

**Kingston, New Hampshire
Board of Selectmen
Meeting of September 21, 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; Kevin St. James (via Zoom), Electra Alessio, Richard Wilson, Select Board Members.

APPOINTMENTS:

Barry and Gail Phillips re: 19 Farm Road

Mr. and Mrs. Phillips spoke to the Selectmen about their 31-acre parcel located on a Class 6 road; they would like to build a house there but RSA 674:41 states that in order to obtain a building permit, “the street giving access to the lot upon which the building is proposed to be placed shall have received the legal status of a class V or better highway.” The Phillips have been to the Zoning Board of Adjustment, where they were denied a variance, and asked that the Board consider using their authority to allow the house to be built.

Selectwoman Alessio confirmed that the Phillips had been to the ZBA and the variance was denied. She said that the Town has not adopted the provision in RSA 674:41 I (c) 1, voting to authorize issuance of permits on a private road, so the point was moot.

Mr. Phillips described their wish to build only one residence and that they would sign waivers releasing the Town from liability. He said that he did not want to build a road, and had no problem maintaining the road up to his property himself. He said that three of four of the points of the law are in his favor. He said that this will not cause disruption, that he would take care of the road so there is no cost to the Town, that he will sign waivers, that he has an address on an existing town map, and that the street existed prior to 2004.

Mr. Phillips pointed out that there is a residence built in 1963 at the end of the road. It was pointed out that this was built before the law went into effect. He also made the point that by allowing him one residence, the Town is avoiding someone else building a road and creating a large subdivision.

Chairman Coombs said that several others have come in front of the Board in recent years, and have been denied permits unless the road was converted to Class V. He said the Board has taken this position due to the risk of legal liability, no matter what the waivers or deed restrictions may be. He added that if emergency coverage is waived, the resident would be unable to obtain insurance.

Gail Phillips asked what the difference between Class V and Class VI is; the Chairman said that the Town accepts responsibility for the maintenance of a Class V road; the surface does not matter. Chairman Coombs also said it is not as simple any more as

widening or putting in culverts; the Town needs to adhere to stormwater drainage standards of the MS4 permit.

After further discussion of possible deed restrictions and risks to the Town, the Board was in agreement that their position on the matter has not changed.

Town Clerk Tammy Bakie; Caitlin Milhomme - new part time employee

Town Clerk Tammy Bakie introduced Caitlin Milhomme and said she would like to hire her as a part-time clerk, to take over some of Gail Ramsey's hours and train for the job. The Board spoke briefly with Ms. Milhomme and Ms. Bakie.

MOTION: by Selectwoman Alessio, to take the Town Clerk's recommendation and hire Caitlin Milhomme as a staff member of the Clerk/Collector's office.

SECOND: by Selectman Wilson

All in favor

PUBLIC COMMENT I: None heard.

OLD BUSINESS:

Agreement with Geolnsight - NH Small MS4 Permit

The Chairman took this topic out of order to discuss with Glenn Coppelman, Planning Board Chair, Glenn Greenwood, Town Planner, and Road Agent Rich St. Hilaire, who were all present. He said the current phase of the 5-year MS4 permit, mandated by the EPA, is going to cost the Town \$40,000 which will have to be paid out of pocket unless another option is identified. He gave a brief overview of what is required of the Town, mainly public education and monitoring of the flow of storm water. Geolnsight has been working with the Town for the first 2 years of the permit, and now need to be brought on board for years 3 and 4.

Mr. St. Hilaire said that there are some items, such as providing for post-construction inspections and monitoring, that were not completed in Year 2 and need to be done. He said the Town is responsible for managing all stormwater within its borders, and making sure corrective actions are taken. The Town is subject to audits and possible fines if it does not comply.

There was a lengthy conversation about what needs to be done, including changes to Town regulations and enhanced record keeping. Ideas were suggested on how to help to pay for the consultants, and the maintenance and updates that will continue to be required, such as impact fees or forming a storm water management district.

It was agreed that a small working group will meet to find ways of dealing with the process and funding, and to investigate what other towns are doing. This group will consist of Glenn Greenwood, Glenn Coppelman, Dennis Quintal, Rich St. Hilaire, with Richard Wilson as Selectmen's Liaison. October 5 at 2:00 PM was set as a first meeting date.

Food Trucks

Selectman Wilson asked to discuss the subject of food trucks while Mr. Greenwood and Mr. Coppelman were present. A food truck proposed for the VFW property had been determined to require that the property owner apply for an amended site plan. Selectwoman Alessio said that the Board would have liked to help a small business. It was suggested that rules need to be put in place for food trucks, and that an article may need to be placed on the Town warrant. Selectman Wilson said he will put information together.

Purchasing Policy

The Board reviewed Section 8 of the Town's Purchasing Policy, which allows for the procurement of certain services without soliciting bids. They also reviewed a draft amendment to the policy, an additional bullet point in Section 4, Competitive Bidding:

- All sealed bids shall be mailed directly to the Board of Selectmen, PO Box 716, Kingston, NH 03848.

MOTION: by Selectwoman Alessio, to agree to the amendment to Section 4 of the Town's Purchasing Policy as presented.

SECOND: by Selectman Wilson

All in favor.

The Board will sign the revised policy at the next meeting.

Draft Request for Proposals for Information Technology Services

This RFP has been prepared by Block 5 Technologies as part of its assessment of the Town's technology systems needs.

MOTION: by Selectman Briggs, to send out this request for proposals as a legal notice and on the Town's website.

SECOND: by Selectman Wilson

All in favor.

Draft Request for Proposals for Mosquito and Tick Control Services

The Board reviewed this document being prepared for sending out this fall. It will be given to the Health Officer for review.

2021 Draft Budget

The Selectmen reviewed the draft Selectmen's budget and discussed some points with Finance Director Cindy Kenerson, who joined the meeting via Zoom. Some areas of the budget are incomplete pending more information.

It was noted that in order to encumber funds left in the 2020 budget for contracted services to work on testing and mitigation of PFOAS contamination in wells, a new contract will need to be signed. Sanborn Head will be contacted and asked to prepare an RFP document for this.

MS-535

This document generated by the State Department of Revenue Administration shows the final totals for 2019 expenditures and appropriations. Ms. Kenerson said that it is the first step toward setting the tax rate. The Selectmen will take time to review it and then sign.

COMMITTEE LIAISON REPORTS:

Selectman Wilson said that the **Historical Book Committee** is interested in marketing the book to gain sales and donations, using the Town's website. He said that the book may not be completed before Christmas, as had been hoped, but that ideas such as selling them ahead of time by reserving a copy and issuing a gift card, had been discussed.

Selectwoman Alessio said she had met with the Road Agent to go over the **Highway** budget. She said the budget includes funds for a part time Secretary.

Selectwoman Alessio reported that the **HDC** met and discussed two cases, one of which was continued to the next meeting.

Chairman Coombs reported on the **Inspectors** meeting, and said that the driveway at 35 Marshall Road is still not corrected to the extent it needs to be, and the deadline given is coming soon. He said that the Road Agent, Fire Chief and Police Chief had gone out to look at the progress; a few more things will be attempted.

Selectman St. James said he had met with the Fire Chief about the **Fire Department** budget. He said that apart from salaries, the budget is within a 1% increase.

PUBLIC COMMENT II: None heard.

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- Cindi Lewandowski's reappointment to the Museum Committee was signed.
- Paperwork was signed affirming that the Town will not use form PA-28, Inventory of Property.
- Letters commending Elections officials for a successful NH Primary, and Debra Powers for her accomplishments while Chair of the Heritage Commission were signed.
- A letter received from the Silver Lining Farm, located at the Bakie Farm property, outlining plans for pumpkin picking was read. The board had no objection to the plans.
- A complaint was received regarding a resident cutting and selling fire wood in the Residential/Agricultural zone. Chairman Coombs said that the Agricultural zone provides for such activity; no action was taken.
- Retail Dealer and Transporter Registration forms, already reviewed by the Planning Board, were signed for AJA Auto Repair and Nationwide Recovery Services.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectwoman Alessio to approve the public and non-public meeting minutes of August 14, 2020, as amended:

Selectman St. James said that it should be noted that he left the meeting at 9:00 PM, and the final motion to adjourn was not made by him.

SECOND: by Selectman Briggs

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

NON-PUBLIC SESSION:

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

SECOND: by Selectman Briggs

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

The Board adjourned to Non-public session at 9:00 PM.

MOTION: Upon motion of Selectwoman Alessio, **SECOND** of Selectman Briggs, it was voted by roll call to return to public session at 9:55 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:

Personnel compensation; legal advice

Adjournment:

MOTION: by Selectman Briggs to adjourn at 9:55 PM

SECOND: by Selectman Coombs

All in favor.

Respectfully submitted,
Susan Ayer, Administrative Assistant