

**Kingston, New Hampshire
Board of Selectmen
Meeting of September 23, 2019
FINAL MINUTES**

The meeting was called to order at 6:07 PM in the Meeting Room at the Town Hall.

PRESENT: Chairman Mark Heitz; Kevin St. James, Vice-Chair; Donald Briggs, Jr., Richard Wilson, Selectmen. (Selectman Coombs arrived at 6:50 PM)

APPOINTMENTS:

Work Session with Interim Fire Chief Graham Pellerin - Fire Department topics

Chief Graham Pellerin was present to follow up on per diem hiring, and to discuss other Fire Department topics. He distributed information about new ambulance rates to be effective October 1, 2019, and there was a discussion on how the cost of an ambulance call is billed. He also shared a US Department of Labor fact sheet that covers work periods and the payment of overtime, specific to fire protection personnel. Changes to the way wages will be paid was discussed, including how overtime will be calculated. Chief Pellerin said he had met with Finance Director Cindy Kenerson discuss changes in payroll, such as going to 24 hour shifts or biweekly pay, to know if they will work, and that the ambulance rates have been forwarded to her as well.

Chief Pellerin then talked about per diem employees and the addition of bunk space to accommodate them; he said he will only need two beds. He said he has called the Fire Marshall to cover the hurdle of changing the use of the space from storage to overnight accommodations, and is confident a waiver can be obtained. Asked about the cost, he said it will be minimal as he expects to receive some donations. He said there are 15 sets of gear available for use by the per diem personnel.

On the topic of per diem hires, Chief Pellerin said that he has already received some applications, and that a few local call members are interested in taking some shifts as well. He said he will know more after a meeting tonight, adding that they will stick with the current night schedule for now until the details of EMT coverage can be worked out.

Chairman Heitz said that he sees per diem employees being needed at least 6 months into the budget year. Chief Pellerin said that as 90% of calls are for ambulance service he will hire some people with EMT training only, but eventually wants to fill spots with Fire Fighter EMTs that can answer all calls.

Asked about the current state of morale in the department, Chief Pellerin said that he has been meeting with people one-on-one to talk about what drove us to this point, such as losing ten EMTs in a short period of time. He said the changes are difficult, but he thinks there is understanding about the need to do things this way.

Discussion returned to payroll, and Selectman St. James said that he thinks spreading out payments across the board so that paychecks are a uniform amount makes it easier on everyone. There was then a lengthy discussion on how overtime is to be calculated,

taking into account averaged work hours, calls and training as opposed to straight time. Selectman Briggs suggested the Board take this under advisement. Chief Pellerin will come back with a chart to help explain how overtime will be applied.

Melissa Butler, Conservation Commission appointee

Melissa Butler met briefly with the Board to introduce herself; she has submitted a letter of interest in serving on the Conservation Committee, and has been endorsed by Chair Evy Nathan. Ms. Butler said she had started helping out with cleaning trails, and recently attended a meeting. She said she wants to do more to help out.

MOTION: by Selectman St. James, to appoint Ms. Butler as an Alternate Member of the Conservation Commission.

SECOND: by Selectman Wilson

All in favor

A second request had been received from Conservation Chair Evy Nathan, to change the status of Elizabeth Mello from alternate member to full member. As Ms. Mello was in recently to meet with the Selectmen, it was felt that there was no need to re-interview her.

MOTION: by Selectman St. James, to appoint Elizabeth Mello as a Member of the Conservation Commission.

SECOND: by Selectman Wilson

All in favor

Likewise, it was decided to approve both appointments to the Historic Museum Committee:

MOTION: by Selectman St. James, to appoint Walter Roy and Katherine Chase as members of the Historic Museum Committee.

SECOND: by Selectman Briggs

All in favor

A letter of resignation from Bill Bixby from the Fire Station Building Committee was acknowledged.

(At 7:00 PM the videotaped portion of the meeting began.)

Update on Bresnahan Project

This appointment has been postponed at the request of Mr. Bresnahan. Charlie Zilch of SEC Engineering explained that they are working to address some site issues at the storage facility which is being built; he said he is meeting with Mr. Bresnahan and his attorney on Thursday afternoon. He said that after looking at the area of impact, and the number of trees needed, they are looking at options. He said he and Mr. Bresnahan will come back in two weeks, and will call to set up a new appointment with the Board.

OLD BUSINESS (taken out of order)

Electricity Aggregate contract

There was a discussion of the terms of this contract, which will be for 36 months with Constellation Energy, if all parties of the aggregate sign on. The rates given at a

meeting with the Rockingham Planning Commission are estimates; the locked-in rate won't be known until the signing day, which is September 25.

There was a discussion of how much savings there will be over the current Unitil rates, and how to estimate what Unitil rates will be, as they fluctuate seasonally.

Selectman Briggs had done some research on the rates, and also contacted the Public Utilities Commission. He said there had been three minor complaints about Constellation over three years, all minor and resolved. He said that he only wants to be sure that whatever rate is locked in is not higher than what the town is already paying. Selectman St. James said that it is possible that the aggregate's rates will improve as others join; he said that several towns and schools could not participate until their current contracts are up.

MOTION: by Selectman St. James, to authorize Cindy Kenerson to enter into the agreement with Constellation Energy, through the Rockingham Planning Commission, for a period of 36 months, at a rate of no more than .073 per kilowatt hour.

SECOND: by Selectman Wilson.

All in favor.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS

- One Veterans' Tax Credit application was approved (effective 2020).
- MS-535 (final accounting of 2018 budget) was signed for submission to the Department of Revenue
- Notice was received of state Department of Transportation 10-year plan hearings; there will be one at the Kingston Library on October 28 at 6:00 PM.
- Application for Facilities Use was approved for a Heritage Commission presentation to take place on November 2.
- A request to be allowed to film on private property and also to use drones, was received. The person will be advised that they should notify the Police Department about drones and comply with FAA rules, but that no other permits are necessary from the Town.
- The conference report from the last Route 125 project working group meeting has been received. The next meeting has been set for October 17 at 6:30 PM, at the Kingston Town Hall.
- The Worker's Compensation coverage agreement was once again reviewed; the Administrative Assistant will contact Foy Insurance to see if they will offer a quote.
- A draft notice for an upcoming meeting to inform residents of Kingston and Newton about PFA and PFOA contamination in drinking water was reviewed. The meeting with DES will take place on October 23 at 6:30, and will be advertised.
- Hearings on the 10-year road improvements plan from the State DOT are taking place, one in Kingston on October 28th, at the Library, 6:00 PM. The Selectmen will send a representative, as it is a meeting night.

Rockingham Planning Commission

A letter received from the RPC giving information about their budget, funding and services was reviewed. Dues for Kingston for 2020 will be \$6,244, based on \$1.00 per capita.

There was a discussion that included Planning Board Chair Glenn Coppelman, who also works for the RPC, about the work done by the Commission. Selectman Briggs wondered how many hours the RPC provides now that the Town contracts directly with Glenn Greenwood as municipal planner. Mr. Coppelman said that the RPC can help with matters that are more regional in nature, such as transportation and mapping. He said he contacted them recently for maps related to RSA 79E, and also for help with Master Plan Chapters. He said that the RPC takes advantage of block grants from the state, which they use a portion of and then make the balance available as small matching grants for communities. Selectman St. James said he thinks that the benefits are worth the dues. Mr. Coppelman said that the dues are essentially part of the town's cost to be part of a network of regional towns.

Second Empire Homes re: Town Right-of Way between Map U4 Lots 100 and 101

Charlie Zilch of SEC & Associates was present, along with Greg Buchanan and Dave Edmunds of Second Empire Homes, LLC. They came to discuss a project proposed to utilize two lots, at 66 Great Pond Road and 17 First Street, connected by a "paper street" owned by the Town. Preliminary plans and photographs were provided. Mr. Zilch explained that both lots are now vacant, after a house on Lot 101 was recently removed. After talking to the Building Inspector and learning that a new structure on both lots is not feasible, the builders are proposing to build a new home on the larger lot, Lot 100, and to utilize Lot 101 for the leach field. In order to do this, the "paper street" in between the lots would need to be crossed by a sewer line. Mr. Zilch said that the plans are not fully developed, but they wanted to start by approaching the town about permission to go under the street.

Mr. Zilch said that the plan would also include removal of trees from the area, instead of leaving a few that would then be unstable. This would include about three trees in the right-of-way, and the rest on the lots.

There was a discussion of the sizes of the lots, the number of trees that would need to be removed, and the use of the Town's right-of-way by people accessing trails into Camp Lincoln. Mr. Zilch said there would have to be an understanding that residents have the right to use the Town area. Chairman Heitz said that he thinks it will become a parking area, which is a problem in other similar areas. Selectman St. James said that he would like to have the input of the Road Agent. Selectman Briggs suggested there should be a site walk, after the trees have been tagged. It was decided to do this on Thursday Sept. 25 at 5:30, and to invite Town Engineer Dennis Quintal.

