

**Kingston, New Hampshire  
Board of Selectmen  
Meeting of December 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; Electra Alessio, Richard Wilson, Kevin St. James, Select Board Members.

**APPOINTMENTS:**

**Tammy Bakie, Town Clerk**

Ms. Bakie said that to date about \$456,000 of 2020 property taxes remain uncollected, which is within the normal range; payments are still coming in, but slowly.

Ms. Bakie then shared a letter from the Department of State, which states that the Board of Selectmen has authority over the decision on how to use the CARES Act grants which Towns received to help cover the cost of additional absentee ballots processed in the 2020 elections. The Town of Kingston, based on \$11.50 per absentee ballot, received two grants, one for \$5,000 and one for \$3,109.68. Ms. Bakie said that she is asking that some of this money be used for stipends to be paid to the Supervisors of the Checklist. She said the Supervisors are paid \$400 per year; she said Chairman Ken Isaacs alone put in roughly 180 hours of work so he was paid \$2.22 per hour.

The numerous tasks performed by the Supervisors were described by Ms. Bakie, and she emphasized that the elections went very smoothly in spite of the unusually large number of voters (321 voters registered on Election Day alone) and especially absentee voters. She suggested a stipend of \$300 for Mr. Isaacs and a little less for the other two.

Selectwoman Alessio agreed that the job of the Supervisors has changed dramatically in recent years, and that a stipend is well deserved.

**MOTION:** by Selectwoman Alessio, to pay, out of money received from CARES Act grants, \$300 to the Chairman of the Supervisors of the Checklist, and \$150 each to the two other Supervisors, for a total of \$600.

**SECOND:** by Selectman St. James

**All in favor**

**PUBLIC COMMENT I:**

Bob Ducharme, 36 Main Street addressed the Board to discuss a letter he had recently received from the Town, giving him 7 days to remove "boats, equipment or other items" from Town land near Sands Lane. He said he needs to be told what he is storing there.

Chairman Coombs explained that 6 or 7 water craft are parked on Town land, in the area in between the boat launch and Sands Lane. He said the Town Engineer has surveyed the area. Mr. Ducharme said he saw the surveyor stakes and questioned how

far toward the water the Town owns. Selectman Briggs said the State owns up to the high water mark, and the stakes were meant to show where the property line out to that point is.

Mr. Ducharme said that he has a couple of kayaks, and his neighbor does as well. He said his neighbor is older and can't bring her kayak back and forth to her house every time she uses it. Chairman Coombs said that people are storing motor boats and jet skis in the area. Selectman Briggs said there is a little bit of everything. Selectwoman Alessio said the point is that things are not to be stored there all winter, that this becomes a liability to the Town.

Mr. Ducharme said he wants to know where the Town owned land is. He said he wants to walk down to use the lake without always having to lug his kayak. Selectman St. James made the point that everyone else has to.

Mr. Ducharme said he also has a pontoon paddle boat, which doesn't paddle, and will sink if he tries to take it out of the water. He said he can't get his truck down the right-of-way because it has been narrowed by another land owner over the last few years. He said he does not know how to get the paddle boat out. There was a discussion of the right-of-way, which is included on three of the deeds, according to Mr. Ducharme.

Chairman Coombs said that this topic has come up three times recently, so it should not be a surprise to the residents who received the letter. He said once it came to the Board's attention they had to act. He said the Board will work with the residents involved, but the private property has to go.

Marjorie Beals, 34 Main Street, said she stores her kayak in the wooded area, but only in the summer, and that it is not down there now. She said she could not drag the kayak back and forth every time on her own.

It was agreed that the area needs to be cleared of private belongings, and to revisit the topic in March in order to discuss short term seasonal storage, and also to meet and coordinate with Recreation Director Paul Butler.

Rich St. Hilaire, Road Agent, said that the right-of-way to the beach is clearly defined in a court order from the 1950's, and in the 1970's the State put in boat landings. He said that technically it is a Town Beach. He said more research needs to be done before any decisions are made. Mr. Ducharme said he had read the court order, and the right-of-way that is there now is not the same as what is talked about in the court paperwork. He said that someone has allowed a septic to be put over the top of it, and at this point you can't get down it with trucks and boats.

### **Truck for Building Maintenance**

Mr. St Hilaire said that there is a purchase order in front of the Selectmen for a new state bid truck for use of the maintenance department. It is diesel, gas would be \$10,000 cheaper, or \$29,000. Mr. St. Hilaire said that he would prefer gas; this truck was bid out as diesel but it can be changed to gas by the owner. Mr. St. Hilaire said he is here in

case there are any questions. There was some further discussion of the truck, and the reasons it is needed.

## **OLD BUSINESS:**

### **Sale of Town-Owned Land - Discussion of Policy**

Selectman Wilson had taken this draft policy to Town Counsel; Attorney Kalman had sent an email with his opinion. Selectman Wilson said that basically, Mr. Kalman had said that there is no need for a policy if the RSA is followed, and that each lot should be taken on an individual basis. The attorney felt that a policy might hinder that, and allow for some pitfalls. He said that the best way is to list all properties and auction them.

Chairman Coombs said that it has been learned, as in the last discussion, that every piece of land is unique and may have various covenants on it, so if Attorney Kalman felt the RSA alone will keep the Town out of trouble he is fine with that. Selectman St. James said that the policy that was drafted basically is the RSA, written out in steps. Selectwoman Alessio said that the sentence added at the end, "At the discretion of the Board, certain properties that are non-conforming as building lots may be offered only to abutters" reflects what the Board discussed and she thinks it should be included. Selectman St. James concurred.

**MOTION:** by Selectwoman Alessio, to adopt the policy and procedures as outlined in RSA 41:14-a, described as the Town of Kingston policy dated December 14, 2020.

**SECOND:** by Selectman Briggs

In discussion, Selectman St. James said he agreed with the attorney that the RSA should be followed and said the policy basically is the RSA. Selectwoman Alessio said that a task force may need to be formed sometime in the future, to evaluate town properties that may be eligible for sale. Selectman Wilson said that the Board should not lose sight of the goal to get as much as possible for each lot, and that it should be wary of limiting sales to abutters.

**In favor: Alessio, Briggs, St. James, Wilson. Opposed: Coombs. Passes.**

### **Mosquito and Tick Control Services Contract: Decision**

Chairman Coombs said that the Health Officer had reviewed the two bids and commented that Dragon Mosquito had good experience and familiarity with the Town. However, it was pointed out that there is a \$2,400 difference in the price.

**MOTION:** by Selectman St. James, to accept the bid of Northeast Vegetation and Mosquito Control, for the total contract price of \$27,500 per year.

**SECOND:** by Selectman Wilson.

In discussion, it was noted that the main reason for the decision is cost, as the work offered by each company is identical. Chairman Coombs asked Selectman St. James if he would like to follow up with references before the contract is signed. Selectman St. James amended his motion to include "pending affirmation of references".

**All in favor**

### **Town Report Publishing agreement**

There was a brief discussion of the per-book price offered by the low bidder for the Town Report publishing work.

**MOTION:** by Selectwoman Alessio, to order 200 Town Report books to be published by R.C. Brayshaw

**SECOND:** by Selectman Wilson

All in favor

**NEW BUSINESS:**

**Consulting Services Agreement, Town Planner: Review/Approve**

The Board questioned the timing of this agreement coming to them, as it is the 2020 agreement and includes tasks that have already been addressed. It was agreed to get more information and table the matter until December 28.

**COMMITTEE LIAISON REPORTS:**

Chairman Coombs, reporting on discussions at the Inspectors meeting, said that at the Fieldstone site there has been logging done, and materials are being brought in. As there has been no preconstruction meeting for the site, Selectman Wilson will bring this up at the Planning Board meeting. Chairman Coombs noted that the Board should work with the Planning Board on the preconstruction process. He suggested that taking minutes and notifying abutters for a preconstruction meeting may be helpful.

Selectman Coombs then said the new occupant at 5 Route 125 has yet to complete his occupancy permit. The Administrative Assistant was asked to write a letter to remind him.

Selectman Wilson reported that the Recreation Commission would like the Selectmen to place a warrant article for a new swing set at Comeau Field. In addition, he said that there was an issue with a family refusing to wear a mask at the tree lighting ceremony.

Selectman St. James said that the Budget Committee had discussed funding for fireworks as there is no funding anywhere in the budget for this. There was a brief discussion about funds in Kingston Days vs. Recreation, and whether funds for fireworks should be budgeted, or raised by the Kingston Days committee.

**MOTION:** by Selectwoman Alessio, to put \$5,000 in the 2021 Recreation budget for fireworks for 2021.

**SECOND:** by Selectman St. James.

Chairman Coombs gave his opinion that both fireworks and the playground equipment should be paid for by fund raising, and not through taxes. Selectwoman Alessio said that she disagrees about the fireworks, as people look forward to them and there is a big crowd every year. Selectman St. James said that he agrees on the playground equipment, but that from personal experience he knows that it is hard to raise funds for fireworks. Chairman Coombs commented that there is more to it than fireworks; money will be needed for crowd control, parking, and other related expenses.

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

**Motion failed.**

Selectman Briggs said he will gather more information about the status of the Kingston Days budget and 2021 plans. This motion may be revisited by one of those opposed.

**PUBLIC COMMENT II:** None heard.

## **BOARD BUSINESS:**

- **Bond Release, Viens:** The Board agreed that if the Planning Board is satisfied with the project, they are fine with releasing the bond. Selectman Wilson will talk to the Planning Board.
- **Bond Amount, Hawks Ridge:** There was a brief discussion of issues at the Hawks Ridge subdivision, including a problematic swimming pool permit, which will be revoked by the Building Inspector. In addition, some confusion about the unfinished houses and lots needs to be cleared up. Bond amount was not set.
- **CIP Submission: Perambulations of Bounds:** It was agreed that the perambulations of Town boundaries with other towns (8) need to be caught up, as this is a state requirement and also important for tax purposes. A Capital Improvement fund item will be added, and a Request for Proposals will be created to solicit surveying bids.
- **Summary of Town Accounts:** Monthly information submitted by the Finance Director.
- **Decision: Meeting of December 21; Close early on December 21 and December 31:** On a motion by Alessio, seconded by St. James, all were in favor of closing the Town Hall early on these two days.
- **Code Enforcement Officer:** Selectman Wilson said he thought there should be a Warrant Article added to create the position of part time Code Enforcement Officer. Chairman Coombs said he thought it should be put in as full time; there was discussion of starting as part time and combining with either Health or Building inspector. It was agreed that a great percentage of recent concerns have to do with Code Enforcement, including site plan enforcement and stormwater permit concerns. The Board agreed that the public needs to be informed and encouraged to support this position.

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

- **One Veterans Credit application approved.**
- **Application for Facilities Use: VFW wreath placement: Approved**
- **Abatement request Map R20 Lot 6-B: Approved**
- **Tax Collector forms for two previously approved abatements: Signed**
- **Administrative Abatements (2): U5, Lot 2; R33, Lot 41-1, Approved and signed**

## **APPROVAL OF MEETING MINUTES:**

**MOTION:** by Selectwoman Alessio, to approve the public and non-public meeting minutes of December 7, 2020, as written.

**SECOND:** by Selectman Wilson

**In Favor:** Alessio, Briggs, Coombs, St. James, Wilson; **Passes**

## **NON-PUBLIC SESSION:**

**MOTION:** by Selectman Briggs, to enter non-public session under RSA 91-A:3, II (I), pending legal issues and (a) Personnel

**SECOND:** by Selectman St. James

**All in favor**

**Meeting adjourned to non-public session at 8:45 PM.**

**MOTION:** by Selectwoman Alessio, to return to public session at 8:55 PM

**SECOND:** by Selectman Briggs

**All in favor**

**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 during non-public session:** legal advice; employment contract

**Next Meeting of the Board:**

The Board will meet on December 28 at 7:00 PM.

**Adjournment:**

**MOTION:** by Selectman St. James to adjourn at 8:55 PM

**SECOND:** by Selectman Wilson

**All in favor.**

Respectfully submitted,  
Susan Ayer, Administrative Assistant