

**Kingston, New Hampshire
Board of Selectmen
Meeting of July 20, 2020
FINAL MINUTES**

The meeting was called to order at 6:45 PM in the Meeting Room at the Town Hall.

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

NON-PUBLIC SESSION:

MOTION: by Selectwoman Alessio, to go into non-public session under RSA 91-A:3, II (I): Legal

SECOND: by Selectman Wilson

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

The Board adjourned to Non-public session at 6:47 PM

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

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

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 Affect adversely the reputation of any person other than a member of this board.
Passed by unanimous roll call vote.

Discussed in Non-Public:

Update on legal matter

APPOINTMENTS:

Second Empire Homes: Use of Town ROW between Map U4-100 and 101

(Selectwoman Alessio informed the board and public that she had recused herself from this matter when it came before the ZBA on June 11.)

Charlie Zilch of S.E.C. & Associates gave background information on this proposal, as Second Empire Homes had been before the Selectmen in the fall of 2019 and also to the ZBA. He said that these are two small lots separated by a 30' Town right-of-way. The smaller, Lot 101 had a house on it when Second Empire bought the properties. This house was in bad condition and was razed and removed. Lot 100 has never been developed.

Mr. Zilch said that the first request brought to the Board was to construct a home on the larger lot and to put the leach field on Lot 101; this would have required putting the sewer line under the right of way. This plan was thought to have too many impacts, mainly storm water issues, and Second Empire is now back with a new design. They now hope to build a smaller home, on the smaller lot, which leaves just enough room for a septic system. (Mr. Zilch submitted the septic design to the Board). The well and three

parking spaces are proposed for Lot 100. The ZBA has granted relief from the setback requirements.

Mr. Zilch said he has met with Road Agent Rich St. Hilaire to talk about a driveway permit; the proposed plan is for a 12' driveway within the 30' Town ROW. This would create a straight entrance into the property and the parking area on the larger lot. He said that Mr. St. Hilaire (who was present) was okay with this arrangement. In addition, Mr. Zilch said that the plan could help to create a second access to Camp Lincoln, in which he said there has been strong interest. Selectman Briggs asked if the access area is a Class 6 Road; Mr. Zilch said it is just a "paper street" and would only be purposed as a driveway.

Selectwoman Alessio mentioned issues raised by abutters at the ZBA, including drainage and roof runoff. Mr. Zilch acknowledged these concerns, and pointed out that the proposed house is roughly the same size as the old house that was torn down, but in this case there are plans to deal with the runoff. The second page of the plan shows a dripline trench, drywells and rain gardens proposed to deal with runoff, and an infiltration trench to be placed next to the driveway to capture storm water in that area. He said all runoff and storm water should be kept onsite with these improvements.

Selectwoman Alessio said that there was also concern expressed by one neighbor about large pine trees on the property that are endangering his house. Mr. Zilch said they are willing to remove the dangerous trees.

Mr. Zilch said that there will be no blockage for people wishing to hike onto the Camp Lincoln property. Selectman Briggs said that his concern was about people parking on the ROW as has become a problem in other areas of Town that lead to a hiking trail. Mr. Zilch suggested "no parking signs" could be placed there. Selectman St. James said that he is concerned that the ROW would become the private driveway, and be used to park vehicles and equipment or place a shed. Selectman Briggs suggested that fencing on both sides of the ROW, such as a split rail fence, would help to delineate the property.

Selectman Briggs then said that he had seen the property on a rainy day, and was concerned about impacts to the neighbor on the left. Mr. Zilch said he sees no increase in runoff, as it will be captured by the infiltration trench.

The Chairman invited Public Comment by abutters present.

John Paiva, 22 First Street, said the neighbors in the area are concerned about losing access to the hiking trail if a driveway goes in there. Others present said this was a concern they shared. Chairman Coombs said this could be addressed with the fence and no parking signs.

It was affirmed that Camp Lincoln has been approached and has no problem with hikers on their property.

Selectman St. James said that he felt no certificate of occupancy should be issued until the fence is put up, to avoid the area being a catch-all in the future. Mr. Zilch said they are fine with that.

