

Kingston, New Hampshire
Board of Selectmen
Meeting of December 10, 2018
Draft MINUTES

The Selectmen met in Meeting Room at the Town Hall. The meeting was called to order at 7:00 PM.

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

ABSENT: Mark Heitz, Chairman

Selectman Coombs was named acting Chair for this meeting in the absence of Mark Heitz.

APPOINTMENTS:

Heritage Commission: Warrant Article: Community Revitalization Tax Relief Incentive

Debra Powers and Ernie Landry of the Heritage Commission spoke to the Selectmen on Heritage topics.

Ms. Powers informed the Selectmen that a decision on the Seminary building has been postponed for another year, in order to be sure everyone is treated fairly and sufficiently informed.

Ms. Powers spoke about the 2019 Warrant Article for the Heritage Fund. She said that last year the Commission asked for \$10,000, which was granted, noting that this fund is used for the preserving the heritage of Kingston. She said the balance in the account is roughly \$15,000, and the Commission would like to ask for an additional \$10,000 this year. She said they are planning ahead for the Seminary proposal, and also want to be prepared for any opportunities that might come up during the year. She said she would like this to be a Selectmen's article, but that if not, it will be put in as a petition article. Upon discussion, the Selectmen were in agreement that the Heritage article should be a petition article as it was last year.

Ms. Powers then addressed the topic of NH RSA 79-E, Community Revitalization Tax Relief Incentive, which she said is to encourage investments in downtown areas. She read from informational sheets she had shared with the Selectmen, that qualifying properties must be in the community's downtown district or equivalent (later she clarified that in Kingston this would be the Historic District), that rehabilitation costs must be at least 15% of the building's pre-rehab assessed value, and that the rehabilitation must be consistent with the municipality's master plan. The program provides property tax relief for rehabilitation or replacement. Ms. Powers said that she will talk to the Planning Board in January if the Selectmen are in favor of this, and a Public Hearing would be required.

Selectman St. James questioned the phrase "finite amount of time" and said he would like to see the entire law. Mr. Landry said that generally up to 5 years is given to complete a project. Selectman St. James then asked about a scenario where a property owner took the credit and then sold for a profit. Mr. Landry said that the tax relief

incentive is not designed for individuals; it has to have a public benefit, and promote the local economy in a downtown area.

Selectman Korn said this has to go to the Planning Board and conform to the Master Plan. He said it would be wise to have the Planning Board and Heritage Commission make clear what it is and outline the criteria.

Ms. Powers asked the Board if the Heritage Commission could be given a key to the Town Hall so that they can access the building when the people who usually are there to open it up are not available. She said it would be used by her or Mr. Landry, and the Board agreed this was appropriate.

Selectman Coombs mentioned that the masonry work at the Nichols Museum building will probably be on a warrant article as well. There was a discussion about this, as Ms. Powers said when the Town bought the building the repair issues were known, and she had thought it would be maintained as other Town buildings are. Selectman Coombs explained that this is because the bid for masonry work on the building that seemed most accurate came in at \$85,000, and the price could go higher. Mr. Landry agreed with Ms. Powers, noting that he has never seen a warrant article to pay for repairs to the Town Hall. Selectman Coombs said this is not written in stone, just a heads-up.

With the 325th anniversary celebration coming up, Ms. Powers said that the High School would like to put on a historical play, and they would like to use the Town Hall stage. She asked if it would be off-limits. She will get dates and this will be discussed at a later meeting.

Kingston signs are done and sites are approved; they will be put up in the spring.

OLD BUSINESS:

Robert Pellegrino, 8 Dulcies Point Road

Mr. Pellegrino said he was finishing what he started, trying to clean up government corruption. He asked about government transparency, noting that the meeting tape of December 3 was not rebroadcast on the cable channel on Wednesday as it usually is. Selectman Coombs said that the reason it was decided not to rebroadcast the December 3 meeting is because Mr. Pellegrino had disparaged a Town employee in violation of the law, and to replay the meeting would make the Town party to slandering a Town employee. Selectman St. James said that Mr. Pellegrino had single handedly ruined the transparency of the meetings by slandering an employee. He said Mr. Pellegrino could wait and speak in non-public but no names could be named.

Mr. Pellegrino asked if he could talk about Chairman Heitz as he is not an employee, and was told the Board did not want to hear about personal grievances. Mr. Pellegrino said he is talking about a Selectman who is not honest. He said his stories about plowing snow out of a driveway he was talking about Selectman Heitz. He went on to his question about replacing roof shingles without a building permit. Selectman Coombs stopped Mr. Pellegrino and asked him if he has a building permit for the house he is currently building. Mr. Pellegrino said he has a building permit, for the foundation. It was

determined in discussion that he had applied for a permit for the house, but then did not follow through as he “had no idea what he was building” and that he thought he had an understanding with the Building Inspector. Selectman Coombs said that the Building Inspector had told him he did not give Mr. Pellegrino a verbal okay to build.

