

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of November 25, 2019  
FINAL MINUTES**

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

**PRESENT:** Kevin St. James, Vice-Chair; Phillip Coombs, Donald Briggs, Jr., Richard Wilson, Selectmen.

**MOTION:** by Selectman St. James, to go into non-public session under RSA 91-A:3, II(b): Hiring of any person as a public employee and RSA 91-A:3, II(c): Matters which, if discussed in public, would likely affect adversely the reputation of any person other than a member of this board.

**SECOND:** by Selectman Wilson

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

The Board adjourned to Non-public session at 6:00 PM

**MOTION:** Upon motion of Selectman Coombs, **SECOND** of Selectman Wilson, it was voted by roll call to return to public session at 7:00 PM.

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

**Discussed in non-public:**

Discussion of Fire Chief contract; Highway issue

**APPOINTMENTS:**

**Town Clerk/Tax Collector**

Clerk Tammy Bakie met with the Selectmen to discuss several matters pertaining to her office. First, she said that a resident had mistakenly paid his tax bill, which is set up to be paid by his mortgage company, and would like a refund before the bank pays the bill. She said that if that happens, legally she must refund the bank, not the resident. The Board agreed that the resident should be refunded, and authorized Ms. Bakie to do this.

The second issue Ms. Bakie wanted to address was the Hawkers and Peddlers ordinance. She said that as currently worded, the Town Clerk is to issue registration of the State license, and she does not think she is the right one to do this. She said that in other towns, either the Police Department or the Selectmen issue the registration, and that she would like the ordinance to be amended. Selectman Briggs, as Police Chief, said he would be happy to take on this duty, once the ordinance is changed.

Ms. Bakie then spoke to a tax abatement needed for a resident on Small Pox Road. The current owner bought parcels R19-30 and R19-31 in June, at which time they went from tax exempt to taxable. The tax assessment was not apportioned correctly at the time, and the owner was taxed for a full year.

**MOTION:** By Selectman Briggs to approve abatement of the excess amount of tax for these two parcels, a total of \$1,086.36.

**SECOND:** by Selectman Wilson.

**All in favor.**

**PUBLIC COMMENT I:** None heard.

## **OLD BUSINESS**

### **Records Retention Policy**

The Town Clerk, who is working on printing the final draft of this policy for the Records Retention Committee, said she needs an extension of time to work on wording.

### **Comprehensive Rights-of-Way Ordinance**

The Administrative Assistant shared more information gathered about what DTC Lawyers has offered to do about creating a Rights of Way Ordinance for a participating group of Towns. The law firm will prepare a template for each Town to use for its own ordinance, at a cost not to exceed \$1,000. Road Agent Rich St. Hilaire has spoken in support of this, along with the Town Planner and a New Hampshire Municipal Association lawyer.

**MOTION:** by Selectman Briggs, to enter into an agreement with DTC Lawyers to have them develop a policy for a comprehensive Rights of Way ordinance, and to authorize the Vice Chairman to sign the engagement letter.

**SECOND:** by Selectman Wilson

**All in favor.**

### **Code Issue, Wadleigh Point Road**

Selectman Briggs said he had heard from both parties involved in a code dispute, and said it is a legal matter he would like to discuss in non-public session.

### **Sleep Institute: Hazard Trees**

Selectman Briggs said the Road Agent had told him the trees in question are on Town property, and that the Highway Department can remove them. (The Planning Board has conducted a site walk and affirmed that there is no site plan violation in taking down the trees.) Selectman Coombs said that the Highway Department will do this at the same time that they take down other trees in the area. Selectman Briggs said he will inform Dr. Lynch at the Sleep Institute.

## **NEW BUSINESS**

### **Kingston Days: Question about Carnivals Ordinance**

Selectman St. James relayed a question he had received from a Kingston Days Committee member, asking if an ordinance prohibiting carnivals had ever been put in place by the town. He said he had discussed this with Road Agent Rich St. Hilaire, who recalled a conversation at a Town meeting where some were unhappy with the carnival and it was moved to the Fairgrounds, but there was no ordinance against it. Selectman Briggs recalled problems with vandalization that resulted in a special meeting on the topic. He said he is willing to do further research, but recalls that it came up at Town meeting without an official vote.

## **COMMITTEE LIAISON REPORTS:**

Selectman Coombs reported on the **Planning Board** Site Walk to the Sleep Institute property. He also reported that the **Inspectors** meeting was attended by Assessing and

Permitting Clerk Tori Dobrowolski for the first time, as planned. He said these meetings are now to be every week, and all are coming prepared with input on fees and permit changes.

Selectman St. James said that along the same lines, maybe there should be a regular meeting of the Department Heads with the Selectmen. The Administrative Assistant said she had been told this used to happen in the past as a separate monthly meeting. There was a discussion on the need for this, as some of the goals are being met by the Inspectors' meeting and by more regular attendance at committees by Selectmen Representatives.

Selectman St. James said the **Budget Committee** had met. He said the Selectmen need to review their budget.

Selectman Briggs said he had attended a **Safety** meeting with the State Department of Transportation about a large project that proposes three entrances onto Route 125. He said this was a technical review type meeting and safety concerns of adding two additional driveways was discussed.

**PUBLIC COMMENT II:** None heard.

#### **CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS**

- A tax abatement request for 53 Church Street was approved (**MOTION:** Wilson, **SECOND:** Briggs, all in favor); the owner paid early but did not take the discount.
- Annual permit paperwork has been received from Dragon Mosquito that requires Board signature. Selectman St. James noted that the contract will be up for renewal in May and under the new purchasing policy, must go out for bid. (**MOTION:** Coombs, **SECOND:** Wilson to authorize the Vice Chairman to sign the annual state permit application, all in favor.)
- The amended site plan for Bresnahan Storage, showing new tree placement, was reviewed. This is currently going through the Planning process.
- An advertisement for surplus Police Department equipment has gone to the newspaper. The ad refers readers to the Town's website to view the full list.

#### **APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectman Coombs to approve the public and non-public meeting minutes of November 18, 2019, as written.

**SECOND:** by Selectman Wilson.

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

**MOTION:** Upon motion of Selectman Wilson, **SECOND** of Selectman Briggs, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA 91-A:3, II (a) and (l): The dismissal, promotion or compensation of any public employee; legal advice.

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

The Board adjourned at 7:45 PM.

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

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

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

**SECOND:** by Selectman Briggs

**All in favor via roll call vote.**

**Topics discussed in non-public session:**

Personnel matters. Legal advice.

**Adjournment:**

**MOTION:** by Selectman Coombs to adjourn at 9:17 PM

**SECOND:** by Selectman Briggs.

**All in favor.**

Respectfully submitted,  
Susan Ayer  
Administrative Assistant