as weather allows.

**MOTION:** by Selectman Briggs, to send the letter agreeing to the terms set by the DES.  
**SECOND:** by Selectman Coombs.  
**All in favor.**

### **Water Use during events on the Plains:**

Chief Seaman was asked what he thought about the use by vendors at Kingston Days of the water at the Fire House that now has a filtration system. He said he saw no problem with that.

There was a discussion of this option versus use of the well on the Plains, as in the past, posted as non-potable. A sample notice has been prepared by the Health Officer. Selectman St. James wondered if this is sufficient if there is no process for following up. He said that access to water in the past for Kingston Days was a luxury not offered to participants at other area fairs, and now that the contamination problem is known, allowing use of the water would be a mistake. He made the point that the water cannot even be used in the fire trucks because spraying it on a fire would then allow it to seep into the ground water.

Selectman Briggs concurred, saying that water sprayed or dumped onto the Plains would eventually reach the wells at neighboring homes.

Selectman St. James said that there was mention of a donated filtration system for the Plains water, which was nice but would mean testing the water on a regular basis.

Selectman Coombs said that vendors who need water can be placed closest to the Fire Station so they don't need to carry water as far. He said he did not think it in the Town's best interest to offer water.

**MOTION:** by Selectman Briggs to allow vendors to use water from the Fire Station that has gone through a filtration system to remove contaminants. This would still be considered non-potable water, and would be available for vendors to collect once they sign a release.

**SECOND:** by Selectman Coombs.  
**All in favor.**

## **APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectman Coombs to approve the non-public meeting minutes of January 28 (both sessions), and January 31, 2019, as written.

**SECOND:** by Selectman Briggs.

**In Favor: 2; Abstain: 1; Motion carried.**

**MOTION:** by Selectman Coombs to approve the public and non-public meeting minutes of February 4, 2019, as written.

**SECOND:** by Selectman Briggs.

**In Favor: 2; Abstain: 1; Motion carried.**

#### **ADMINISTRATIVE:**

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

- An increase in recycling fees by Waste Management was noticed in the January bill.

**MOTION:** by Selectman Coombs, to direct the Finance Officer to pay only the contracted amount pending research into the matter.

**SECOND:** by Selectman Briggs.

**All in favor.**

There was a brief discussion in which it was decided to send the bill, contract and related correspondence to legal counsel, and to invite Pete LaChapelle of Waste Management to a future meeting.

- An article about LED lighting in the Town of Raymond was shared, which reopened discussion on the subject of the cost and benefit of changing streetlights over to LED bulbs. Selectman St. James offered to follow up on this.
- A Facilities Use application for a party to be held at the Town Hall on Saturday February 16 was reviewed, and denied due to time constraints (Motion by Selectman Briggs, Second by Selectman Coombs, all in favor.)
- Boat stickers: At the request of the Town Clerk, the Selectmen reviewed the use of stickers for boats accessing the boat launch. As it will cost over \$1,000 to have the stickers printed and keys to the launch area are already in use, it was decided (Motion by Selectman Coombs, Second by Selectman Briggs, all in favor) to start a test program going without the stickers but still selling the keys.
- Letters in support of increasing the Net Metering cap from 1 megawatt to 5 megawatts were tabled until more Selectmen are present and also to allow for more research.
- Facilities Use applications for the beer and bonfire event, and for a field day on the Plains were tabled until enough were present to sign, as Selectman Briggs would need to abstain, having signed as Police Chief.
- Selectman St. James was authorized as Acting Chair to sign the contract renewal with the John L. Carter sprinkler system company (Motion by Selectman Coombs, Second by Selectman Briggs, all in favor).
- Selectman St. James said the contract for the design of the History of Kingston book is on hold; he has spoken with the designer about revising a section about additional expenses.

#### **PUBLIC COMMENT**

Tammy Mahoney of Kingston expressed congratulations to the Board for adopting this new policy for participation at Town Meetings. She also thanked the Selectmen for expediting the request from the Newton-Kingston Taxpayers Association.

**Adjournment:**

**MOTION:** by Selectman Coombs to adjourn at 8:25 PM.

**SECOND:** by Selectman Briggs.

**All in favor.**

Respectfully submitted,  
Susan Ayer  
Administrative Assistant