Chairman Coombs said that the ROW needs to be passable for Town vehicles for snow removal; Selectman Wilson suggested this could be put on the deed. Mr. St. Hilaire said he agrees that the ROW should be shown on the plan, but that he disagrees with the designation of the ROW as a paper road, that it is rather a Class 6 unmaintained road. He suggested that the Board needs to make a motion to allow the owner to upgrade the ROW to a Class 6 road or he will not approve the driveway permit.

MOTION: by Selectman St. James, to allow a well line to cross the ROW and to allow an upgrade of the ROW between U4 100 and U4 101 to a Class 6 Town road, 30' by 80', to be posted "no parking" and fenced on both sides, and to be delineated on any deed.

SECOND: by Selectwoman Alessio

The property owner affirmed that he was amenable to this. Mr. Zilch said he would add this condition to the plan. He also said he would submit the plan as a part of the building application so it will be enforceable, and bring a sample deed to the Board before going to the building department.

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

Richard Perrin - Information - 2020 Census

Mr. Perrin shared information about the 2020 Census, which is currently being conducted. He said that it is very easy to go online and file; there is no cost and no personal information is shared.

Current rate of response in New Hampshire is 61%, and for Kingston it is 66.9%. Mr. Perrin stressed that the higher the response rate, the more funding the community is eligible to receive.

Mr. Perrin will email information that will be shared on the Town's website.

John Wilder requesting permission to level site at 34 Route 125, Map R2 Lot 13

Mr. Wilder, of Fieldstone Realty, said he was here to request permission to put material on his building site. He said the Town had sent him a Cease and Desist letter a few months ago, as he needed to go to the Planning Board, but he is now working with the Planning Board.

Chairman Coombs asked if he had obtained an Alteration of Terrain permit from the State. Mr. Wilder said this is in process. Chairman Coombs said permission to work on the property cannot be granted without that.

Selectman Wilson reported on the status of the case with the Planning Board, saying that Fieldstone is starting over due to a change to condos. It was agreed by all that without extenuating circumstances, this Board can't supersede the Planning Board, so the request was denied.

Road Agent Rich St. Hilaire: Filtration and UV Lighting for Heating Systems

Mr. St. Hilaire and Selectman Wilson provided information they have gathered about installing filtration and UV lighting in all Town buildings that have forced hot air systems. Selectman Wilson had gotten some cost estimates. The UV lights, the purpose of which is to kill viruses and bacteria in the air, would be around \$1,000 to install, and replacement bulbs cost around \$100 each. The Town Hall alone would require 5 filtration units at a cost of between \$425 and \$500 each. The rough estimate of total cost given was \$28,000.

Selectman Wilson said that there are cheaper bulbs, but these are the ones everyone is installing to protect against viruses. The Board discussed the possibility that this is a cost that could be reimbursed under GOFERR or FEMA for COVID-19 expenses. It was agreed that before making a decision on whether to order the filters and bulbs, this question should be answered. Mr. St. Hilaire noted that either way, the Town needs to spend the money before being reimbursed. He said he will get an answer before the next Board meeting.

Health care policy

Mr. St. Hilaire spoke to the issue of the Town's health plan, saying that several employees have had to work until the end of terminal illness in order not to lose their health benefits. He said this is not right, and the Selectmen should be looking at the policy.

Recreation Director Paul Butler - Summer Programs

Mr. Butler spoke to the Selectmen about three things he has in mind for summer activities. First, he said he has been in touch with a person who does pickle ball clinics. He said the basketball court at the Recreation Center could be used for this, and if popular, games could also be played at the high school or Swasey gym.

Secondly, Mr. Butler said he is planning a Family Fun Day for August 1. He said this would be for outdoor activities only, and include the beach area but not for swimming or boating. This would not be a drop-off event; parents would stay and participate. Mr. Butler said he has not had a lot of feedback yet. This would be weather-dependent.

Third, Mr. Butler said he is looking into holding an outdoor movie on the Plains. He has been in touch with Mega Movies USA, who come and set up the screen, and charge from \$250 up, depending on the popularity of the movie. There was a discussion of whether it was advisable to have people park on the Plains. Mr. St. Hilaire said that it is a Town function and a lot less than the activity at a Kingston Days event.

After some discussion, the Board agreed they saw no problem with any of these proposed events.

PUBLIC HEARING:

Resident Parking Policy

MOTION: by Selectwoman Alessio, to adopt the Resident Parking Policy

SECOND: by Selectman St. James

Chairman Coombs explained for the public that this was prepared after several emails were received from residents concerned about lack of parking and/or litter issues. He said that there are stickers available from the Town Clerk's office for \$2.00 each. He also said he is aware there are people from other towns that are not necessarily happy about this.

The Administrative Assistant cited calls and emails from several people who regularly go into the State park in the early morning for a distance swim, and were accustomed to parking in the area across from the park. This is one area that is now posted "residents only". They were concerned about where they will be allowed to park; this past weekend they called the police department and were told they can park on the street. Chairman Coombs said that they can park in the boat launch area, or on the street.

Selectman Briggs read through the policy and noted that it does not delineate all restricted parking areas and is somewhat vague. He said he thinks that this policy needs to be incorporated with the existing parking regulations, Article 1005. He suggested that this matter be carried over to the next meeting.

Selectman St. James said he thought the intent was to address resident parking.

There was further discussion on the reasons for the resident parking policy and where non-residents can park. Selectman Briggs said that where it is legal to park, as well as fines, are spelled out in Article 1005.

Selectman St. James withdrew his motion.

MOTION: by Selectman Briggs, to table this matter until August 3, 2020.

SECOND: by Selectman St. James

In favor: Briggs, Coombs, St. James. Opposed: Alessio, Wilson. Motion carried.

Welfare Guidelines

The revised welfare guidelines include updated payment amounts as well as the addition of assistance with internet costs. These have been posted for public viewing.

MOTION: by Selectman Wilson to approve the updated Welfare Guidelines.

SECOND: by Selectwoman Alessio

All in favor

PUBLIC COMMENT I:

Derek Vater, 44 Great Pond Road, Martin Giorgi, 3 Sixth Street, and Matthew Steinel, 36 Great Pond Road, asked to continue the conversation about hazardous trees that are located on Town property in their area.

Mr. Giorgi said that they knew the Town has been out to look at the trees, and wondered what the status is. Selectman St. James said he had gone out to look with Town Engineer Dennis Quintal and they found that the trees are definitely on Town property, and need to come down. The cost to remove them will be around \$10,000.

Selectman St. James then said that looking at the property in question, he did not see what value it has to the Town. He said there had been a discussion with the neighbors to the effect that if the Town wanted to sell the land, they would take down the trees themselves.

Whether or not the Selectmen have the authority to sell land has been researched; this was on the ballot in 2003 and was voted down, so any land sale needs to go onto a Town warrant for a vote.

Selectman St. James went on to say that per conversations with Rich St. Hilaire, there is reason to retain some of these Town lots in case a community septic system is needed in the future. This would be a million-dollar project and require federal funds. Mr. Giorgi commented that he would not want a community septic system next to his house, and did not think anyone would.

Mr. Steinel said that there are several Town lots there, and paper roads that serve no purpose as they can't be built on. He said the one between his property and Mr. Vater's property is also very steep, and it would make sense to sell it to them to split and provide additional taxable land. He said in essence, nothing can be done with it and the only change would be that he would be responsible for land his children already play on.

Chairman Coombs suggested that the residents may want to consider a petition warrant article asking to be allowed to purchase certain lots. He said that research should be done on which Town parcels may need to be kept in case of future needs, such as low lying areas. This should be done before the Selectmen will be ready to put forward an article, and will take time, so a petition article would be faster.

Mr. Steinel said, for the record, that he is a licensed septic designer, and while he understands the Town wants to keep a few lots for septic projects, there is not enough land for a community septic system. He said that he has designed one for a 40-unit development that was the size of a football field, and there are over 60 houses in Great Pond Park.

Chairman Coombs said keeping the low lying lots is more a matter of drainage. It was decided that Dennis Quintal and Rich should work together to take stock of the Town owned parcels, after which a warrant article authorizing the Selectmen to sell land will be placed. In the meantime, the residents can consider whether to prepare a petition warrant article.

OLD BUSINESS:

Election workers: hiring and payment

The Selectmen revisited the topic of the pay rate of Elections workers, having asked the Town Clerk for her recommendation. She had suggested \$10.00 per hour.

MOTION: by Selectwoman Alessio, to increase the rate of pay for elections workers to \$10.00 per hour, starting at the September 8, 2020 Primary.

SECOND: by Selectman Briggs.

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

Notice that poll workers are needed will be placed on the Town's website and Facebook pages.

Assessment issues - Report on meeting with KRT personnel

Selectwoman Alessio updated the Board on this meeting, saying many things were missed by the Assessors, that should have been updated April 1. Supplemental tax bills have been created for the largest improvements that were not picked up on April 1.

Following the meeting, KRT sent out field assessors to evaluate the Sanborn School building. The new value they arrived at is \$1,987,200, which Selectwoman Alessio said is reasonable. There was a brief discussion of the 79-e tax relief program, which will keep the assessment at the current value for a time frame to be set by the Selectmen. Selectwoman Alessio said that the purchase and sale has been signed and the new owner is ready to start meeting with the Town.

In further discussion, Selectman Briggs and Selectwoman Alessio mentioned other issues that have come to light, and noted that the problems are not solved and must be monitored.

Town reopening policy memo: approve for distribution

This policy, outlining safety measures at the Town Hall and guidelines for meetings, had been reviewed at the last meeting.

MOTION: by Selectwoman Alessio, to adopt the Town Hall Reopening Policy as written.

SECOND: by Selectman Wilson

All in favor via roll call vote.

Library, updates on re-opening

Director Rebekka Mateyk was present to update the Board on progress toward reopening the library to the public. She said they have been providing services since June 3, including material reserves and curbside pickup.

One hold-up to reopening is that the plastic shields have just started being placed. Ms. Mateyk said that the suppliers of Lexan are all busy and the material is on backorder, which made it difficult to get quotes. She ended up finding some locally and is working with the Town Maintenance crew to get the work done, and said she hoped it would be finished by this Thursday.

Ms. Mateyk said she can envision opening in the next two weeks, but this is dependent upon staffing as there have been instances of Covid exposure. She said the Library Trustees have a pandemic policy and interim service plan to help with decision for reopening. She expects to have a specific reopening plan completed this week. She added that only 5 libraries in the Seacoast library coop are open, most by appointment only, and she envisions a similar appointment-only plan.

Selectman Briggs said that he has additional Personal Protection Equipment available if it is needed at the library.

Ms. Mateyk said that a full summer reading program has been offered and is very successful, along with a very active series of programming. She also mentioned that the 3-year NASA grant the library received is still active, and that the comet Neowise is visible until July 22.

Selectman St. James asked if the library has been fully staffed all along, and Ms. Mateyk said that two employees have been on leave of absence.

Financial update

Financial information requested from the Finance Director has been received, and Selectwoman Alessio said it looks like the Town is in reasonably good shape. There was a brief discussion of the Capital Reserve Funds, which Selectman St. James said have already been funded, so there is no option to hold them back. Selectman Alessio said that it is probably the case that none of the Selectmen informed the Finance Officer to hold those accounts. She said that, however, the finances are not bad.

Selectman Wilson said that the reason for reviewing the finances was in order to decide on employee increases. It was agreed that a meeting with Department Heads will be set for August 5th; they will be notified of the schedule. There was a discussion of the budgeted amounts to be allocated.

NEW BUSINESS:

Water filtration systems installed by Town

Correspondence and invoicing for these systems will go to the Health Officer rather than the Road Agent from now on.

Town Hall Server and Email

Chairman Coombs said that it seems there are a lot of connectivity issues, email problems and an old server that is no longer supported. He said he thinks it is time to have a technical consultant come in to give the Town a phased, budgeted upgrade plan. He said that the Finance Officer had found a great deal on a server replacement, but he thinks it is time to have an integrated plan with all departments working together.

Selectman St. James said he had talked with the Fire and Police Chiefs about Block 5 Technology, a company the Fire Department is working with for the new fire station. They are also used by the County. He suggested having Block 5 come in to give their opinion of how the Town as a whole might integrate. Discussion continued and it was agreed it is time to get started; although this will ultimately need to go out for bids, Selectman St. James will coordinate an informational meeting with Block 5.

Fire Station Bond

The Board reviewed paperwork on the bond, which was originally for 3 million dollars; the figures were adjusted by a premium received by the bond bank upon sale of the

bonds, a portion of which was applied to each participant. The total loan amount was adjusted to \$2,644,550. The total payment including interest will be \$3,526,050.

MOTION: by Selectman St. James to accept and sign the bond paperwork.

SECOND: by Selectwoman Alessio

All in favor via roll call vote.

COMMITTEE LIAISON REPORTS:

Selectman St. James reported that the Budget Committee will have their first meeting on August 26. There was a discussion of how the budget should be handled; it was agreed that the department heads should come to the Select Board first, before going to the Budget Committee, in order for the Board to have more opportunity to ask questions and resolve issues before Decision Day. This had been done in the past, but not for the last few years.

Selectman St James also said that when the agenda is prepared, it should be sent to all departments so that anyone with an interest in a topic will be aware it is coming up.

Selectman Wilson said he has been asked to represent the Selectmen on the Kingston history book committee.

Selectman Briggs followed up on the shooting range issue on North Road; they went out and made suggestions to the owner. The owner of the range on Ball Road wants to keep it as-is, so Selectman Briggs said that Conservation Chair Evy Nathan should be asked to look into changes to the trail in this and other areas where the trails are close to a shooting range.

Selectman Briggs said he has heard from Charles Hannigan who is requesting a land swap. It was agreed a plain swap will not work. Discussion turned back to the sale of Town property.

Trails OHRV

An email has been received from Alexis Rudko of the state Trails Bureau, reporting on a call they received from a Kingston resident about Fish and Game conservation officers ticketing people on OHRVs on Rockrimmon Road. Ms. Rudko suggested that if the road is not legally recognized as being an OHRV trail by the town, it may be helpful to post signs on the trail showing prohibited use. Selectman Briggs will look into it, he said his understanding is that portion of Rockrimmon Road was designated as a trail years ago.

PUBLIC COMMENT II: None heard.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Letter of concern re: lack of local adherence to COVID-19 Guidelines: Chairman Coombs cited the rules given the town, and that all have been followed. The writer of the email will be asked to let the Town know if there are specific examples in town, and either the police or Health Officer will go out to check on it and educate those involved.
- Supplemental Tax Bills
- Wetland Permit Application (information) in correspondence folder

- Anonymous donation to COVID emergency fund \$600.
MOTION: by Selectwoman Alessio to accept this donation of \$600 to the Kingston COVID-19 Emergency Fund.
SECOND: by Selectman Briggs.
All in favor via roll call vote.
- Notice of milfoil treatment on Long Pond
- Wetlands Permit application for review
- Intent to cut timber, Marshall Road
- Letter from Glenn Coppelman - enforcement action request: Torromeo industries cutting trees within the buffer. Selectman Wilson will work with the administrative assistant to prepare a letter.
- Duties of Selectmen at Elections print out
- Request from staff to be allowed pay for part-timer employees to attend staff meetings requested by the Board.
MOTION: by Selectman Alessio to approve hourly pay for Town Hall staff meetings
SECOND: by Selectman Briggs
All in favor via roll call vote

Eagle Scout project

Selectman Briggs brought up the topic of the Eagle Scout project; the scout has requested a letter from the Building Inspector stating that the shed on the property is safe to work on. The Building Inspector has drafted a letter stating that the shed can be worked on with adult supervision. Selectman Briggs will contact Primex to make sure there is no liability to the Town.

Castleberry Fair

A letter has been received from Castleberry Fairs and Marketplace proposing an arts and crafts market to be held on the Plains in September. COVID-19 guidelines that will be followed were outlined. The Board agreed that they will entertain this idea; the Castleberry representative will be contacted and asked to submit a Special Events application form with appropriate fees and an insurance certificate.

PFPOPE Deferred Compensation

It was approved at a prior meeting to offer this option to employees; Chairman Coombs signed the agreement.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectman St. James to approve the public and non-public meeting minutes of July 6, 2020, as written.

SECOND: by Selectman Wilson

All in favor

NON-PUBLIC SESSION:

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

SECOND: by Selectman St. James

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

The Board adjourned to Non-public session at 9:45 PM.

MOTION: Upon motion of Selectwoman Alessio, **SECOND** of Selectman Wilson, it was voted by roll call to return to public session at 10:05 PM.

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

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

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

Passed by unanimous roll call vote.

Discussed in non-public:

Personnel issues

Adjournment:

MOTION: by Selectman St. James to adjourn at 10:05 PM

SECOND: by Selectman Coombs

All in favor.

Respectfully submitted,
Susan Ayer, Administrative Assistant