

**Kingston, New Hampshire
Board of Selectmen
Meeting of March 1, 2021
FINAL MINUTES**

The meeting was called to order at 6:45 pm.

PRESENT: Phillip Coombs, Chair; Donald Briggs, Vice Chair; Electra Alessio, Kevin St. James, Select Board Members.

ABSENT: Richard Wilson

NON-PUBLIC SESSION:

MOTION: by Selectman Briggs, to enter non-public session under RSA 91-A:3, II (a) Personnel

SECOND: by Selectwoman Alessio

All in favor via roll call vote

Meeting adjourned to non-public session at 6:46 PM.

MOTION: by Selectman St. James, to return to public session at 7:10 PM

SECOND: by Selectwoman Alessio

In favor: Alessio, Briggs, Coombs, St. James

Discussed in non-public session: Personnel, Compensation

APPOINTMENTS:

Fire Chief Graham Pellerin - Authorization request

Chief Pellerin said that assistance is being requested of local fire departments for manning vaccination sites in the Seacoast area. A memorandum of understanding (MOU) is required by the state so that members may participate and the Town will be reimbursed for their time. The Detail pay rate will apply. A vaccination site is planned for the Loudon speedway, and this MOU will apply for that as well.

MOTION: by Selectman St. James, to authorize Fire Chief Graham Pellerin to sign the memorandum of understanding with the State for participation in vaccination sites.

SECOND: by Selectwoman Alessio

In favor: Alessio, Briggs, St. James; Abstain: Coombs; Passes

Hawks Ridge/Granite Fields: Jim Dufresne, Charlie Zilch, Mark Viens

Mr. Zilch, of SEC and Associates spoke to the Board and said he has scheduled a meeting with the Technical Review Committee (TRC) to work out a plan to complete drainage work at the Hawks Ridge condominiums. The meeting will take place Thursday morning, March 3. Mr. Zilch said he hopes to focus on the roadways first, and then branch out to other things. He said Mark Viens (also present) has done a lot of work over the past 6-9 months putting in drainage pipes, swales and ditch lines to conform with the approved plan. Mr. Zilch said at this time, Mr. Viens is in areas where there are impediments to continuing the drainage work in the same ways; this is basically what the meeting will cover. He said he has some alternative designs that he thinks will work

to move water as the original design intended. He said this meeting will not be able to resolve everything but he thinks it will be a good start.

Mr. Dufresne asked about the status of the road bond he had applied for five weeks ago, and applications for three foundations dropped off seven weeks ago. Chairman Coombs said that the Board has just met with counsel, and has been told to adhere to the Court order. For this reason, the road bond will not be issued.

Tom Hurton, 2 Mulligan Way, asked about drainage in front of his home, saying there is standing water in his driveway. Mr. Zilch said that some driveways have sags in them, and this will be part of the reconstruction.

It was affirmed that the TRC meeting will be at 9 am on Thursday, and will include Glenn Greenwood, Dennis Quintal and Rich St. Hilaire representing the Town. Selectwoman Alessio asked what is hoped to be accomplished at the TRC meeting. Mr. Zilch said he has a site plan on which he has redlined the areas that can't be built according to plan, with his alternative solutions; he will further develop the plan after seeing if the Town representatives and residents are receptive to his ideas. After this, he will be bringing the plan to the Planning Board for them to review and sign off on the layout and drainage. Chairman Coombs said that the starting point will be to get everyone to agree on what the problems are.

A letter written by Building Inspector Robert Steward to Mr. Dufresne on the various issues he has identified at Hawks Ridge and Diamond Oaks, with backup documents, was given to Mr. Dufresne. Mr. Dufresne asked if this includes a response to his attorney, Charles Cleary's letter to Mr. Steward after the building permit for his pool was revoked. Chairman Coombs said that the letter was intended as a way to get a handle on all the various issues on the project, not just the swimming pool. Mr. Cleary was present and Mr. Dufresne asked if the letter from the Building Inspector revoking the permit is a Cease and Desist order. Attorney Cleary said he had not heard of rescinding a permit after it was issued. There was some discussion about the reasons for revoking the permit, which involved discrepancies in the site plans submitted with the permit application. Attorney Cleary was asked to speak directly with Mr. Steward to try to resolve this issue.

Road Agent: Flags, Miscellaneous Highway topics

Mr. St. Hilaire introduced Randy Gardella of 36 Folly Brook Terrace and said that Mr. Gardella's son has been deployed, and that he is here to request that a flag representing the brigade be flown on a Town flagpole. Mr. Gardella explained to the Board that he got the idea from a mailing by the Family Readiness Group; more than 300 New Hampshire soldiers have been deployed as part of Operation Spartan Shield. He said that the flags have begun being flown at fire houses across the state. The time frame for flying the flag would be a maximum of 400 days. Mr. St. Hilaire said that the Governor has given his okay.

Selectman St. James said that he would support this, but that the Town is limited on flag poles, and that he would make a motion naming a certain pole. Mr. Gardella said that he has been told that it might go on the new flag pole by the Recreation Center.

Chairman Coombs said that the Town has no policy on how to handle requests such as this and he doesn't want to set a precedent that could cause problems down the road. After some further discussion, it was decided to do some research and make a decision at the next Board meeting.

Appointed Highway Agent Contract

Selectwoman Alessio went through changes made to the new Highway Agent contract since the last read. Additional comments and minor changes to be made were brought up by Mr. St. Hilaire and Selectman St. James. All changes will be made and the document signed on election day if not before.

MOTION: by Selectman St. James, to approve the Highway Agent Contract pending all changes being made and a final review done by the Board and Mr. St. Hilaire.

SECOND: by Selectman Briggs

All in favor via roll call vote.

Mailboxes

Chairman Coombs told Mr. St. Hilaire that the Board had talked to Town Counsel about mailboxes that do not comply with the Town's regulations. It was agreed that the Ordinance is binding and that while it won't hurt to remind people of the ordinance, it was not necessary to go around and contact all those out of compliance.

Library Trustees: Transfer of Appropriated Funds

(As the Library Director and Trustees had not yet arrived, this topic was heard out of order - see below.)

PUBLIC COMMENT I: None heard

OLD BUSINESS:

Right To Know Policy second review

Corrections have been made to reflect comments at the last meeting, that Fire and Police Right to Know requests will be answered by those departments.

MOTION: by Selectman Briggs, to approve the Town's Right to Know policy as amended.

SECOND: by Selectwoman Alessio

All in favor via roll call vote.

NEW BUSINESS:

Revision of Employee Travel Policy

The Board reviewed updates to the Town's Employee Travel Guide policy made by Finance Officer Cindy Kenerson, that reflect changes in State recommendations.

Employees that travel outside of New England for more than 24 hours or by plane, train or bus anywhere will need to quarantine for 10 days upon return. However, if the travel

was deemed “essential travel”, or if the person has been fully vaccinated for at least 14 days or has in the last 90 days tested positive, the quarantine is not necessary.

There is another change that allows anyone designated as an “essential critical infrastructure employee” to avoid work quarantine but they must quarantine for all non-work related purposes. The definition of “essential critical infrastructure employee” was debated. Chief Pellerin said that he understands it as someone who can’t be replaced. Chairman Coombs said that definition is sufficient.

MOTION: by Selectman St. James, to update the Town’s Employee Travel Guide policy as presented, to take effect March 2, 2021.

SECOND: by Selectwoman Alessio

All in favor via roll call vote.

Library Trustees: Transfer of Appropriated Funds (Appointment out of order)

Library Director Rebekka Mateyk was present and said the Library Trustees are asking for transfer of the library’s appropriated funds to be made in four installments, at the start of each quarter. In a letter sent to the Board, the Trustees said that in the past, the Town has retained the library funds to pay the library payroll. It states that, “In addition to paying the library budget expenses from the “Appropriated Funds”, the library bookkeeper will write a check to the Town for any funds expended by the Town for the payroll expenses on a monthly basis after receiving the payroll report from the Finance Director.”

MOTION: by Selectman St. James, to approve quarterly transfers of appropriated funds as outlined in the Trustees’ letter dated February 9, 2021.

SECOND: by Selectwoman Alessio

All in favor via roll call vote

A second letter from the Trustees detailed unexpended health and dental insurance budget funds being returned to the Town. This year that amount is \$32,479.

Revision of Use of Town Property fee structure

The Selectmen held a brief discussion on adding fees for use of playing fields. It was decided that Selectman St. James will consult with Recreation Director Paul Butler, and this will be added to the agenda for the next meeting.

COMMITTEE LIAISON REPORTS:

Selectwoman Alessio reported that absentee ballots will be processed on Friday March 5, if needed. She also reported that due to a problem with the school roster of candidates, the ballots had to be reprinted.

Selectman St. James noted that two abutters are interested in the same Town owned parcel, and that there needs to be a discussion on setting the terms; he said it needs to be spelled out that they are unbuildable. Selectman Briggs said that the wording should include that the buyer will pay “any and all expenses” as deeds need to be created. Chairman Coombs said there should be a reserve amount set for the auction. Town Engineer Dennis Quintal will be tasked with surveying the lots, but further action is on hold pending review of the Planning Board and Conservation Commission.

It was agreed that other Town lots eligible to be sold will be researched, but that this round of auctioned lots will concentrate on Great Pond Park properties.

PUBLIC COMMENT II: None heard

BOARD BUSINESS:

- The Board reviewed a memo from Moderator Ellen Faulconer, which noted that extra help is needed at the March 9 election due to several people being unable to work due to COVID-19 precautions. Ms. Faulconer noted that the Town Clerk would like Assessing/Permitting Clerk Tori Dobrowolski, who helped at the General Election, to be made available again. The Board agreed that Ms. Dobrowolski may work at the election; they also agreed that the Town Hall should be closed on March 9 as only two employees will be in the building, and also to cut down on confusion over the polling place.
- The Board decided that they will not meet on March 8, as it is the night before the election and there is no pressing business.
- The process and deadlines for performing employee evaluations was discussed. It was agreed to hold a daytime meeting on March 15 (10:00 am) to review evaluations and to set Pay for Performance amounts once the budget has been passed. Raises will be effective April 3. Department Heads will have more time; they will be informed that evaluations need to be in by mid-April. The Board will meet with Department Heads on March 29.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- **One disabled veterans tax credit application was approved.**
- **One property tax abatement was approved for a property where the swimming pool had been removed but was still taxed for 2020.**
- **Facilities Use application: Use of bandstand for a wedding. This application was tabled pending the adoption of the new facilities use/special events policy and forms.**
- **A blind property tax exemption was denied as the blind person is not the property owner.**
- **One appointment (Donna DelCore) was made to the Kingston Days Committee, on a motion by Selectman St. James, seconded by Selectwoman Alessio, all in favor.**
- **Fire Chief Graham Pellerin's appointment as Emergency Management Tri-Director; this indefinite appointment replaces his temporary appointment made last year.**
- **A letter has been received from 266 Route 125, LLC informing the Board that the warehousing and distributions operations of Innoval (Sears) at that address were acquired by the Costco-Innoval Holding Corporation in early 2020.**
- **Selectman Briggs reported that he had heard from the Course Coordinator for the Reach the Beach Relay, informing him that they hope to hold the event on September 18, in compliance with NH Safer At Home Road Race guidelines.**

APPROVAL OF MEETING MINUTES:

MOTION: by Selectwoman Alessio, to approve the public and non-public meeting minutes of February 22, 2021, as written.

SECOND: by Selectman Briggs

In favor: Alessio, Briggs, Coombs; Abstain: St. James. Passes.

NON-PUBLIC SESSION:

MOTION: by Chairman Coombs, to enter non-public session under RSA 91-A:3, II (d): Consideration of the acquisition, sale or lease of real property

SECOND: by Selectman Briggs

All in favor via roll call vote

Meeting adjourned to non-public session at 8:50 PM.

MOTION: by Selectman St. James, to return to public session at 9:12 PM

SECOND: by Selectwoman Alessio

In favor: Alessio, Briggs, Coombs, St. James

MOTION to seal these minutes for an undetermined length of time, made by Selectwoman Alessio, seconded by Selectman Wilson, because it is determined that divulgence of this information likely would:

xx Render a proposed action ineffective.

Passed by unanimous roll call vote.

Discussed during non-public session: Proposed sale or purchase of real property

Adjournment:

Meeting Adjourned at 9:15 PM.

Respectfully submitted,
Susan Ayer, Administrative Assistant