

**Kingston, New Hampshire
Select Board
Meeting of September 20, 2021
FINAL MINUTES**

The meeting was called to order by the Chairman at 7:04 pm.

PRESENT: Phillip Coombs, Chair; Richard Wilson, Vice Chair; Electra Alessio, Donald W. Briggs, Kevin St. James, Select Board Members.

APPOINTMENTS:

Conservation Commission and South East Land Trust: Purchase of 25.3 acre Alessio property off Hunt Road

Selectwoman Alessio recused herself from this discussion and stepped down from the table to sit in the audience.

Conservation Chair Evy Nathan and Duane Hyde. Land Conservation Director of SELT were present to discuss this matter. Ms. Nathan said that she is here in support of the project; Mr. Hyde addressed the Board.

Mr. Hyde gave some background information on the land purchase and shared a memo he had written. He said when the 266 Route 125 project was applying for wetlands permits, it was determined that mitigation would be required for the wetland impacts of that project. After looking at several properties, SELT was able to secure this local property and a purchase agreement was obtained. That a parcel was found locally that meets the criteria of the NHDES for mitigation was the first step, but the land needs to be protected in perpetuity with a conservation easement. SELT holds an easement on the abutting South Kingston Town Forest and has experience in managing mitigation projects, so they were asked to manage this land transaction. He said due diligence is being done on the property; a survey is under way.

Ms. Nathan said that Mr. Hyde came to the Conservation Commission in August, and they voted in favor of a recommendation to the Selectmen to accept the proposal. Mr. Hyde said that it is important to note that no funding is necessary; it is fully paid through mitigation funds.

Selectman St. James asked what percentage of Town land is now Conservation land, recalling that there had been a goal of 25%. There was a brief discussion in which Ms. Nathan said that the Master Plan goal was 25% and she believes it is currently around 20-21%, not all of the property is managed by Conservation, just the Town forests. (Later in the meeting, Ernie Landry of 7 Thorne Road said that if this project goes through, the total will be 21.5%.) Ms. Nathan said that with this addition, it will be relatively easy to continue trails from the Southeast Town Forest and it is also a good place to create a contiguous green strip that continues to the Plaistow Town forest. She also said that this land purchase to mitigate wetlands impacts in Kingston could have

been anywhere in the state, so a lot of work had been done to keep the mitigation piece in Town.

Chairman Coombs asked if the easement had been looked at by Town Counsel. He said he will not call a vote on the proposal until it has had legal review.

MOTION: by Selectman St. James, to approve the Conservation land swap of 25.3 acres, utilizing the Alessio property off Hunt Road, pending legal review.

SECOND: By Selectman Wilson

Public comment was solicited:

Rick Russman said that the language of the agreement is basically what is required by the Department of Environmental Services and can't be negotiated, so while the Board certainly should send it out for review if they see fit, he did not see that it is necessary. He said his concern is that he would rather the mitigation money is spent in Kingston than elsewhere; he said that 20 parcels were considered before this one was found that hit all the criteria and was accepted.

Selectman St. James said he appreciated the fact that 20 properties were considered before this one. Mr. Russman then said it should be clarified that not all Conservation land or protected land is owned by the Town or overseen by the Conservation Commission; a lot of it is private land.

Chairman Coombs said that no one is disputing the value of protecting land, but the devil is in the details and there have been issues with some agreements in the past that were not in the Town's favor, that the Board would like to avoid going forward.

Highway Agent Rich St. Hilaire said that there should be a provision in the agreement that allows access to a well head radius. Mr. Hyde said that language allowing for that provision has been included.

All in favor.

Selectwoman Alessio returned to the meeting at 7:19 PM.

Alternative Sales re: Bond Requirement

Chris and Moira Bashaw, 49 Danville Road, representing Alternative Sales, were present to discuss a request regarding the amount of the bond required for site work. The Construction bond estimate worksheet prepared by Town Engineer Dennis Quintal, submitted to the Board prior to the meeting, shows a total cost of \$341,973.62.

Mr. Bashaw said this is a warehouse project that includes site work, so a bond is required. He said they are here tonight to discuss the bond amount. He said the Town's Performance Bond Regulations language has come into question before, as it was created to cover projects that create a road that the Town would have to pave if the developer walked away. He said he is asking for consideration to apply 10% of the total as a bond amount, as has been granted to other similar projects. He said that for this project, the most the Town would have to do is stabilize the site.

MOTION: by Selectman Wilson, to approve the request to apply 10% to determine the bond amount needed for the Alternative Sales warehouse project, rounded to \$35,000.

SECOND: by Selectman Briggs

Mr. St. Hilaire commented that the points made were valid, and that for a subdivision the money up front is to cover completing a road, as a house can't be on an unfinished road.

All in favor

PUBLIC COMMENT I: None heard

COMMITTEE LIAISON REPORTS:

Selectman St. James said that the **Fire Department's** Beer Fest takes place this Saturday from 12:00 - 4:00, and tickets are still available online.

Selectwoman Alessio reported that the **Historic District Commission** approved signs for Burleigh Law Office as well as for Benson's Café. They also approved plans for deck improvements at Rick's restaurant. The **Library** will be holding a discussion to review the status of the old barrel factory on October 4.

Chairman Coombs said that the **Inspectors** continued review of permitting fees.

OLD BUSINESS:

Credit Cards

A memo and draft Credit Card policy have been received from Finance Director Cindy Kenerson. Selectman St. James said that Partner's Bank will require all users to supply their Social Security number, but only to satisfy the Patriot Act. He said he had talked to the Department Heads and no one had an issue with giving their SS# to the bank. He also said that Paul Butler as Recreation Director should have a credit card. The cards would then be given to the Fire, Police, Highway, and Clerk's Departments, and to the Selectmen's Office and Recreation, for a total of six.

All will review the policy and be prepared to amend/adopt it at an upcoming meeting.

Grazing at Kingston Landfill

Coombs Farm had sent an email as a follow up to discussion about utilizing livestock at the landfill to keep the vegetation trimmed and increase soil fertility, and enhance the resiliency of the property against slides and sinkholes. There was a discussion of details, such as fencing, placement of water, and moving the animals frequently to maximize the benefits and prevent wear and tear on any one area of the cap.

Chairman Coombs will provide information and pictures that can be shared via the Town's website to inform the public.

MOTION: by Selectman St. James, to allow Coombs farm to manage the grass and fields at the closed Kingston landfill by using grazing livestock, at no cost to the Town, for a two-year trial period.

SECOND: by Selectwoman Alessio

In favor: Alessio, Briggs, St. James, Wilson; **Abstain:** Coombs

NEW BUSINESS:

Perambulations of Bounds

Administrative Assistant Susan Ayer provided the Board with a memo to revisit the topic of Perambulations of Bounds, which are required every 7 years on all boundaries with neighboring towns. She said she had spoken to Mr. St. Hilaire and Rob Pruyne of the Rockingham Planning Commission for information, and also sent out an email to all abutting towns to find out if they are interested in participating in 2022. She said that while all the boundaries are now due or overdue to be walked, it is not necessary to do them all at once. There was a brief discussion of the cost, which will be shared with the neighboring Town; it had been estimated at \$5,000 per line about a year ago. A firm cost, to include GPS coordinates, needs to be obtained. A Request for Proposals will be needed; Ms. Ayer had given the Board a sample RFP for discussion.

On the topic of GPS coordinates, Mr. St. Hilaire said he disagreed with Mr. Pruyne of the RPC, who had said that survey grade GPS would not be necessary. Mr. St. Hilaire said he did not think consumer grade, the sort available on a cell phone, will be sufficient to add to the GIS record.

