

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of September 14, 2020  
Final MINUTES**

The meeting was called to order at 6:30 PM in the Meeting Room at the Town Hall.

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

**NON-PUBLIC SESSION:**

**MOTION:** by Selectwoman Alessio, to adjourn to non-public session at 6:30 PM, to a topic 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**

**MOTION:** by Selectman St. James, to return to public session, at 7:00 PM.

**SECOND:** by Selectwoman Alessio  
**All in favor via roll call vote.**

**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.

**Discussed in non-public:**

Negotiations for sale of Town property

**APPOINTMENTS:**

**Steven Lieber and John Branagan, Affinity LED Lighting; Tim Noonis, Unitil, via Zoom: Contract for LED street lights**

Town Finance Director Cindy Kenerson was also present. Following up on the discussion at the Board's August 31 meeting, Ms. Kenerson had prepared a cost schedule for the project, which was discussed. Selectman St. James said that the Town needs this in contract form from Unitil. Selectwoman Alessio said that she wants to be sure the Town will be getting the rebates promised; she said a contract is needed with Affinity and with Unitil with all costs spelled out clearly so that there are no surprises.

Mr. Noonis agreed, and listed the costs:

1. Initial project cost from Affinity
2. Net book value of existing lights
3. "Make ready" work of mast arm placement

Mr. Noonis said that these costs are added up and the rebate from Unitil is subtracted. The remaining amount is put on the Town's account, where it can be paid through a 0% loan from the Regional Greenhouse Gas Initiative, or RGGI.

Ms. Kenerson said she would be looking for a contract that spells this all out; she said that the Town needs to know that Unitil will pay the expenses and bill the Town monthly, as there is no money in the Town's budget to pay up front.

Mr. Noonis said that this needs to be executed, and there will be three documents: a service agreement, a loan document for unbilled financing at 0%, and the rebate document. There will be a separate contract with Affinity.

Ms. Kenerson said she just wants to make sure that Unitil will agree to pay Affinity, so that the Town will not be responsible for paying directly. She said it should be laid out so that the Town gets 0% financing for all costs, and that someone is paying Affinity on the Town's behalf. She said that Affinity has sent an invoice to the Town, but the arrangement had been presented to the Selectmen that the Town would pay off the loan after the project is done.

Mr. Lieber said that traditionally, the rebate amount is committed by Unitil and the other half of project costs would be compensated directly from the Town but immediately paid back in the form of the rebate and copay by Unitil. He said this is apart from the mast arm expense, which is more in Kingston due to the number of lights without mast arms.

Ms. Kenerson said that at this point there is no agreement from Unitil. Mr. Branagan said that the matter is at a tipping point, where the Town needs to commit to the project. Mr. Branagan said that Unitil will spell out everything and everyone can review the agreement together.

Selectman St. James said that the Town is okay with the numbers, but needs assurance that the financing and payments will be as presented. He suggested that Mr. Noonis and Mr. Lieber should get together with Ms. Kenerson to get the paperwork together for signatures. Unitil will draft documents for review.

**Lorilee Mather, GeoInsight; Road Agent Rich St. Hilaire; Kingston Small MS4 General Permit: Budget, Scope, Informal Presentation**

Mr. St. Hilaire explained the need for following through with this permit, which is required by the EPA as a way of monitoring and controlling runoff of contaminants into watersheds and water bodies. Mr. St. Hilaire gave some history of the program with respect to the Town, saying he has headed it up since its inception as far as responding to the requirements for inspection and clearing of debris, and working with GeoInsight to see that the reports are prepared and submitted. He said there is a cost involved in hiring the contractors, but it needs to be done to avoid steep fines for non-compliance, adding that his 2021 budget will reflect an increase of \$30,000 for this purpose.

Lorilee Mather then went through a printout of a Power Point presentation she had prepared to explain the MS4, as well as a Scope of Services to be approved by the Board. MS4 stands for Municipal Separate Storm Sewer System. The purpose of the MS4 is to reduce the discharge of pollutants to the "maximum extent practicable", to satisfy the Clean Water Act. The current permit became effective on July 1, 2018;

GeoInsight is working with the Town to complete outstanding Permit Year 1 and 2 requirements, as well as Year 3 and 4 requirements due in June 2021 and June 2022. The permit requires Best Management Practices to be demonstrated for six Minimum Control Measures:

1. Public Education
2. Public Participation
3. Illicit Discharge Detection and Elimination Program
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Good Housekeeping for Municipal Operations

Ms. Mather explained that the public needs to be engaged and educated on such topics of pet waste, fertilizer use, septic system maintenance and the impact of polluted stormwater on water quality. She said that nine waterbodies in Kingston are within the regulated MS4 area and are impaired. "Impaired" can mean either subject to an EPA-approved Total Maximum Daily Load" (TMDL) report, or that have at least one impairment present. These areas were broken down as:

- Four beaches that are subject to the Statewide Bacteria TMDL;
- Two ponds that are subject to Lake Nutrient (phosphorous) TMDL;
- Three other waterbodies, one each for bacteria, nitrogen, or phosphorous Water Quality Limited Water

The importance of complying with the permit responsibilities was stressed; the EPA has started doing random audits, and fines can be assessed for non-compliance. The cost of hiring a consultant such as GeoInsight to identify and fulfill the Town's requirements under the permit, was discussed. Selectman Wilson questioned whether this contract should be put out for bids; this will be looked into before making a decision on the service contract.

#### **Matt Costello: Purchase of Town Land**

Mr. Costello, a resident of First Street, said he is here to see if he can purchase Town land that is adjacent to his parcels. He said he had been approved via a Warrant Article to purchase a parcel in 2006 but had not been able to follow through, and was told too much time has elapsed to act on that approval.

Chairman Coombs said that upon further research, the Board had learned that they do have the authority to sell Town land without Town vote. However, this will require the review of both the Planning Board and the Conservation Commission, and two Public Hearings. He said that abutters may also need to be individually noticed, and a survey will most likely be required.

Mr. Costello will get property information to the Administrative Assistant when he is ready to proceed.

**PUBLIC COMMENT I:** None heard.

## **OLD BUSINESS:**

### **Solar Hills Estates: Update**

The Board has received a complaint that the Solar Hills Estates development, currently under a Cease and Desist pending an amended site plan and bonding for Phase II, has had recent activity such as tree removal and clearing of land. Rich St. Hilaire and Selectman Briggs will go out to see what is taking place.

### **Budget Matters**

The Board recapped the discussion at a meeting with Department Heads that took place on September 9. Departments were advised to keep their budgets under a 2% increase if at all possible. In addition, the deadline for submitting budgets to the Selectmen was extended to September 18.

The Finance Director will be asked to prepare the Selectmen's budget for September 21. Selectwoman Alessio said that Ms. Kenerson should be asked to submit a report monthly for an up-to-date snapshot of budget balances, and also be available to answer questions. Selectwoman Alessio will be the "point person" to talk with Ms. Kenerson and determine what is needed and at what point in the month the report will be available.

## **NEW BUSINESS:**

### **Recreation: Trunk or Treat event**

Recreation Director Paul Butler has submitted a draft plan for this annual event, and is asking permission to hold it with COVID-19 precautions. The Selectmen have no objection to this taking place.

## **COMMITTEE LIAISON REPORTS:**

**Recreation:** Selectman Wilson said that he had talked to Paul Butler about playground equipment. Based on having the Town maintenance crew doing the demolition work, the price is estimated at roughly half the original estimate, or around \$27,000. This will still need to be on a Warrant Article. The Chairman questioned if fundraising, such as was done in the past, might be an option.

**Elections:** Selectwoman Alessio said that the State primary election went very well, and commended Town Clerk Tammy Bakie and Moderator Ellen Faulconer. She also said thanks are owed to the Maintenance department for their role in setting up, cleaning, and removing garbage. She added that the number of voters was larger than ever before for a primary; 28% of voters came out. 1400 votes were cast, 338 of them via absentee ballots.

**PUBLIC COMMENT II:** None heard.

**Selectman St. James left the meeting at 9:00 PM**

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

- A letter was received from the Library Director and Trustees, asking that any refunds received for Library expenditures via the State GOFERR grant be reimbursed to the library budget.
- Abutter notice from the Town of Hookset regarding a wireless facility
- Abutter notice from the Planning Board re: 266 Rte. 125, LLC

- Application received for a Veterans' Tax Credit for total service-connected disability was tabled until the applicant receives his annual letter from the VA.
- Application for an All Veterans Tax Credit was approved.
- A resident was given permission to hold a lemonade stand in front of their home.
- A memo from Glenn Greenwood regarding building permits on Class 6 roads, that had been written for the ZBA, was shared for Board information.
- A complaint has been received about Oak Street being changed to Birch Street, causing residents problems with deliveries. Mr. St. Hilaire said they had not changed the street names but would go out and check if a road sign was turned.

**APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectwoman Alessio to approve the public and non-public meeting minutes of July 31, 2020, as written.

Selectman Wilson asked for one correction, as he had been named as seconding a motion when he was not in attendance at the meeting. Selectwoman Alessio changed her motion to "as amended".

**SECOND:** by Selectman Briggs

**In Favor: Alessio, Briggs, Coombs. Abstain: Wilson. Passed.**

**NON-PUBLIC SESSION:**

**MOTION:** by Selectwoman Alessio, to go into non-public session under RSA 91-A:3, II (c): Matters which, if discussed in public, likely would likely affect adversely the reputation of any person not of this Board.

**SECOND:** by Selectman Briggs

**In favor: Alessio, Briggs, Coombs, Wilson**

The Board adjourned to Non-public session at 9:07 PM.

**MOTION:** Upon motion of Selectwoman Alessio, **SECOND** of Selectman Briggs, it was voted by roll call to return to public session at 9:45 PM.

**In favor: Alessio, Briggs, Coombs, Wilson**

**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: Tax Deeding of properties**

Employee evaluations and raises

**Adjournment:**

**MOTION:** by Selectman Briggs to adjourn at 9:45 PM

**SECOND:** by Selectman Coombs

**All in favor.**

Respectfully submitted,  
Susan Ayer, Administrative Assistant