

Kingston, New Hampshire
Board of Selectmen
Meeting of December 3, 2018
Draft MINUTES

The Selectmen met in Meeting Room at the Town Hall. The meeting was called to order at 6:00 PM.

PRESENT: Mark Heitz, Chairman; Phillip Coombs, Kevin St. James, George Korn and Donald Briggs, Jr., Selectmen.

Non-Public Session

MOTION: Upon motion of Chairman Korn, **SECOND** of Selectman St. James, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA 91-A:3,II (d), Acquisition or sale of property.

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

The Board adjourned at 6:01 PM.

MOTION: Upon motion of Selectman Korn, **SECOND** of Selectman Briggs, it was voted by roll call to return to public session at 7:10 PM.

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

APPOINTMENTS:

Robert Pellegrino, 8 Dulcies Point Road

Mr. Pellegrino appeared before the Board and said that the Chairman should recuse himself as he lives in Mr. Pellegrino's subdivision. Chairman Heitz said he did not feel he needed to recuse himself.

Mr. Pellegrino went on to read a statement to the effect that he has been frustrated by being lied to as a citizen and an alternate Planning Board member, and in addition had been subject to abusive behavior in his subdivision. Mr. Pellegrino said he had been told he could not ask questions of the Planning Board and was told to bring his list of questions to the Selectmen.

The Board reviewed the list of questions supplied by Mr. Pellegrino and answered those that they were able to, mainly on topics of building regulations and ordinances. Topics included permit requirements, wetland ordinances, mailbox placement and rules governing snow plowing. Mr. Pellegrino was referred to the Building Inspector or NH Department of Environmental Services (DES) for full answers to some of his questions.

Mr. Pellegrino's prepared statement then went on to air multiple grievances against the Planning Board and to make further accusations and allegations against several individuals. The Selectmen interjected and informed Mr. Pellegrino that if he was going to make statements about Town employees or other non-elected officials, or individuals, he would need to do so in non-public session, citing RSA 91-A:3 (c). Selectman Briggs added that a person being discussed in such a way as to compromise their reputation should have the opportunity to be present. Mr. Pellegrino decided to continue on topics in public session.

Mr. Pellegrino then went on to talk about his view that Conservation and other boards had been “weaponized”. He spoke of other grievances against people in his subdivision, the Planning Board, and individual Town officials. Chairman Heitz attempted to speak to one allegation against himself and Mr. Pellegrino interrupted several times. Chairman Heitz asked the Board if they would like to hear any more from Mr. Pellegrino. At this time, Mr. Pellegrino chose to leave the meeting. He gave the Selectmen a copy of a letter from Solar Hills Estates to an insurance company and also a letter he had written to former Planning Board Chairman Richard Wilson.

Paula Pelletier, Kingston Fairgrounds

It was confirmed that Ms. Pelletier had decided not to appear, but that she had spoken with Road Agent Rich St. Hilaire, who had relayed information to Selectman Coombs. Selectman Coombs said that Ms. Pelletier had been concerned about stumps and debris blocking a walking path, and that Mr. St. Hilaire had said he would work on removing that blockage. In addition, Selectman Coombs reported that Eben Lewis of the NH DES had already said they do not view the asphalt millings as toxic material and no silt fence was necessary. Mr. Lewis was invited to come back but has not to date as there is no change to what he saw in the past.

In answer to the concern that the Town was violating the rule about disposing only items generated on one’s own property, Mr. St. Hilaire had explained that the Town is moving material from Town property (roads) to Town property (fairgrounds).

Chuck Hart, Fire Station Building Committee

Mr. Hart asked to speak to the Selectmen on the subject of the Warrant Article being prepared by the Fire Station Building Committee for purchase of property. He said that at this time they will likely only consider an article for the property, and if approved and the project is viable, follow up in another year for the building. He said the committee is close to meeting with the architect.