Mr. St. Hilaire suggested that a set amount could be put in the budget for this purpose, and as many Town lines as possible could then be done. He said it's important to keep the boundaries up to date, for instance to know which Town taxes a parcel that straddles the lot.

Chairman Coombs will work with Ms. Ayer on the Request for Proposals.

BOARD BUSINESS:

Applications received for Code Enforcement Officer

Nineteen applications were received for the Code Enforcement Officer position. Board members all have copies to review.

Document Scanning Request for Proposals

The Administrative Assistant had created a draft proposal for digitizing Town records, based on examples available from other towns. It was agreed that this needs to be advertized for proposals so that it can be budgeted, and it may be eligible for ARPA funding. There was a discussion of the scope of the project, which would be to scan Town files, store them electronically, and set up a system for retrieval. It was agreed that all Town records should be included in the project, from Town Hall office files to the Police Department to all of the committees' records, some of which are stored off site. However, the work could take place over several years and be done in phases. Once the entire scope of the project is known, priorities could be set.

Chairman Coombs said that the RFP should be sent out to cover all departments. Committees can be notified by their liaison to be prepared to produce all their files.

Stormwater Management Program

The Year 3 MS-4 permit is printed and ready for a signature. Mr. St. Hilaire said that next Monday at the MS-4 committee meeting, the annual report will be ready for a

signature as well, to be sent out to the state DES. Selectman Wilson was given authorization to sign the annual report as he will be at that meeting.

MS-1 Summary of Inventory Valuation

This annual report of assessed values was prepared by the Assessor, and requires Board signatures. It was signed for filing with the Department of Revenue Administration.

Revised Mosquito Contract

The current mosquito control contract, with Northeast Vegetation and Mosquito Control, was approved for three years, but it was recently noticed by the Finance Director that the signed contract was only for one year. An amended contract was obtained from the company.

MOTION: by Selectwoman Alessio, to reaffirm the three- year contract with Northeast Vegetation and Mosquito Control, and authorize the Chairman to sign the corrected copy.

SECOND: by Selectman St. James
All in favor

Acceptance of Playground donations

A memo has been received from Town office clerk Caitlyn Milhomme, asking the Board to accept funds raised to date for the Stepping Stones playground.

MOTION: by Selectwoman Alessio, to accept \$1,261 in donated funds for the Stepping Stones playground, and deposit into the Recreation Revolving Fund.

SECOND: by Selectman St. James
All in favor

PUBLIC COMMENT II: None Heard

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Memo from Town's Assessor regarding Town property values
- Abutter notice from Salem for a cell tower project

APPROVAL OF MEETING MINUTES:

MOTION: By Selectman Wilson, to approve the meeting minutes of September 13, Public and Non-public, as written.

SECOND: By Selectman St. James, with two corrections: on page 6, Approval of Minutes for July 23, Selectman St. James abstained; on page 7 on the vote for sealing the minutes, Selectman St. James was present, not absent. Motion amended.

All were in favor

NON-PUBLIC SESSION:

MOTION: by Chairman Coombs, to enter non-public session under RSA 91-A:3, II (a) (d) Consideration of the acquisition, sale or lease of real property

SECOND: by Selectwoman Alessio

All in favor

Meeting adjourned to non-public session at 8:07 PM.

MOTION: by Selectman St. James, to return to public session at **8:20 PM**

SECOND: by Selectwoman Alessio

All in favor

Motion made to seal these minutes: Motion made by Selectwoman Alessio, seconded by Selectman Wilson, because it is determined that divulgence of this information likely would...

XX Affect adversely the reputation of any person other than a member of this board.

Roll Call Vote to Seal Minutes:

Phillip Coombs	Y	Richard Wilson	Y
Kevin St. James	Y	Electra Alessio	Y
Donald Briggs	Y		

Motion: PASSED

Discussed in non-public session: Sale of Town property

Adjournment:

Meeting Adjourned at 8:20 PM

Respectfully submitted, Susan Ayer, Administrative Assistant