The Selectmen told Mr. Pellegrino he needs a building permit to build. Selectman Coombs then said that in addition, the road is not finished and the house has less than 200’ of road frontage, which is required to build.

Mr. Pellegrino said he had not thought of that. He said that he assumed that Lot 6 was part of Phase 1 of the subdivision, and also said that the Road Agent had told him it was okay to not build the temporary cul de sac because he would be continuing the road. He said the cul de sac was approved in the first phase and he thought he could build to that.

Mr. Pellegrino brought up the matters of the mailbox post and fire road he had alluded to before.

He said he did not come out to disparage anyone.

Mr. Pellegrino said that he felt the Planning Board lies to the public and treats applicants unfairly and that the meetings are stacked with attendants that are friendly to the Planning Board’s position. Selectman Coombs said that he sits on the same board and reads it differently. He said that it is an arduous, horrible process for everybody. Mr. Pellegrino said it should not be that way, and Selectman Coombs said that with society as litigious as it is, the Town needs to be very careful and thorough.

Mr. Pellegrino asked if he needs to stop work, and Selectman Korn said no one was telling him to stop work, that was his choice. Selectman St. James said he should just comply with the Kingston Ordinances. Selectman Briggs suggested he may need a variance from the ZBA. Mr. Pellegrino was directed to work with the Building Inspector and see how he can get in compliance.

NEW BUSINESS:

Chief Seaman, Disposal of old ambulance

Fire Chief Bill Seaman said the new ambulance is in service and it is time to find a way to dispose of the old one. He cited local towns that may be interested, one for \$10,000, and that the salesman he is working with said it is worth \$14,000.

MOTION: By Selectman Briggs, to advertise the ambulance in the newspaper and take bids.

SECOND: by Selectman Korn.

There was some discussion of whether or not soliciting bids was necessary with an offer on the table.

All in favor of advertising the ambulance in the local media and other venues such as Seacoast Chiefs or the NHMA website.

APPROVAL OF MEETING MINUTES:

December 3, 2018

MOTION: by Selectman St. James, to approve the public session minutes of December 3, 2018 as written.

SECOND: by Selectman Briggs

Selectman St. James pointed out that in the 4th paragraph under “APPOINTMENTS” on page 1, the comment “...a person being discussed....should have the opportunity to be present” was attributed to Selectman Briggs but that he said it. Selectman Korn noted that on page 3, the decision under “Stantec Consulting” shows him as abstaining, and it should have read Selectman Briggs.

MOTION: by Selectman St. James, to approve the public session minutes of December 3, 2018, as amended.

SECOND: by Selectman Briggs

All in favor.

MOTION: by Selectman St. James, to approve the non-public session minutes of December 3, 2018 as written.

SECOND: by Selectman Briggs

All in favor.

(Approval of non-public minutes of November 26 was tabled until a quorum of attending members is present.)

ADMINISTRATIVE: APPLICATIONS, PURCHASE ORDERS, CORRESPONDENCE:

- A grant award letter has been received from Great Bay Resource Protection Partnership, for \$3,500 toward appraisal transaction costs for 57 Exeter Road. Selectman Korn was authorized to sign the Commitment of Match Funds in place of the Chairman.
- A meeting room rental agreement was approved and signed, for use of the Town Hall Meeting Room for the 4th Saturdays of January through June, 2019 for Contra Dances.
- An abutter notice from Hooksett regarding a cell tower was received.
- A letter from Bakie Farm Initiative manager Stephen Roxburgh informing the Board of an event to be held at the farm on January 27, 2018 was read. This will be the annual dinner put on by Slow Food Seacoast, involving 80 to 100 guests. Chief Don Briggs will contact them with any questions.
- A report on the All American Assisted Living project from Town Engineer Dennis Quintal was reviewed. Selectman Coombs had spoken with Mr. Quintal today and said he feels the intent of the ordinance and site plan are being followed, and that the wetlands are being protected.
- Several tax abatement requests were approved.
- Selectman St. James brought several minor points of discussion from the Budget Committee meeting. On the topic of fireworks, it was clarified that \$5,000 unspent in 2018 will be encumbered and used along with an additional \$5,000 budgeted for 2019 for the 325th celebration.
- Selectman St. James confirmed that Decision Day for the budget will be January 5 at 9:00 AM, and the Public Hearing on the operating budget will be January 6 at 1:30 PM.

Non-Public Session

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

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

The Board adjourned at 8:15 PM.

MOTION: Upon motion of Selectman Coombs, **SECOND** of Selectman Korn, it was voted by roll call to return to public session at 8:45 PM.

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

Adjournment

MOTION: by Selectman Coombs, to adjourn at 8:45 PM

SECOND: by Selectman St. James

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant