

**Kingston, New Hampshire
Board of Selectmen
Meeting of March 15, 2021
FINAL MINUTES**

The meeting was called to order at 6:30 pm.

PRESENT: Phillip Coombs, Chair; Donald Briggs, Vice Chair; Electra Alessio (via Zoom), Kevin St. James, Richard Wilson, Select Board Members.

NON-PUBLIC SESSION:

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

SECOND: by Selectwoman Alessio

All in favor via roll call vote

Meeting adjourned to non-public session at 6:35 PM.

MOTION: by Selectman Briggs, to return to public session at 6:45 PM

SECOND: by Selectman Wilson

All in favor via roll call vote.

Motion made to seal these minutes? If so, motion made by Selectman Alessio, seconded by Selectman Wilson, because it is determined that divulgence of this information likely would...

Affect adversely the reputation of any person other than a member of this board.

Render a proposed action ineffective

Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to Seal Minutes:

Phillip Coombs Y

Richard Wilson Y

Kevin St. James Y

Electra Alessio Y

Donald Briggs Y

Motion: PASSED

Discussed in non-public session: Consideration of purchase of real property

APPOINTMENTS:

Fire Station Building Committee: Construction Management Contract Amendment

Mark Furlong, Kent Walker and Graham Pellerin were present to give an update of Fire Station building plan activity. Mr. Furlong gave an overview of the bid process for contractors that has been handled by the construction manager. He said that at this point the project is slightly under budget, and that construction should begin in mid-April. At this time, the committee is requesting the Board review and sign the "Guaranteed Maximum Price" amendment to the contract already in place between the Town and

Bauen Construction as Construction Manager. Mr. Walker explained that the original contract was a cost estimate, and the addendum is the guaranteed price.

There was a discussion of the original contract and items that came up in review by Town Counsel and Primex, the Town's insurer.

MOTION: by Selectman St. James, to approve the Guaranteed Maximum Price Amendment to the contract with Bauen Corporation and SMP Architects, and to authorize the Chairman to sign.

SECOND: by Selectman Briggs

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

Mr. Furlong also asked for feedback about having a gathering for the groundbreaking ceremony. The Selectmen agreed that as this will be outdoors it should not be an issue.

PUBLIC COMMENT I:

Adam Carlson, owner of Giant Construction, currently living at 44 Main Street in Kingston, addressed the Board about the Notice of Violation that had been sent to the property owner regarding construction equipment and signs being stored at that address. Mr. Carlson said he thinks it is one neighbor that has an issue; he said that he does not run his business out of the home, but is out and off to work early every morning. He said that as a small business owner he finds it horrible that the Town would force him to remove not only equipment but vehicles just because they have business logos.

Chairman Coombs said that more than one complaint was received, and that the issue is that 44 Main Street is in the Single Family Residential zone, and there are rules to follow that are spelled out in the Town's ordinances. He said the Planning Board was consulted before the letter was sent.

Mr. Carlson asked how he can have this overturned, and also said he is working to remove the equipment and signs but that some of it has been stuck in snow and ice up until now. He asked for an extension of time. The Chairman, with the agreement of the Board, said that an updated letter will be sent, giving a new 2-week deadline.

Anthony Scafidi was present to talk about use of Town fields by baseball and softball leagues. It was established that this conversation was moved to next week; he will be back then.

OLD BUSINESS:

Adoption of new Facilities Use forms

The Board reviewed the updated forms, and discussed the fee schedule, especially with reference to adding fees for recreational field use. A motion was made by Selectman St. James to approve the amended forms, seconded by Selectman Wilson. Upon further discussion, the Motion was amended and restated.

MOTION: by Chairman Coombs, to approve the revised Facilities Use forms as amended, to include an additional bullet point stating that all recreation fields are for

recreation activities only, and to add “TBD” for “to be determined” in the fee schedule where recreation field fees are currently blank.

SECOND: by Selectwoman Alessio

All in favor via roll call vote

Deployment flag: decision

Randy Gardella of 36 Folly Brook Terrace was present to see what the Board would decide about displaying a deployment flag for his son’s battalion, which has been deployed for Operation Spartan Shield. This had been tabled from the last meeting. There was a brief discussion of what flags are appropriate on Town flag poles, and the hierarchy of how they are to be displayed.

MOTION: by Selectman St. James, to allow military purpose flags to fly on Town property, for a time period to end when the troops have returned to American soil.

SECOND: by Selectman Briggs

All in favor via roll call vote.

It was agreed that this flag will go on the new flag pole at the Richard St. Hilaire Recreational Center.

Sale of Town-Owned Land

The Board reviewed the list of Town-owned lots in Great Pond Park that abutters are interested in acquiring. There was a discussion of the costs involved in selling the lots, including researching the deed, surveying, and paying the auctioneer. It was agreed that all of the lots in question are unbuildable, and must remain so. Selectman St. James will begin looking into the costs and next steps for the Great Pond park lots only. A lot on Pillsbury Pasture Road is still being researched by Planning.

NEW BUSINESS:

Discretionary Barn Preservation Easements

The Selectmen reviewed the criteria and process for granting barn preservation easements. One application has been received, and others are expected. The deadline for applications is April 1, and it was determined to wait until after the deadline has passed to set the public hearing, in order to hear all at once.

Code Enforcement Officer: Draft Job Description and Posting

The Board will take time to review and amend the job description and advertisement for the newly approved position of Code Enforcement Officer, and discuss them at the next meeting.

COMMITTEE LIAISON REPORTS:

Selectman St. James reported that Fire Chief Pellerin’s home is a total loss following the recent house fire. He said that the Chief has been at work every day, and has been told he has the full support of the Selectmen. Selectman St. James said that a GoFundMe page has been started to help the family.

Selectman Wilson reported on the Book Committee, saying they are nearly ready to publish the book and will need money for a down payment. This money will be taken from the Kingston Days account, and repaid with money made from book sales.

Chairman Coombs said that a second Technical Review Committee meeting regarding Hawks Ridge was held.

Selectwoman Alessio said that the election went smoothly. Chairman Coombs thanked the poll workers, volunteers and the voters that turned out, and pointed out that it was a very low turnout this year.

PUBLIC COMMENT II: None heard

BOARD BUSINESS

Reorganization of the Board

Selectman Briggs recommended either Selectwoman Alessio or Selectman Wilson for Vice Chair, as they have not held the position before. It was pointed out that Selectman Wilson has been on the Board longer.

MOTION: by Selectman St. James, to appoint Selectman Wilson to be Vice Chair of the Board for the coming year.

SECOND: by Selectwoman Alessio.

All in favor via roll call vote.

MOTION: by Selectman Wilson, to re-appoint Selectman Coombs as Chair of the Board for the coming year.

SECOND: by Selectman Briggs.

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

There was a discussion of committee liaison appointments.

MOTION: by Chairman Coombs, to keep all the committee appointments the same as they currently stand (see below).

SECOND: by Selectwoman Alessio.

All in favor via roll call vote.

Alessio: Historic District Commission, Highway

Wilson: Heritage, Planning, Book committee

Briggs: Conservation, Fire Station Building Committee

Coombs: Inspectors

St. James: Budget

Contracts

Chairman Coombs said he thought that there should be a policy to allow all new contracts to be sent automatically to Town Counsel for review, rather than waiting for a meeting to make the decision. In discussion, Selectman St. James proposed that any contracts worth \$500-\$2000 should be sent to Primex for risk assessment, and anything over \$2,000 should also go to Town Counsel for legal review. Selectwoman Alessio disagreed, saying that not all contracts need legal review and the legal fees to do so are high.

MOTION: by Selectman Briggs, to leave it to the discretion of the Chair to determine what contracts need risk and/or legal review; however, any contract over \$500 should be sent to Primex for risk review.

SECOND: by Selectman St. James

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

Liaison Appointments

After some discussion, it was decided to finalize liaison appointments at the next meeting.

PUBLIC COMMENT II:

Selectman St. James took this opportunity to talk about the tax impact line added to Warrant articles this year, saying that people were expressing confusion about this on Facebook. He referred to a breakdown provided by the Finance Officer on how the tax impact is calculated and how that translates to the tax rate in the fall, saying that is very helpful. However, he said that, for example, the budget article showed a 4.97 tax impact, which is the total rather than the amount of increase over last year. He said the School Warrant always shows the amount of change, and the Town may want to consider that for next year. Selectwoman Alessio said that the comments she saw were that the Town should follow the School's example and show the increase and not the base budget.

Mr. St. James also said that there had been complaints about the recommendation of the Board and Budget Committee being included. Selectman Wilson said that people find that this may influence voters. Chairman Coombs said that this was exactly why people did want to see the vote, to know where the Board members stand. It was noted that Planning recommendations do not show the vote, only whether an article is recommended or not. Selectwoman Alessio said she thought the recommendation needs to be included, by statute.

Selectman Wilson asked the Board members to drive by the storage facility at night to see that all lights, other than low level security lights, are off by 11 pm. He said he would like to talk to the owner first, rather than send a letter, if the lighting is not compliant. Numerous complaints have been received about the lights. Chairman Coombs said that normally, a complaint on a site plan would go through Planning first. It was agreed that increasing communication could solve many problems before formal action is needed.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Appointment forms were signed for two Historical Museum Committee members
- One veterans tax credit was approved, for Map R16 Lot 5-5-15
- Agent agreements for the Town Clerk with NH Fish and Game were approved and signed.
- An intent to excavate for Map R19 Lot 32 was tabled pending further information.
- Facilities Use request for a wedding at the Plains bandstand was approved.
- Facilities Use request for the South Shore Outboard Association to hold its regatta in September on Greenwood pond was approved.
- Correspondence was received from King's Landing neighborhood association; no response required from the Town.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectman St. James, to approve the public and non-public meeting minutes of March 1, 2021, as written.

SECOND: by Selectman Briggs

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

Adjournment:

Meeting Adjourned at 8:26 PM.

Respectfully submitted,
Susan Ayer, Administrative Assistant