

**Kingston, New Hampshire
Select Board
Meeting of August 9, 2021
FINAL MINUTES**

The meeting was called to order by the Chairman at 7:05 pm.

PRESENT: Phillip Coombs, Chair; Richard Wilson, Vice Chair; Electra Alessio, Kevin St. James (arr. 7:20 PM), Donald W. Briggs, Select Board Members.

APPOINTMENTS:

Tammy Bakie, Town Clerk-Tax Collector

Ms. Bakie reported that Total Notice, the company the Town contracts with to research and notify taxpayers who are delinquent in payments, had failed to send out the notices due to illness. She said she found this out at the last minute, and was able to get the research the company had completed and get the letters out by the deadline. She said the new law is that the taxpayer needs to be notified within 60 days, not 45 days as in the past. Because it was so close, she said she wanted the Board to be aware in case it becomes an issue in two years should any of these taxpayers be subject to deeding.

On another topic, Ms. Bakie said that she has been attempting for years to obtain PCI (Payment Card Industry) compliance for the Town. She said Block 5 was able to accomplish this very quickly, and she wanted to let the Board know that. Selectwoman Alessio said that the Finance Director should be made aware of this, as it could affect other costs and fees.

Wayne Young: Dorre Road

Mr. Young had submitted copies of a State Superior Court decision from 1995 in a case brought by Dorre Road residents against Torromeo Trucking and the Town, along with pictures and articles from 1982 that illustrate the long-term issues with the roadway. Mr. Young said he had just had the property surveyed, and said it shows where the Town encroached on his property. He said the stone wall that had been there is gone. He also said that the state had said the road needs a 5" layer of hot top, and he believes it is only around 3".

Chairman Coombs said he had visited the area about a year ago and also talked with the Town Engineer at that time. He apologized for not following through, and said he agrees that the issues persist and need to be addressed. Rich St. Hilaire said that he was the Road Agent 26 years ago when the road was paved, and said he recalls it being 3.5" on existing pavement; Mr. Young disputed that the road had been paved before that.

There was a discussion of the old and new surveys and various details of the road issues. Chairman Coombs said that full engineering plans need to be done, as paving the road will not fix the drainage problems.

MOTION: by Selectwoman Alessio, to authorize the Chairman to contact Town Engineer Dennis Quintal and request a quote for full engineering plans for Dorre Road.

SECOND: By Selectman Briggs

All in favor

(Selectman St. James joined the meeting.)

PUBLIC COMMENT I: None heard

COMMITTEE LIAISON REPORTS:

Selectman St. James said that **Recreation** is still selling bricks to fund the playground. Selectwoman Alessio said that the **Kingston Days Committee** would like to thank the Town Highway, Fire and Police departments for all the help during the event; everything went extremely well. She said that proceeds from the Carnival are not yet known. She commended the committee for a great job.

Selectwoman Alessio said she had forwarded the information shared by Revision Energy about a solar installation on the closed landfill with the Superintendent of **Schools**, Tom Ambrose. She said she will also be getting an update on the status of the Sanborn Seminary project from Mr. Ambrose.

OLD BUSINESS:

Conservation projects - Manuel Property access to Country Pond

Letters have been received from two abutters to the Manuel conservation property, expressing concerns over the proposed car-top boat launch on Country Pond. The Chairman read the letters, which cited concerns including a new influx of people on Green Road, the right-of-way being too narrow to accommodate more than one vehicle or an emergency vehicle, and trash.

Selectman St. James said that while he understands the concerns, he also said he was not aware that this 1500' of access to Country Pond existed until now, and the Conservation Committee presented well what they envision and how they would safeguard the area. He said that he can't see four residents making a decision on access over Town owned property. Chairman Coombs said that the land was obtained with LCHIP funds, and has to be open to all New Hampshire residents.

It was agreed that Conservation will be asked to finalize the details of the plans before the Board will vote on this project, as the liability concerns are valid. Selectman Briggs will request a more complete plan in writing for the next meeting.

Conservation Projects - Sargent Road

Selectman St. James said that this project is a simple fix to access to the trails off New Boston Road. Chairman Coombs said that it is good use of the property. Rich St. Hilaire said that since Sargent Road used to be a Class 5 Road, it is acceptable to use Highway funds for the parking area.

MOTION: by Selectman St. James, to move forward with plans for the Sargent Road parking area as submitted by Conservation.

SECOND: by Selectman Briggs

All in favor

Tucker Road- request for road class upgrade

Selectman St. James said that there have been requests to upgrade other roads, such as Bluebird Lane and Farm Road. He questioned whether it can be done for one road and not others.

Rich St. Hilaire said that after the site walk took place last week, he called the State to get updated information on all Town roads. He said that according to the State's records, the first 1256.68 feet, or about .238 of a mile, of Tucker Road is Class 5 roadway. The remaining .671 of a mile is Class 6. The house is about 1200 feet in. He said he thinks this satisfies the need for Class 6 roadway to build on; he said that Tucker Road is included in the Highway block grant money received every year for maintenance.

Chairman Coombs asked about the status of the other two roads that have had building requests; Mr. St. Hilaire said that Bluebird Lane is .2 miles long and is Class 5. Farm Road has .215 miles of Class 5 paved roadway; the rest, .486 miles, is Class 6.

Mr. St. Hilaire said that a building permit can be issued on Tucker Road without affecting the other roads. He said that the Town's road inventory book needs to be updated; the State's records take precedence.

Sale of Town- owned lots

A letter from Town Counsel has been received, advising the Board that there is no need to have surveys done on all the parcels to be auctioned, as no covenants will be provided with the title. They will rely exclusively on the collector's deed that is the source of the Town's title, and include a non-building restrictive covenant.

This being the case, the surveys will not be continued, and the process of selling the properties, starting with notifying abutters and setting public hearings, will begin. Minimum bids will be researched based on cost to the Town.

American Rescue Plan Act - Local Fiscal Recovery Fund

The Board reviewed a preliminary listing of possible projects and expenses for payment under the Local Fiscal Recovery Fund. The basic categories of eligible expenditures provided by the state, along with notes on items discussed so far, were provided for discussion. This will continue to be researched, and will be a topic of discussion at the Department Heads meeting on August 30 at 9:00 am.

Settlement Decision: Consolidated Communications

Chairman Coombs explained that this is a settlement of an assessment dispute that has been going on for years between Consolidated Communications (formerly Northern New England and Fairpoint) and several towns. Recently, Consolidated has offered a settlement agreement to Kingston for two years in question, 2017 and 2019. If the Town chooses not to settle, it will mean going to court. The Board will be discussing details of a response in non-public session.

NEW BUSINESS:

Website policy

Adam Faulconer has been asked to help with changes requested by the Conservation Commission for their web page. He has pointed out that it would involve a link to a Google Drive account, and to content that the Town does not have direct control over. In a memo, Mr. Faulconer referenced cases of “link rot”, which could potentially cause people clicking on the Town link to wind up on an inappropriate site. His recommendation is to copy information from the linked drive to internal servers, and to make this part of the website policy.

The Board was in agreement that Mr. Faulconer should be directed to add the links utilizing the Town’s server, as he recommends.

BOARD BUSINESS:

The Administrative Assistant has received a question about whether the Town’s mask wearing policy will be revised now that COVID cases are increasing. Chairman Coombs said that the policy is still that masks are recommended but not mandated in Town buildings. He said that any specific concerns should be brought to his attention.

PUBLIC COMMENT II: None heard

CORRESPONDENCE, APPLICATIONS, PURCHASE ORDERS:

- A contract with Truslow Resource Consulting to update the Aquifer Maps has been approved by the Planning Board and needs to be signed by this board. Glenn Coppelman, Planning Board Chair, was present and explained that the aquifer mapping is good but better overlay of the parcels was needed, to show where lot lines and improvements are in relation to the aquifer. The Planning Board approved the \$2,600 cost out of their budget (not to exceed \$3,000). The Board had no issues with signing this contract.
- A request for paid time off was received from the Administrative Assistant, and approved.
- An inquiry was received about an apartment allegedly built over a garage at a Wadleigh Point property.
- Highway Block Grant Aid anticipated payment information was received and reviewed. This is for 2022, estimated amount at \$166,000. On a motion by Selectwoman Alessio, seconded by Selectman St. James, the Board unanimously voted to accept the 2022 Highway Block Grant money as unanticipated funds.
- Initial decibel readings from music activity at Saddle Up Saloon were received from Reuter Associates. Mr. Coppelman commented that this data was reviewed by the Planning Board at their last meeting; even though the weather had not been good and the owners were under scrutiny, some of the sound exceeded acceptable levels. Some complaints were received yesterday (Sunday August 8), but the sound was not being monitored at that point.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectwoman Alessio, to approve the public and non-public meeting minutes of July 26, public and non-public, with one correction: on page 5, Paragraph 5, Chairman Coombs said that his comment in the last sentence was not that it had nothing to do with the Town, but that “it was not germane to the topic at hand”.

SECOND: by Selectman Briggs

In favor: Alessio, Briggs, Coombs; Abstain: St. James; passes

NON-PUBLIC SESSION:

MOTION: by Selectman St. James, to enter non-public session under RSA 91-A:3, II (a) Personnel and II (d) Consideration of the acquisition, sale or lease of real property, and (l) legal advice

SECOND: by Selectwoman Alessio

All in favor

Meeting adjourned to non-public session at 8:21 PM.

MOTION: by Selectman St. James, to return to public session at 8:45 PM

SECOND: by Selectwoman Alessio

All in favor

Motion made to seal these minutes: Motion made by Selectman Alessio, seconded by Selectman St. James , 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.

Roll Call Vote to Seal Minutes:

Phillip Coombs	Y	Richard Wilson	Absent
Kevin St. James	Y	Electra Alessio	Y
Donald Briggs	Y		

Motion: PASSED

Discussed in non-public session: Personnel; acquisition of real property; legal advice on a settlement offer

Adjournment:

Meeting Adjourned at 8:50 PM

Respectfully submitted, Susan Ayer, Administrative Assistant