Mr. Hart pointed out that with the existing building fund of \$500,000 available, the project will not affect taxpayers at this point.

There was a discussion of whether this should be a petition article or a Selectmen’s article.

The committee will discuss what they want to do at their next meeting, and come back to the Selectmen on December 17.

NEW BUSINESS:

Holiday hours

The Selectmen discussed the request of Town Hall personnel to close early on December 24 and December 31. It was noted that the Town Hall has not closed early on those dates in the past.

MOTION: by Selectman Coombs, to stay with past precedent and keep the Town Hall open until 4:00 PM on Christmas Eve and New Year’s Eve.

SECOND: by Selectman Korn.

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

Resident request for update of property exemption requirements

A resident has asked that the Selectmen consider increasing the limits of income and assets for Elderly and Disabled property exemptions. The current limits for an Elderly exemption are annual income of \$30,000 and assets not to exceed \$55,000, set in 2008. The limits for a Disabled exemption are \$35,000 for a single person, \$40,000 for married, and a limit of \$55,000 for assets, set in 2004.

The Selectmen took this under consideration and asked the Administrative Assistant to research the state exemption parameters.

APPROVAL OF MEETING MINUTES:

November 26, 2018

MOTION: by Selectman Briggs, to approve the public session minutes of November 26, 2018 as written.

SECOND: by Selectman St. James

In favor: St. James, Coombs, Heitz, Briggs; **Abstain:** Korn; **Motion carried.**

Stantec Consulting Services - Environmental testing at Fire Station

A draft cost estimate for interim groundwater quality monitoring program has been received from David Allwine of Stantec. The total cost for testing to be done in January, April and July of 2019, as requested by NH DES, is \$62,100.

There was a discussion of how to adjust the budget to accommodate the cost, and it was determined that the Contractual Services line will need to be adjusted up from \$53,000 during budget submission to the Budget Committee. Selectman Briggs asked where the money would come from should additional testing be necessary; Chairman Heitz said that he would suggest encumbering the balance unspent this year and budgeting for the fixed cost.

There was also a discussion of which wells were to be included, as the Selectmen and Road Agent had talked about testing wells further out on the Plains.

MOTION: by Selectman Korn, to authorize the Chairman to sign the cost estimate agreement prepared by Stantec and go forward.

SECOND: by Selectman St. James.

In favor: Heitz, Korn, St. James, Coombs; **Abstain:** Korn; **Motion passed**

ADMINISTRATIVE: APPLICATIONS, PURCHASE ORDERS, CORRESPONDENCE:

- The annual small business consortium agreement with Exeter Hospital, required to participate in random drug testing for CDL drivers, was signed by the Chairman (authorized by motion of Selectman St. James, seconded by Selectman Coombs, and approved by all (Chairman Heitz abstaining).
- The Assessor has reviewed ownership of the rights of way on Babscott Lane and concluded that "based on the wording of the deeds, it is my opinion that the land area of the Babscott Lane waterfront and the extension were intended as roadway areas open to use by all the abutting property owners."
- On elderly exemption application was approved.
- One Veterans Credit application was approved.
- Two abatement applications were reviewed along with recommendations of the Assessor; one was approved and the other denied.

- The Equalization assessment data certification was approved and signed for submission to the DRA.
- Two thank you letters re: memorial markers were signed for mailing.
- Purchase orders were reviewed and signed.

Non-Public Session

MOTION: Upon motion of Selectman Briggs, **SECOND** of Selectman St. James, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA 91-A:3,II (e), Legal.

In Favor: Heitz, Briggs, Coombs, Korn, St. James; Motion passed.
The Board adjourned at 8:45 PM.

MOTION: Upon motion of Selectman Briggs, **SECOND** of Selectman Coombs, it was voted by roll call to return to public session at 9:15 PM.

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

Adjournment

MOTION: by Selectman Korn, to adjourn at 9:15 PM

SECOND: by Selectman Briggs

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant