

**Kingston, New Hampshire
Board of Selectmen
Meeting of April 14, 2020
FINAL MINUTES**

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

PRESENT: Phillip Coombs, Chair; Donald Briggs, Vice Chair; Richard Wilson, Electra Alessio, Selectmen.

ABSENT: Kevin St. James, Selectman

Due to the Covid-19 pandemic, meetings are being held in a new format to cut down on people present at one time in the Town Hall. Selectman Alessio joined the meeting from home via Zoom software.

APPOINTMENTS:

Fire Station Building Committee - Next Steps

Building Committee members Mark Furlong, Kent Walker, Graham Pellerin and Chuck Hart were present via Zoom.

Mr. Furlong took a moment to thank the voters for approving the Fire Station funding. He said the committee had a meeting soon after the election to talk about next steps, and they are here to update the Board and get some feedback on a few items.

First of all, Mr. Furlong asked about renewals for Committee members, whose terms all run out in May. After one resignation, the committee currently has nine members, which Mr. Furlong said should be a good number to go forward with. After some discussion, the following decision was made:

MOTION: by Selectman Alessio, to extend the term of the current Fire Station Building Committee for one year, to expire on May 30, 2021.

SECOND: by Selectman Briggs.

All in favor via roll call vote.

It was agreed that the members would not need to be re-sworn.

Mr. Furlong said plans are slowly moving ahead, and that the pandemic situation has not so far affected the progress. He said that the contract for SMP Architects will be forwarded to the Selectmen's office. He said it is similar to the Bauen (Construction Manager) contract. He said that the Bauen contract will extend from now until the bidding process begins, and a purchase order will be needed for that portion of the proposal. Likewise, a purchase order will be needed for the second part of Dennis Quintal's engineering work.

There was a discussion about whether these expenses can be covered by funds on hand (impact fees, capital reserve fund). Mr. Furlong said that there should be enough for the two items mentioned as well as geo testing work, based on the prior bid, although that work is going back out for bids for an updated proposal. Selectman Coombs asked

when Bauen expects to be ready for a pre-construction meeting, as timelines are needed for the bond and financing. Selectman Alessio said that a timeline for construction and a timeline for cash flow would both be needed. Mr. Furlong agreed that this is a discussion the committee needs to have.

Chairman Coombs asked if it was a fair statement to say that the bond money would not be needed until next year, and all agreed it was. He said that issues with the DRA over the Infrastructure Fund warrant articles still need to be ironed out, and how to maximize that money given the financial market.

Mr. Hart said he had spoken with the Municipal Bond Bank and this process will move ahead once all the figures are in. He said the only problem would be if the rates have gone up steeply from the 2.5% originally quoted. He said they do not anticipate this, but are watching the market. Timing of taking and using the bond money was briefly discussed; Mr. Hart said that typically these are processed in July and January, and the proceeds are available as soon as the bond goes through.

Administrative Assistant Susan Ayer asked for clarification of the amount of the bond for the application, and it was agreed that the taxpayers approved 3 million for the bond, as they approved the balance to come from the infrastructure fund. Chairman Coombs said a written decision is needed from town counsel about the DRA question regarding Warrant Articles 7, 8 and 9, and he will contact Attorney Kalman.

Selectman Briggs said that representatives of Unitil and Consolidated Communications will be at the fire station at 11 am tomorrow (April 15) to meet regarding placement of utility poles. He said that he had discussed with one of the representatives the option of moving all the poles to the left side of the building, which would save money if they will all fit there.

Tax Collector: Property taxes 2020

Town Clerk/Tax Collector Tammy Bakie distributed copies of Governor Sununu's Emergency Order #25 and a letter from Bernard Campbell, attorney for the Tax Collectors Association, with advice on some points of the governor's order.

With regard to tax deeding, Ms. Bakie noted that this has been stayed by the Governor's order. She said that she has not sent out deeding notices, and will wait until the stay is lifted to avoid having to do the process all over again. She said it is a waste of time right now because the property cannot be taken. Selectman Wilson clarified that the lien notices recently sent out are for last year's tax bills and have nothing to do with the current situation or deeding at this point. The deed notices that are on hold are for people who did not pay their 2018 taxes.

The other issue addressed by the Governor and Attorney Campbell was that of possible abatement of interest on property taxes. Ms. Bakie noted that any such decision is up to the governing body, not the tax collector. She pointed out that Attorney Campbell advised that "the language of the Order gives ... discretion to the governing body to set

conditions, time limits and amount limits on the interest that can be waived... as long as the provisions are 'uniform' and do not raise 'Equal Protection' issues".

There was a discussion of options for implementing changes to the interest charged. Ms. Bakie said that there is time, up until the tax warrant is prepared, and no decision needs to be made tonight. She said she just wanted to make the Board aware of the Order and what the Tax Collectors' attorney advised, and that any such changes need to be done for all taxpayers, across the board. It was agreed to authorize Ms. Bakie to send this information to Town Attorney Sumner Kalman for his advice.

On other issues, Selectman Wilson asked Ms. Bakie if she has attempted to answer questions and misinformation that have been appearing on Facebook. She said that she did respond to some comments and posted her email and phone number, but that she found it enlightening to see how many people do not realize they can register their vehicles online.

Chairman Coombs said that this leads to the larger issue of getting information out on the web. Ms. Bakie said she would love to have the website updated, and Chairman Coombs suggested that he, Ms. Bakie and Administrative Assistant Susan Ayer could sit down to take a look at it.

PUBLIC COMMENT I:

Ellen Faulconer commented via Zoom that she had registered a vehicle online recently and found it very easy and efficient.

NEW BUSINESS:

Events on the Plains cancelled

Chairman Coombs noted that all events planned for this summer on the Plains have been cancelled, and anyone who wishes to hold an event will need to reapply once restrictions are lifted.

Request for accelerated approval of manufacturing business

Selectman Wilson looked into this request, which was for assembly of protective equipment at Granite Fields. He said that he conferred with the Planning Board Chair and it was relayed to the interested party that the Sears building would be a better location. He said that Granite Fields is in the C3 zone and no manufacturing is allowed, but the Sears location is already approved for manufacturing.

COMMITTEE LIAISON REPORTS:

Selectman Wilson said that some members' terms are expiring on the Heritage Commission, and wondered what should be done, based on what was told to the Fire Station Building Committee about memberships.

MOTION: by Selectman Wilson, that all committees with volunteer members may extend those positions for three months as needed (until July 15, 2020) without being re-sworn.

SECOND: by Selectman Briggs

All in favor, via roll call vote.

Chairman Coombs said that the CLG grant for the Plains Cemetery secured by the Heritage Commission will cover work to be done there, but said he believes three bids still need to be requested. Selectman Briggs agreed, saying this is the policy and practice of the Town.

Selectman Briggs noted that he had been called to look into a problem with handicapped access at the Shell station. He said he is working with the company to remedy the problem.

Chairman Coombs reported that there was a meeting of the Inspectors on Thursday, to see how the permitting procedures are going during the shut down. He said that the Building Inspector was unable to attend, but Permits/Assessing Clerk Tori Dobrowolski said that everything possible is being managed via phone and email, and there is no great backlog of work. Selectman Wilson noted that he had called the plumbing inspector about a job recently and it was handled very efficiently.

Selectman Briggs asked if the inspectors should be supplied with personal protective equipment. Chairman Coombs said that right now they are not entering occupied buildings, but it would be smart to have PPE available to them.

Selectman Briggs said that the Easter parade put on by the Fire and Police departments was very uplifting and received many good comments.

PUBLIC COMMENT II: None heard.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- A notice to excavate form was received for a pond project on Small Pox Road. This is a renewal from last year as the work has not been done. After reviewing details of where the project stands with members of the Planning Board, it was decided to hold this application until more information is received.
- After conferring with Ellen Faulconer and Finance Officer Cindy Kenerson, Chairman Coombs said there are ways to establish a monetary fund to help with rent, utilities, and other assistance needed by families that are out of work during the pandemic. The town would like to proceed with this, and he said he will clarify the rules for collecting and distributing funds with Town Counsel.
- Selectman Briggs said he had received information about a questionnaire from the NH Municipal Association, for towns to get involved with federal funding available. He said he will look into it.
- A question about keeping pigs was routed to the Planning Board Administrator. She said that while in the instance cited no permits are required, the owners must follow the state's Best Management Practices as they do for horses, and get permits for any pens or enclosures to be built.
- A bill for driveway repair was copied to the Selectmen for information; oil leaked by a Monadnock water delivery truck damaged a resident's driveway. This is a matter between the resident and Monadnock.

APPROVAL OF MEETING MINUTES:

Chairman Coombs raised a question brought to his attention about non-public meeting procedures, specifically about making sure they are sealed at the end of the meeting. He also said that it seemed they should be approved and sealed then and not saved until the next meeting for review.

Ms. Ayer said that the problem with approving the minutes immediately is that they have not been prepared or reviewed. Selectman Alessio said that they don't need to be typed, that simple hand-written minutes could be approved right then and put in an envelope. She said that if the minutes are not sealed, they need to be available to the public within 72 hours.

Ms. Ayer said that they are sealed by vote at the end of each non-public session, but that they are then brought back for approval at the next meeting. She said that as even sealed non-public minutes may be requested in the future, they need to be reviewed for accuracy. Selectman Briggs agreed that they need to be checked for accuracy at the next meeting, even though sealed.

After further discussion on the subject, it was agreed to ensure the non-public minutes are sealed every time and if any changes in procedure are to be made, this will be discussed in person. Portions of the NHMA publication referred to by Ms. Ayer will be sent to the board members.

MOTION: by Selectman Wilson to approve the public and non-public meeting minutes of March 30, 2020 as written.

SECOND: by Selectman Briggs.

In favor via roll call vote: Coombs, Briggs, Wilson. Opposed: Alessio. Motion passes.

Chairman Coombs followed up on a question asked earlier by Selectman Briggs; he shared information learned from a source knowledgeable about timber cuts that an Intent to Cut is only required for more than 20 cords or 10,000 board feet if the wood is for personal use. If the wood is sold that makes the cut a taxable event.

Chairman Coombs announced for the public that the Trustees of the Trust Funds have an opening, and residents, especially those with financial backgrounds, are encouraged to apply.

Adjournment:

MOTION: by Selectman Coombs to adjourn at 8:15 PM

SECOND: by Selectman Briggs

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant