

**Kingston, New Hampshire
Select Board
Meeting of October 4, 2021
FINAL MINUTES**

The meeting was called to order by the Chairman at 6:30 pm.

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

ABSENT: Kevin St. James, Select Board Member

NON-PUBLIC SESSION:

MOTION: by Chairman Coombs, to enter non-public session under RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee, and (b) the hiring of a public employee

SECOND: by Selectwoman Alessio

All in favor

Meeting adjourned to non-public session at 6:32 PM.

MOTION: by Chairman Coombs, to return to public session at **7:02 PM**

SECOND: by Selectman Wilson

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	Absent	Electra Alessio	Y
Donald Briggs	Y		

Motion: PASSED

Discussed in non-public session: Personnel

MOTION: by Selectman Briggs, to hire Lisa Pereault to the full-time position of Highway/Building Maintenance Administrative Secretary

SECOND: Selectman Wilson

All in favor

APPOINTMENTS:

Jenna Bantjes, James Levenson, 31 Depot Road: Lot unmerge request

Ms. Bantjes and Mr. Levenson had submitted a packet of information to back up their belief that their property, Map U9, Lot 64, had been merged involuntarily by the Town in the 1990's. (The two original lots were U9 Lots 63 and 64). They were present to discuss the matter.

Chairman Coombs said that he had looked through all the paperwork and everything seemed cut and dried. Selectman Briggs said that the Town had merged some lots in the 90's, including some belonging to his family. Selectwoman Alessio said that the documents submitted clearly showed the sequence of events.

MOTION: by Selectman Wilson, to unmerge 31 Depot Road into its original two lots.

SECOND: by Selectman Briggs

All in favor.

It was identified that the next step in the process was to have the assessor process the changes for assessing and tax purposes.

Matthew Dworman, 3 New Boston Road: Residential vs. Commercial Use

After consulting with various Town departments, Mr. Dworman chose to submit an email in lieu of meeting with the Board, giving notice that he is requesting to use 3 New Boston Road for residential use. Selectman Wilson said Mr. Dworman had discussed his options with him as Health officer, as well as with the Building Inspector and Town Planner, and had submitted building permit applications. Selectman Wilson said that work needs to be done to make the change to residential, with the electrical work being the biggest and most expensive issue. He said that if the Board approves this request, Mr. Dworman can start working on the residential permits he has applied for. He said that as this will disallow commercial use, a second step might be to submit a warrant article to move the Rural Residential zone one lot over.

In discussion, it was noted that the property was always zoned residential but the original building was a church. Recent variances granted by the ZBA had allowed a wood working shop and office space (this use never happened). Selectwoman Alessio expressed concern that if Mr. Dworman was given residential use there would be no incentive for him to bring the building up to code. Chairman Coombs questioned if the Board has the authority to change the property to residential use. Selectwoman Alessio said that the church had gotten variances and there were no issues. But now the owner can't register his cars there as it is technically not zoned residential.

Glenn Coppelman, Chairman of the Planning Board, approached the Board to share information on this matter. He had Planning Board minutes that included a discussion with Mr. Dworman in which he was given three options: Convert the property to single family use; apply to the ZBA for a variance to allow mixed use, then to the Planning Board for an amended site plan; or submit a petitioned warrant article to change the property from the SFR zone to the RR zone.

Selectwoman Alessio said that she does not want to approve vehicle registrations on an unapproved residential property. Selectman Wilson suggested that a letter should be written to the owner, changing the use to residential with the condition that all permits need to be fulfilled, and to include language stating that the property will not be a legal residence until all the work is done and inspected. Chairman Coombs said the date the Board became aware Mr. Dworman was living on the property should be included, to establish a time frame. He said he still had concerns about the authority of the board to make this change; Mr. Coppelman said that the owner could do it himself.

Selectman Wilson will talk to legal counsel about this matter and then a letter will be written.

John Wilder, Fieldstone Realty

(not present; seen out of order later in meeting)

James Dufresne, Hawks Ridge Condominiums: Building permit requested for 8 Bent Grass Circle

(not present; seen out of order later in meeting)

PUBLIC COMMENT I: None heard

COMMITTEE LIAISON REPORTS:

Selectwoman Alessio said that in conferring with the **Town Clerk**, they felt that the minutes of the August Department Heads meeting did not correctly record the decision about payment of Supervisors of the Checklist. The discussion as recorded:

“Ms. Bakie said that she would like to revisit the topic of pay for the Supervisors of the Checklist, which was discussed last year. She said that their current pay of \$400 each per year is fine on a year with one election, but on a year such as 2020 with four elections, they are underpaid. Selectwoman Alessio agreed, saying that they do more work than just on the day of the election. There was a discussion of how to rectify the situation. It was agreed that an annual stipend of \$300 each per election, and \$10 per hour in addition on election days, would be fair.”

Looking at the difference in budget amounts, Selectwoman Alessio said that she thinks that the discussion went back and forth, but that the decision was to continue paying a \$400 per year stipend for each Supervisor, and add hourly pay for each election. This will be the corrected decision.

Selectwoman Alessio reported that the library Trustees will be sending a letter to the Town asking to be included in upgrades to the telephone systems, with possible use of ARPA funds.

Chairman Coombs reported that at the Inspectors' meeting it came to his attention that Partners Bank still needs an occupancy permit. A letter will be sent to remind them to complete all inspections for the permit. He said there had also been a discussion of a Mill Road property where a house was supposed to have been torn down when a new one was built. Selectman Wilson will talk to the owner.

OLD BUSINESS:

Sale of Town-Owned Land

Chairman Coombs said that at this time, the Board needs to confirm the lots that will be sold, the terms of sale and the date of the auction. The auction company will send brochures to abutters only and not place any general advertising. The properties are to be sold only to abutters; Chairman Coombs asked if a lot line adjustment can be

mandated to make the lots less non-conforming. Mr. Coppelman said that in that case it would be a simple lot merger, which can be accomplished by applying by letter to the Planning Board; no public hearing is required. One lot may be different, as it is bisected by a paper road and two abutters may buy it together.

There was a brief discussion in which it was decided that if the minimum bid is not reached, the lot will be retained by the Town and sold at a later time at an auction open to the general public.

Consolidated Communications Settlement

The Administrative Assistant had asked for confirmation on whether or not any new poles were placed since 2015, as Consolidated Communications tax department is waiting for a list before finalizing the assessment settlement agreement. Chairman Coombs recalled that after a Zoom meeting with Consolidated, they had produced a list of poles installed since 2015. He will meet with the Admin to work on resolving this matter.

NEW BUSINESS:

Recreation Grant received for Summer Camp

Recreation Director Paul Butler secured a grant for Kingston's Summer camp program, totaling \$22,435. The second half has been received.

MOTION: by Selectwoman Alessio, to accept grant funds for Recreation as unanticipated funds, in the amount of \$11,217.50.

SECOND: by Selectman Wilson

All in favor

Sample Intergovernmental Fire/Rescue Agreement

At the request of the Board during the September 27 meeting, Fire Chief Graham Pellerin had sent this sample of a fire district agreement such as he is exploring as an option for the Town. This will be tabled until the next meeting, to allow time for the Board to read it.

BOARD BUSINESS:

Personnel Policy

Finance Director Cindy Kenerson provided copies to the Board of comments received so far from Department Heads, on revisions to the Personnel Policy. The Board members are still reviewing the Policy; this will be tabled until October 18.

Field Assessments - Question on indoor access to properties

KRT Appraisers, the Town's assessing contractor, has asked the Town to let them know what the current policy is on entering homes to do assessments on the interiors, as this was suspended due to Covid. It was the consensus of the Board that this is allowed, with the permission of the property owner.

Letter to Town Clerk re: temporary trailer dweller/car registration

A letter has been prepared to direct the Town Clerk NOT to register any cars to a person who has been living in a temporary trailer, and whose permit to do so has expired. All signed the letter.

Code Enforcement Officer

Selectman Wilson said that he and Selectman Alessio have gotten the list of candidates for this position down to 6 people. He said he will follow up with phone calls to set up preliminary appointments to talk with these six candidates, and bring back the most eligible to interview with the full board. Assessing and Permitting Clerk Tori Dobrowolski has been asked to sit in on the preliminary appointments, as she will be working closely with the Code Enforcement Officer.

Oil and Propane prices

Selectman Briggs said he had been working with Finance Director Cindy Kenerson to look at this year's prices for oil and propane from various companies and prepare to lock in a price. After reviewing the information, the Board decided to stay with Irving Oil, and fax in the agreement to lock in at today's numbers.

PUBLIC COMMENT II: None Heard

APPOINTMENTS, cont.

John Wilder, Fieldstone Realty

Mr. Wilder said he is here to show the Board the letter of credit he has secured from a bank, in order to move forward with bonding and pre-construction meeting for his project on Route 125. The Administrative Assistant said that he had left the paperwork with the Finance Director, who is going to have it reviewed by Town counsel. Chairman Coombs told Mr. Wilder that the Cease and Desist on the Fieldstone project can't be lifted until the bond is in place and a pre-construction meeting has been held.

James Dufresne, Hawks Ridge

Mr. Dufresne came before the Board to request a building permit for 8 Bent Grass Circle, which he is calling Lot 4. The Building Inspector was not willing to issue the permit unless the lot number was left as Lot 20, which is what the foundation permit was issued as. Mr. Dufresne maintained that there is a certified plot plan showing this as Lot 4. Chairman Coombs read from a narrative of how Lot 20 was originally on Mulligan Way, was moved to its current location without Planning Board knowledge or approval, and how Lot 4 (adjacent to this new house lot) then needed to be covered over and not used because it was needed for access to the leach field. Mr. Dufresne repeated that he has a certified plot plan signed by the Planning Board.

It was agreed to table this matter until the next meeting; in the meantime, Mr. Dufresne was invited to meet with Selectman Wilson to discuss.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Paid Leave Requests (3)
- Application for Veteran's Credit (to be applied in 2022)

APPROVAL OF MEETING MINUTES:

MOTION: By Selectwoman Alessio, to approve the meeting minutes of September 27, 2021, Public and Non-public, as written.

SECOND: By Selectman Wilson

All were in favor

Salt prices

Highway Agent Rich St. Hilaire informed the Board that he has gotten the pricing of the new State DOT salt contract prices, and they are up by 26-27%. He said he will have to revise his budget, as this is an \$80,000 budget line and the increase will be significant.

NON-PUBLIC SESSION:

MOTION: by Selectwoman Alessio, to enter non-public session under RSA 91-A:3, II (I) legal advice.

SECOND: by Selectman Wilson

All in favor

Meeting adjourned to non-public session at 8:15 PM.

MOTION: by Selectman Wilson, to return to public session at **8:25 PM**

SECOND: by Chairman Coombs

All in favor

Motion made to seal these minutes: Motion made by Selectman 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	Absent	Electra Alessio	Y
Donald Briggs	Y		

Motion: PASSED

Discussed in non-public session: Legal matters

Adjournment:

Meeting Adjourned at 8:25 PM

Respectfully submitted, Susan Ayer, Administrative Assistant