PUBLIC COMMENT I:

Several residents spoke on the subject of the project proposed for 17 First Street and 66 Great Pond Road:

Jeff Waugh of 21 First Street said that his lot can be 6 feet deep in water in the winter, and that the trail that exists now fills with water. He said he is afraid if it gets built up, it will get even more water. He said there is also wetland vegetation near his well.

Selectman Wilson said that part of the reason Mr. Quintal will be invited to view the site is to see if it will work. Mr. Waugh added that it is wet where the house is proposed to go, and that he does not want people walking through his yard as he has a dog.

Lisa Paiva, 22 First Street, said she had the same concerns, mainly about the path being blocked. She also was concerned about flooding, and said in a heavy rainstorm the area fills up with water, making it hard to get out of her driveway.

Justin Picillo, 17 Second Street, said he lived directly across the street from this property, and that the major thing is access out of Great Pond Park. He said that his kids go to Camp Lincoln, and the path is completely flooded from early spring into the summer. He said also that the Town pushes snow there now, and wondered where the snow would go. He said he would like to see the path stay, and does not see this plan working out.

Stephen Savoie, 64 Great Pond Road, said he has a bird's eye view of the flooding and agreed with the former comments. He said he has a teenager who likes to use the trails, and also that he feels the need for emergency access. He said all that would fit through there now would be an ATV.

Sara Veit of 64 Great Pond agreed that it is a dangerous area for flooding. She said that she has lived there since 2005, and the road has been blocked at least 7 or 8 times, and that residents could get out via the trail if necessary.

Representatives of Southern District YMCA/Camp Lincoln were present and were asked if they allow this direct access to their property, and they said they do.

Russel Quintal, 15 First Street said that he rents out his property and that his major concern is the trees. He said he understands why the neighbors want access to the trails, that his tenants use them too, but the trees could come down on a windy day. He also said that a lot of water comes off the Town road and floods his yard. He said he is all for the house being built, but suggested a berm might be put in, and a retention pond. He said he thought there must be a way to resolve the concerns, but there is a massive safety concern there.

Chairman Heitz made it clear that they are not talking about restricting access, that the request was for septic lines to be run under the road. Speaking to the flooding concerns, Mr. Edmunds said that stormwater runoff would have to be a part of the plan, and that they were not afraid to tackle the work.

NEW BUSINESS

Change Payroll to bi-weekly - discussion

Selectman St. James said that moving to a bi-weekly payroll would not save a lot of money, but would be easier for the Finance Director, who could work on other projects when not doing weekly payroll. Some questions were raised by the Board in discussion about how to handle taxes, and complicating the fire department payroll, when differing pay schedules are already being worked out. Selectman Briggs said he felt the

employees should be polled, and said he did not believe the majority would be in favor of going to bi-weekly. Selectman Coombs said he also thought the town should look into mandatory direct deposit. After some discussion it was agreed to seek guidance from the New Hampshire Municipal Association, and to find out how much time would be saved. Employees will be polled for their opinion.

COMMITTEE LIAISON REPORTS

Selectman St. James said that he will be unable to attend this week's **Fire Station Building Committee** meeting; Selectman Briggs will attend.

Reporting on Code Enforcement, Selectman Briggs said that the illegal trailer on Depot Street has been removed.

Selectman Coombs said that the **Planning Board** is proposing putting a projector in their budget, and said he had passed along the conversations the Board had had about having a sound engineer come in. Mr. Coombs also said that CIP submissions are overdue and several department heads have yet to get theirs in to the committee. He said that even if there are no new capital improvements planned, they should send an email to that effect.

Budget: There was further talk about whether money will be put in next year's budget for acoustic and sound issues in the meeting room. It was agreed this is worth putting in a warrant article, and that the cost needs to be determined.

PUBLIC COMMENT II: None heard.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectman St James to approve the public and non-public meeting minutes of September 16, 2019, as written.

SECOND: by Selectman Coombs

In favor: Heitz, Briggs, Coombs, St. James, Wilson.

Non-Public Session

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

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

The Board adjourned at 8:27 PM.

MOTION: Upon motion of Selectman Coombs, **SECOND** of Selectman St. James, it was voted by roll call to return to public session at 8:55 PM.

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

MOTION: by Selectman Coombs to seal the non-public meeting minutes for an unspecified length of time, as the divulgence of the information likely would render a proposed action ineffective.

SECOND: by Selectman St. James

All in favor via roll call vote.

Discussed in Non-Public Session:

Legal advice on real estate closing date.

Adjournment:

MOTION: by Selectman Briggs to adjourn at 9:00 PM.

SECOND: by Selectman Wilson.

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant