

MINUTES OF THE DELIBERATIVE SESSION KINGSTON, NEW HAMPSHIRE FEBRUARY 3, 2024

The Deliberative Session of the Annual Town Meeting, Saturday, February 3, 2024, was called to order at 9:00 AM by the Moderator Ellen Faulconer.

Chris Bashaw, Chairman of the Select Board, called the select board meeting to order and introduced the board: Electra Alessio, Glenn Coppelman, and Laurie Szwed (Chuck Hart was listening off site). Paula Mahoney, Finance & Personnel Director, Huddy Grandy, Town Council and Tammy Bakie, Town Clerk-Tax Collector. Trish Tidd, Chairman of the Budget Committee called the Budget Committee meeting to order and introduced the members; Stacy Dion, Rick Russman, Kim Donahue, John Pramberg, Gary Finerty, Annemarie Roth, Claudine Dias, and Nick Hilfer and recording Secretary Cynthia Mulcahy.

Moderator Faulconer welcomed everyone and asked them to stand for the Pledge of Allegiance.

Copies of the proposed Budget, default budget and Warrant Articles were available at the door for people attending the meeting.

Moderator Faulconer stated we would start with article 27 as the public meeting to discuss the zoning articles had already taken place and reminded everyone the purpose of the meeting. Moderator Faulconer stated that due to a procedural issue the budget going forward is the select boards not the budget committees, and the chair of the select board would be presenting the budget.

ARTICLE 27:

Shall the Town of Kingston raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by vote of the first session for the purposes set forth therein, totaling \$ 9,590,001? Should this article be defeated, the default budget shall be \$ 9,679,395, which is the same as last year, with certain adjustments required by previous action of the Town of Kingston or by law; or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority Vote Required)

Estimated tax impact is \$4.75/\$1,000 Estimated tax impact of default budget is \$4.81/\$1,000

RECOMMENDED BY THE SELECT BOARD 5-0

NOT RECOMMENDED BY THE BUDGET COMMITTEE 4-2

Chairman Chris Bashaw stated that due to a procedural issue under RSA 32:5 there were some nuances that happened that required the board to officially put out a notice that the budget committee failed to recommend a budget so by state statute this is not their proposed budget. Chair Bashaw stated this was not intentional, but on some votes

that occurred they had some questions, and they didn't have a final recommendation which conflicts with state law. Chair Bashaw stated that the budget committee had been meeting with department heads and committee chairs, since November, and on decision day 1 the proposed budget of 9,590,001.12 was moved forward by the budget committee by a vote of 5 to 3 which is the same budget we have before us today. On decision day 2 the same budget committee voted to not recommend the same budget by a vote of 2 to 4. Since that occurred it is considered a failure to recommend under RSA 34:5, IX There are no changes to the last budget that had been voted to move forward and subsequently not recommended by the budget committee. Overall, the 2023 budget of 7.9 million and 2024 budget of 9.5 million, a very significant increase of 19.93 % the default budget is \$89,393.22 higher than the proposed budget. Health insurance and retirement cost increases of approximately 750 thousand and health insurance has not gone out to bid since 2004 which the board recognizes as completely inappropriate and they have put measures in place to mandate going out to bid and offer some cost savings in the future. The retirement is set by the state, the state stopped contributing to retirement in 2010. Insurance costs include dental, health disability, and workers compensation. The budget includes 288 thousand in PFAS remediation, we do qualify for a grant of 100% reimbursement, but the monies need to be appropriated even though we are eligible for the reimbursement as it could be in a different budget cycle. This is a one-time appropriation although there will be maintenance costs in next year's budget. The budget includes 175 thousand in highway block grants which are also reimbursable but again must be appropriated. There are increases in the major departments; Fire 12.58%, Police 6.0%, Public Works 4.53%. For the last three years there has been a cost-of-living increase and pay for performance increase. Last year the budget committee conveyed they would rather see a pay matrix. There are two ways to create the matrix; hiring a private company or create in house. It was decided to have an internal pay study and a working group was created with 2 select board members, 2 budget committee members and 2 private citizens. After it was posted publicly 1 individual signed up, attended 1 meeting and then resigned due to time constraints. This group continues to work on the matrix and recommended increases to the fire department to be more in line with surrounding communities, and the police department is retaining officer after increases. The budget is a collaboration of the budget committee, department heads, select board members and the public. The definition of appropriate is to set apart for a specific purpose. Decision days with the budget committee we went line by line, but this was just an overview.

Moderator Faulcouner read the article and stated that she had been advised that Chief Joel Johnson would like to amend the budget. Chief Johnson stated that he would move to amend the budget by adding the sum of \$6,500.00 to the Police Budget for Active Shooter Training salaries. Trish Tidd seconded. Chief Johnson stated this year they have had 4 threats on the school. He stated that it is important for officers to learn how to react to an active shooter, which not only includes the school, but town hall, the post office, it can happen anywhere. Chief Johnson spoke of an incident where an individual shot 18 rounds at two people at the Draft House. Chief Johnson stated that he would appreciate it if the towns people would step up and make this happen. Chief Donald Briggs stated that if you watch tv you are aware of the incident at Uvalde if officers had been trained the town would not be getting sued. Chief Briggs stated the training is

necessary to make the schools and the community safer. Don Jean reiterated that responding officers must be trained; it is a matter of public safety; it should be put back in the budget and be included every year. Mary Cyr stated no one wouldn't support this, money was removed by the budget committee it doesn't mean that funds are not available and there is no reason to increase the budget. There is an average surplus of 3%-5% in the budget and it would be up to the next board to disperse. Barbara Ryan stated that it is a bottom-line budget, and the board of selectmen have the authority to move monies. Kyle Bache stated the money should not come out of the detail fund as that is for emergencies and would set a precedent and eventually exhaust account. Katelyn Bache stated she works at Bakie School and appreciates seeing officers in the school every day. Ms. Bache spoke of the NEA magazine's January issue addressing gun violence in the schools. Ms. Bache stated she feels safer knowing officers can handle an active situation and asked for support. Chief Briggs stated he and Chief Johnson had stopped two plans for school shootings, complete with hit list and shotguns. Chief Briggs stated it can happen here. Chair Bashaw stated he fully agreed the money should be in the budget, should anything happen, the town will be scrutinized. The budget committee requested that money come from a different source. The money can't come from the detail account or the drug asset forfeiture account as it is illegal to use the accounts for salaries or overtime. Trish Tidd stated that Chief Johnson came to the budget committee with a separate request one week after the Lewiston shooting, and it was a very emotional meeting, \$6,500 should not be the difference between a child life. Nick Hilfer stated that it was not unanimously voted down. John Pramberg stated at the time they had looked at it from a procedural aspect and it was not in the original police budget. They were voting to increase a budget that had already been submitted. Mr. Pramberg reiterated that the board and Chief Johnson could find the money if they want to, and it is not necessary to increase the budget. Mr. Pramberg stated that there had been a 42% increase over the last 3 years and adding on would undermine the process. A vote was taken to amend the article to a proposed budget of \$9,596,501 the amendment passed, and the moderator declared the article would move to the ballot as amended. Chair Bashaw made a motion to restrict the article for reconsideration Electra Alessio seconded, the motion passed.

The budget committee changed their vote to 8-2 to recommend the budget.

Article 28 Authorize Tax Collector allow a 1 1/2% tax deduction

To see if the Town will vote to authorize the Tax Collector to allow a 1½% deduction from Property Tax when payment is made prior to the due date. It is the responsibility of the taxpayer to take the deduction; deductions not taken by the taxpayer on or before the due date will not be refunded. (Majority vote required)

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 7-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 29 Appropriate and Raise for Capital Reserve Fund

To see if the Town of Kingston will vote to raise and appropriate the sum of \$75,000 to be added to the Highway Department Equipment Capital Reserve Fund previously established. (Majority vote required)

Estimated tax impact is \$0.05/\$1,000

RECOMMENDED BY THE SELECT BOARD 3-2

RECOMMENDED BY THE BUDGET COMMITTEE 4-3

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. DPW Director Phil Coombs stated this was an ongoing warrant article to set aside a pool of money, so as it is necessary to replace equipment there doesn't need to be a separate warrant article and it takes the guess work out of vehicle maintenance and repair. Director Coombs stated a plow truck cost 240 thousand dollars, the loader is a 2008 that lives in salt six months out of the year. The original ask was \$100,000.00 but the board of selectman reduced the article to \$75,000.00 and he understands but would appreciate support. Glenn Coppelman stated that he supports the director of the DPW and capital reserves have been supported in town for years. It pained him to reduce by 25 thousand and hopefully in future years will be able to be made up. Barbara Ryan asked for clarification if a yes vote would mean it would be for every year and if the purchase would be just out of this account and would it go on the ballot so citizens would still have a say. Electra Alessio stated every year the article is voted on. Chair Bashaw stated at the time of purchase the DPW Director would come to the BOS to withdraw from the capital reserve account. Barbara Ryan asked if the BOS could authorize the purchase. Director Coombs stated it would require a public hearing to withdraw from the capital reserve, and this is only for equipment replacements, when a chipper was added to the inventory it had to go to the voters. Chair Bashaw explained that if there wasn't enough money in the capital reserve account, they may have a warrant article to take money from capital reserve and raise additional funds. Barbara Ryan asked again if the BOS and the Road Agent made the decision not the voters. Chair Bashaw stated that was correct. Moderator Faulconer stated when the capital reserve was established it was with a notation that purchases could be made with BOS approval, with no further action from the voters. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 30 To see if the Town will vote to raise and appropriate

To see if the Town will vote to raise and appropriate the sum of \$75,000 to be added to the Fire Apparatus Replacement Capital Reserve Fund previously established. (Majority vote required)

Estimated tax impact is \$0.05/\$1,000

RECOMMENDED BY THE SELECT BOARD 3-2

RECOMMENDED BY THE BUDGET COMMITTEE 5-2

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chief Graham Pellerin stated unlike the prior article the voters would vote to spend from this fund. This capital reserve fund is to prevent major spikes in taxes. At this time there is approximately 575 thousand in the account. A tanker replacement is over one million dollars and a 3 year wait, they are looking at other options. Chief Pellerin asked for the voter's support. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 31 Create Full-Time Land Use Administrator Position

To see if the Town will vote to create one full-time Land Use Administrator position and eliminate the part-time position of Planning Board Administrative Assistant. The position would also absorb the work that had previously been performed on a part-time basis by other full-time employees including Select Board Administrator, Town Clerk and the volunteer work of the previous Zoning Board Chair. Further to raise and appropriate the sum of \$36,111 for salary and benefits for 9 months, to be added to the \$43,550 currently in the proposed operating budget. If approved, this position will become part of the operating budget in ensuing years. (Majority vote required)

Estimated tax impact is \$0.03/\$1,000

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 3-2-2

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chair Bashaw stated he was on the Planning Board and now serves as the representative, and this has been needed for a long time. The former administrator, Ellen, openly admits she did a dis-service by donating a large amount of free time. Chair Bashaw stated there has been a tremendous uptick in applications. A part-time person is not always there to answer questions or requests. Applicants looking for information will go to other communities, where their questions can be answered. Businesses offset tax burden. Chair Bashaw stated this position is very much needed and this person does a tremendous amount of work. Peter Coffin Chair of the ZBA stated they compared 15 of the neighboring towns and only Epping has more applications than Kingston, Epping has a full-time land use administrator and a full-time planner. Kingston's office is not open enough, 4 ½ days a week, for applicants who come to ZBA without knowledge of how the process works. Chair Coffin stated that the current administrator re-wrote the ZBA application after researching to make it more helpful. An administrator with knowledge of state regulations and town ordinances will keep the town out of trouble. Barbara Ryan asked if the new position would be a lateral move. Chair Bashaw stated the move would be lateral as the current administrator does not need any additional training and understands additional requirements. Moderator Falconer asked for any further discussion, there being none, declared the article will move forward.

The budget committee changed their vote to 5-4-1**Article 32 Create a new position part-time Building Dept.**

To see if the Town will vote to create one part-time Building Department Administrative Assistant position. Further to raise and appropriate the sum of \$26,869 for salary for 9 months. If approved, this position will become part of the operating budget in ensuing years. (Majority vote required)

Estimated tax impact is \$0.02/\$1,000)

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 6-1

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chair Bashaw stated that we now have a full-time building inspector and code enforcement officer, but there is no-one at the window to specifically answer questions from frustrated individuals. The person in this position would take requests, fill out paperwork, coordinate with other inspectors and other services to citizens while the building inspector is out of the office. Dan Doyle asked if articles raising money would be more

transparent as far as benefits are concerned. Chair Bashaw stated it was a part time position and there would be no benefits, the prior full-time position does include the total of maximum exposure, but they are not allowed to say what plans the person hired actually end up taking as it is a violation of their privacy. Mary Cyr stated the increases are driven by salary increases, ad hoc, or mid cycle adjustments. For this article creating a new part time position has no benefits, at public hearing it was noted this is for 9 months, pro-rated, annualized it would be 33 thousand dollars. The prior warrant would be 52 thousand and fully loaded with benefits it would be 106 thousand annualized which would roll to the following years default budget. The retirement line was 368 thousand, 2 years later it was 720 thousand, largely because of salary increases. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 33 Establish Revolving Fund

To see if the Town will vote to establish a Fire and Ambulance Services Revolving Fund pursuant to RSA 31:95-h. The money received from fees, charges and other income for fire services shall be allowed to accumulate from year to year and shall not be considered to be part of the general fund unassigned fund balance. This does not include fire inspection fees. The treasurer shall have custody of all monies in the fund and shall pay out the same only upon order of the Select Board designated by the local legislative body (no further legislative body approval required). These funds may be expended only for Fire Department purposes as stated in RSA 31:95-h, and no expenditure of other funds that have not been appropriated for that purpose. (Majority Vote Required)

RECOMMENDED BY THE SELECT BOARD 4-0-1

RECOMMENDED BY THE BUDGET COMMITTEE 7-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chief Pellerin stated this would establish a fund similar to the police detail fund for monies received for events on the plains, fire watch, details with money coming in from an outside source. Currently they don't have a way to capture, and monies go into the police detail fund. Blair Porter asked what happens to the funds currently. Chief Pellerin stated that the \$20.00 for ambulance fees goes into the police fund. Mr. Porter clarified this would just be segregating. Barbara Ryan stated money is in police account now and the police department was benefiting, and asked if the salary goes back to salary line. Finance Director Paula Mahoney explained that when employees work a detail the requestor is charged 55.00 for salary 18.00 admin fee which offsets taxes, once a year she makes a journal entry. Ms. Ryan asked what the balance of the police detail account is. Director Mahoney answered approximately 60 thousand. Chair Bashaw stated that a cruiser for the fire department was taken out of this account, and if a police cruiser is totaled mid budget cycle money can come from this account which is traditionally used for emergencies. Ms. Ryan asked if the fire vehicle came out of this account. Chief Pellerin stated yes. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 34 Adopt/Modify Elderly Tax Exemption

Shall the Town modify the provisions of RSA 72:39-a for elderly tax exemption from property tax in the Town of Kingston, based on assessed value, for qualified taxpayers, to be as follows: for a

person 65 years of age up to 75 years, \$130,000; for a person 75 years of age up to 80 years, \$185,000; for a person 80 years of age or older \$225,000. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$40,000 or, if married, a combined net income of less than \$80,000. (Majority Vote Required)

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 7-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chair Bashaw stated that when compared to surrounding towns Kingston's exemptions for both the elderly and disabled are incredibly low. Chair Bashaw wanted to make it clear that any cost for the exemptions will be down shifted to others that do not qualify. Chair Bashaw stated he personally feels we have an obligation to be more in line with other towns. The exemptions have not been updated for quite some time and with the re-assessment, it has been very burdensome. Karen Coombs asked if the home had to be the applicants primary residence. Chair Bashaw stated it does and there are very specific rules, under the RSA and documents have to be provided to qualify, there are provisions for trust, have to be a certain type to qualify. Blair Porter asked if the \$130,000 thousand would be a reduction in assessed value and do you have to apply for the exemption. Chair Bashaw answered yes to both. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 35 Modify disabled exemption

Shall the Town modify the provisions of RSA 72:37-b for exemption for the disabled from property tax in the Town of Kingston, based on assessed value for qualified taxpayer in the amount of \$110,000, for taxpayers with the following qualifications: To qualify, the person must have been a New Hampshire resident for at least 5 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$40,000, or, if married, a combined net income of less than \$80,000. (Majority Vote Required)

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 6-0-1

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Blair Porter asked the definition of disability. Chair Bashaw stated social security disability, on application it is the federal standard. Mary Cyr asked if there is an asset limit. Chair Bashaw stated yes, it is governed by RSA. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 36 Re-adopt solar energy property tax credit

Shall the town re-adopt the provisions of RSA 72:61-64 inclusively, which provide for an optional property tax exemption from the property's assessed value, for property tax purposes, for persons owning real property, which is equipped with solar energy systems intended for use at the immediate site. Such property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying solar energy system equipment under these statutes. (Majority Vote Required)

RECOMMENDED BY THE SELECT BOARD 5-0

RECOMMENDED BY THE BUDGET COMMITTEE 6-0-1

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Peter Broderick asked what the exemption is now. Selectman Glenn Coppelman stated \$5000.00. Mr. Broderick asked if he paid \$40,000.00 would it be a \$40,000.00 exemption every year. Chair Bashaw stated when people began installing solar systems assessors began assessing at a flat rate of \$5000.00 since the town adopted the \$5000.00 exemption there has been a change in evaluation adding assessed value to the home and they are fearful it will discourage people from investing in solar energy. He stated he supports this but has mixed feeling as a homeowner installing hardwood floor and granite countertops is assessed more and a home with a solar system is worth more. Selectman Coppelman stated it is not what is paid for the system but what it is assessed at. A discussion followed how the assessment works. Tori Dbrowolski stated the old system would add \$5000.00 as a feature, after exemption was applied for a \$5000.00 exemption was applied, now the assessor goes out and asses per panel, which will be a wash. Selectman Coppelman stated this article would catch up to a new way of being assessed. Ken Iaascs asked who established rate per panel. Selectman Coppelman stated the assessor using the standard set by a state agency, Barbara Ryan asked what the current exemption was. Chair Bashaw stated not a percentage \$5000.00, now assessing per panel. Ms. Ryan stated she agreed with the comment about countertops, stating where does it stop. Rick Russman stated if property is assessed at 200 thousand whether panels or not, assessment will stay at 200 thousand, it is a wash. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 37 Authorize Select Board Rent/Lease Municipal Proper

To see if the Town will vote to authorize the Select Board to rent or lease the closed landfill for the study of a solar project for a term of up to 5 years without further vote or ratification of the Town, pursuant to RSA 41:11-a, III.

RECOMMENDED BY THE SELECT BOARD 4-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chair Bashaw stated the board had engaged with a company that wants to explore the options of putting a solar field on the old landfill, currently the board is only authorized to enter into a 1 year agreement without going to voters. This article would allow them to enter into a multi-year contract, it would not cost the town any money, but it would cost the company a tremendous amount of money and will take a couple of years. Should the project go forward, it would go to the voters. Barbara Ryan asked how much revenue this would generate. Selectman Coppelman stated \$1000.00 a year for privilege to explore option. Director Coombs asked when company was done investigation would others companies be allowed to bid. Chair Bashaw stated no, public hearings have already occurred to select the company, no REP is required as there is no purchase. Director Coombs stated a yes vote on this is essentially guaranteeing a 30-35 year lease with one company that was not put out to bid. Chair Bashaw replied no its guaranteeing we can engage with them for the exploratory process.

Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 38 Modify Town Ordinance

Shall the Town modify Town Ordinance Section 400, Article 404, Hawkers and Peddlers Ordinance, (Adopted 03/15/78 in accordance with RSA 31:102-a; Amended 08/25/97; Amended 3/1/0/2020) to read as follows:

No hawker or peddler shall be allowed to do business in the Town of Kingston without duly registering with the Kingston Police Department and paying an annual license fee to the Town of Kingston in the sum of \$100.00. In addition, no hawker or peddler shall be allowed to conduct business in the Town of Kingston other than between the hours of 9:00 A.M. and 5:00 P.M. Monday through Friday, inclusive, unless the Select Board deems hours unreasonable. Any hawker or peddler who violates the provisions of this Ordinance shall be fined a sum not to exceed \$100.00 per day for each day of such violation. Any portion of the annual license fee may be waived in the sole discretion of the Select Board for hawkers and peddlers who are domiciled in the Town of Kingston.

RECOMMENDED BY THE SELECT BOARD 4-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Chair Bashaw stated this article was brought forward to comply with the state RSA being repealed. Brad Maxwell asked if this covered political hawkers and why Saturdays are excluded. Chair Bashaw stated the board did not look at potential deficiencies, only what change was needed to make it legal. Selectman Coppelman stated that the penalties were increased.

Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 39 Modify Ordinance

Shall the Town modify Town Ordinance Section 500, Article 501: SOLID WASTE MANAGEMENT PLANNING COMMITTEE, Adopted 3/12/86, as follows:

Article 501: SOLID WASTE AND RECYCLING COMMITTEE

The formation of a Solid Waste and Recycling Committee to fulfill the requirements and responsibilities set forth in RSA 149-M:2 and RSA 149-M:17, was approved on November 8, 2021.

501.1 Said Committee's responsibilities shall be to:

- A. Select Committee Officials
- B. Create a guideline to meet the requirements of RSA 149-M:2 and RSA 149-M:17 specifically and RSA 149-M in general.
- C. Prepare and submit a budget to implement guideline articles.
- D. The Solid Waste and Recycling Committee is tasked with long-term planning and improvement of the town's waste streams, through education, enhanced recycling, waste diversion and improved community services. The committee works for both economic and environmentally sustainable solutions to the town's disposal needs.
- E. The Solid Waste and Recycling Committee acts as an advisory committee to the Kingston Select Board.

501.2 Said Committee's membership shall consist of 7 members who must be residents of the Town of Kingston. Members are to be selected by the following procedure:

- A. Five (5) members are to be appointed by the Kingston Select Board.
- B. One (1) member shall be the Kingston Director of Public Works.

C. One (1) member shall be a representative of the Kingston Select Board.

501.3 Said Committee's system of voting shall be as follows:

A. Each member shall have one equal vote.

B. A quorum of at least four voting members must be present to vote on any item.

C. An item shall be considered passed, adopted, or approved if greater than fifty percent of the present voting members approve the item.

Further, shall the Town eliminate Town Ordinance Section 500, Article 502: SOLID WASTE IMPLEMENTATION DISTRICT, Adopted 3/15/89; Article 503: REGIONAL DISPOSAL PLANNING COMMITTEE, Adopted 3/11/87; and Article 504: REGIONAL REFUSE RECYCLING PLANNING COMMITTEE, Adopted 3/9/88, as obsolete?

RECOMMENDED BY THE SELECT BOARD 4-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Stacy Dion stated the solid waste committee was established 2 years ago. The current article was drafted for the landfill. This ordinance would reflect the current practices.

Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 40 Petition Article Raise Funds

On petition of 43 registered voters, shall the town raise and appropriate the sum of \$29,000 to allow the Kingston Department of Public Works to install a 50-foot X 100- foot asphalt multi-purpose recreational area for Kingston Residents. The area will be used for ice skating in the winter and pickleball, roller blading/skating as well as other possible sports for Kingston residents the remainder of the year. The multi-purpose recreational area would be located in the Richard St Hilaire Park parallel to Wadleigh Point Road. This project is supported by the Kingston Recreation Commission and the Kingston Department of Public Works. (Majority Vote Required)

Estimated tax impact is \$0.02/\$1,000

NOT RECOMMENDED BY THE SELECT BOARD 3-1

NOT RECOMMENDED BY THE BUDGET COMMITTEE 7-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Recreation Director Paul Butler stated that he has been tasked with getting more recreation options for Kingston residents. This multi-use area would be for ice skating, pickleball, rollerblading, and camp and he would appreciate support. Jason Fellows asked if this would bind the town to install an ice-skating rink and maintain it. Director Butler stated the intention is to create a multi-use area. Moderator Faulcouner stated the article didn't commit to anything but the area. Mr. Fellows stated the article reads "will". Moderator Faulcouner stated at this point the only money appropriated is for the area. Chair Bashaw was advised by Attorney Grandy that it could be changed to "may" without changing the intent. Mr. Fellows made a motion to change "will" to "may". Selectwoman Electra Alessio seconded the motion. Motion carried. Barbara Ryan asked if the article also could be reduced to zero. Chair Bashaw stated that would change the intent of the article. Ms. Ryan asked about the insurance liability. Director Butler stated that he had been in contact with PRIMEX regarding how to make it safe and that it would fall under the liability policy that we have. Dan Doyle asked if it would be ADA assessable. Director Butler answered yes. John Pramberg stated that the article was not recommended by the BOS or budget committee and that voters could vote no in March. Donna Muese stated that she didn't know why the boards voted against it, she

supports family friendly area especially during the winter and thinks it would be a great addition to the town. Chair Bashaw stated as a private citizen he thinks it's a great idea but as a BOS member he couldn't support as it is a want not a need. John Pramberg stated that if citizens came forward and raised money and then asked for the remainder, he would be hard pressed to say no. Director Butler stated the initial estimate for the project was 43 thousand but with the help of Director Coombs they brought it down to 29 thousand. Barbara Ryan asked if there had been any fundraising. Director Butler stated no. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 41 Petition Article

On a petition by Don Jean and 42 others, we are submitting this request to see if the town will approve the following action(s):

Whereas the town of Kingston is comprised of 22 square miles of land with approximately 25% under conservation control, how safe are we? With a summer spent under clouds of smoke from out-of-control Canadian wildfires, not to mention the devastation in Hawaii, we need to develop land management protocols to protect the conservation efforts.

While we have strived to increase the amount of land in conservation, there are no plans on file for land management. Yes, we have developed nature and hiking trails. But ignored the standing dead timber and dead underbrush that accumulates on unmanaged land.

I propose the following to remedy this situation.

(1) A 5-year moratorium on purchasing additional land and asking for additional funds until a plan is developed to manage unsafe fire conditions.

a. Year 1: develop and propose a plan to eradicate unsafe conditions by working with the appropriate town departments for controlled burns or removal of flammable materials to a safer site for burning.

b. Year 2-5: Implement and monitor the plan for compliance to agreed upon criteria. Form an oversight committee to ensure compliance with report to the town on a semiannual basis.

c. Year 6: review to ensure guidelines have been met and continue the plan with adjustments. If plan has not been met, a new 5 year moratorium is automatically reinstated with new leadership.

d. Recommendation for an unbiased group of Kingston residents (not part of any organization that conducts or has interest in these groups.) to ensure compliance and issue report to the town on progress.

e. Since the Conservation Commission has an excess of \$400,000.00 under their management, all funds associated with this plan shall be borne by them and not the town residents through amendments, articles or requests for special funding. Private donations can be accepted but all must be used for the completion of the plan and not be delineated for more land purchases.

f. A regular audit and report is to be filed annually with the town that will include budget balance at inception, outlays, future proposed plan, total amount to fund land under conservation and a final set goal for future land acquisition.

g. This plan should also consult other towns as to their position and plans as it should be beneficial to the region.

h. This plan does not and will not include any private property or individuals to be part of these plans.

(2) Until the Conservation Commission has in place a plan to manage the land under their control for the safety of the Town of Kingston and all its residents, I put forth this article;

(3) No additional land shall be purchased and no additional funds shall be granted by the Town, Warrant articles, special request of private donations to purchase land. No Plan, No land!

NOT RECOMMENDED BY THE SELECT BOARD 3-1

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Moderator Faulcouner stated she had an amendment. Don Jean made a motion to amend the warrant to change Section 1-D: "Recommendation to form a committee to develop a plan to oversee compliance of such. The committee shall be composed of the following representatives – 1 police department, 1 fire department, 1 public works department, 1 selectman, 1 licensed and accredited forester, 1 conservation commission and 1 resident from the town not associated with any of the groups. Thus committee will total 7 members", William Pellerin seconded. Mr. Jean stated he wanted to clarify the amendment as it needed to be unbiased and representation across all segments that it would affect and he thought it was a public safety reason. Rick Russman stated as a private citizen that he had his own amendment as we don't have a forest fire problem, he urged to vote against the motion so that his amendment can be dealt with. Kim Donahue mentioned that this amendment may have a financial impact by requiring a licensed forester. Chair Bashaw stated he had an answer when the non-amendment is being discussed. A vote was taken, the motion was not carried. Mr. Jean stated he proposed the article not to address the healthy forest but as a public safety issue. Kingston has 21 square miles of land and 20.38% of Kingston land is under conservation control by 15 groups. The town should plan for the unavoidable, 2 years ago there was a major drought, this is a public safety issue not the health of the forest issue. The roads and trails are maintained but not the other land. Chair Bashaw stated the intentions are good, but article is legally unenforceable as no money is appropriated it would be advisory to the conservation commission. The conservation committee has a fire plan. Mr. Russman stated he would like to amend to strike and replace with his motion: **"To see if the Town will vote to direct the Conservation Commission to work with the Fire Chief to identify access points for all town forest properties for use in the event of a forest fire"** Director Coombs seconded. Selectwoman Electra Alessio stated the intent of a petition warrant article can't be changed. Council consulted. Moderator Faulcouner stated according to council this was acceptable, as no appropriation this would be advisory to let conservation and fire chief know what the town would like them to do. Mr. Russman stated the conservation commission is working with the fire department and DPW on access areas. The town master plan says we should have 25 – 30% of land should be set aside for conservation purposes, we are now at 22%, 400 more acres would fill the goal. most open to snowmobiling, hunting, fishing, biking, motorcycling, ATV. The town has about 1000 acres that they control. If the concern is for forest fire, amendment will address this and they have consulted with fire chief. Moderator Faulcouner stated there was a motion on the floor to strike and replace and seconded, called for a vote motion carried. Mr. Russman spoke to the amendment, a small amount of land owned privately, have forestry plan, and harvest routinely and pay timber tax. There is a minimal fire danger. FOCUS has made donation to fire dept. Understands concern and will be addressed. Dan Doyle had a question on #3 of original article. Moderator Faulcouner stated that was gone now and replaced with article presented by Mr. Russman. Evy Nathan, Conservation Commission Chair applauded amendment and Mr. Jean's concerns, but wished he had come and talked to the conservation commission. Ms. Nathan stated the commission has a management plan written by a licensed forester. A healthy forest is a messy forest. Most are wet because there are lots of wetlands, and they are accessible by many different roads, the 2020 drought year 240 acres burned in New Hampshire 5 acres in Rockingham County. The County forester has said the land is so wet and mossy that during a prescribed burn

they have trouble getting it to light. Cheryl Pine, a Hampstead resident who owns land in Kingston asked to speak. Barbara Ryan made a motion to allow her to speak, seconded by Phil Coombs all in favor. Ms. Pine stated that she was not concerned about fire, the conservation land makes Kingston so beautiful. Ms. Pine had an expert write a paper comparing western fires and is willing to share. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward as amended.

Article 42 Petition Warrant Article

On a petition of twenty-five registered voters of the Town of Kingston, to see if the Town will vote to raise and appropriate \$2,500 to match the \$2,500 which the Friends of the Kingston Historic Museum Association, Inc. have raised for transcriptionist services and to purchase necessary materials for the proper cataloguing and preservation of the audio and video recordings of oral history interviews and related materials. The Kingston Historical Museum has some 40+ interviews to be transcribed. (Majority Vote Required)

RECOMMENDED BY THE SELECT BOARD 2-0-2

RECOMMENDED BY THE BUDGET COMMITTEE 5-1-1

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Jef Flanders-Mcdougall, a member of friends stated they have been doing interviews for years and have over 40 interviews with elderly or middle-aged people that are the history of Kingston that need to be transcribed.

Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward.

Article 43 Petition Warrant Article

On a petition of twenty-six registered voters of the Town of Kingston, shall the Town vote to restrict budget line items for salary, wages, overtime, COLA, FICA, Insurances and Retirement and all other benefits to be used as assigned and not transferable to any non salary/benefit line item(s). Additionally, any remaining balances for wages and benefits will be returned to the Town at the end of each year.

NOT RECOMMENDED BY THE SELECT BOARD 4-0

NOT RECOMMENDED BY THE BUDGET COMMITTEE 7-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Jef Flanders-MacDougal stated currently the library is the only department that returns funds to the town. Ms. Flanders-McDougal stated money should be returned to reduce the tax rate, rather than being used for other items that are not salaries or benefit lines. Chair Bashaw stated they had confirmed with council the article is completely unenforceable as it takes away statutory authority that is granted to the board by RSA and there are no provisions to restrict or limit the financial affairs of the town. Ms. Alessio stated she did not want anyone to be under the misconception that this board or any previous board do not return money back to voters she has served 4 years and have given back between 6 and 9 hundred thousand dollars in unexpended funds back to the voters and it is important to them. The board is not here to spend money irresponsibly, she stated they have made mistakes but there is no ill intent. Chair Bashaw stated this board's mentality is this for every line item, but the board has had to take unspent funds to fulfill contractual obligations. John Pramberg agreed stating unintentionally this

amendment would have the opposite effect. Mary Cyr asked if surplus monies have been spent on ad hoc increases, mid cycle increases to department heads, sizeable increases. Chair Bashaw stated the amendment could be changed to an advisory article to consider while handling duties. Ms. Flanders-MacDougal made a motion to change to advisory. Attorney Grandy suggested shall the town vote to advise the select board to restrict. Seconded by Blair Porter. Moderator Faulconer read the sentence "shall the town vote to advise the select board to restrict budget line items for salary, wages ..." a vote was taken motion carried. Blair Porter asked what that really means. Chair Bashaw stated it was still unenforceable, but it is what the majority of voters want. Mr. Porter asked if there was any visibility. Chair Bashaw stated they have had 40 open to the public meetings, budget committee meetings, voters can browse meetings minutes, watch the tapes, the board makes financial decisions all the time. Peter Coffin made a motion to change "will" to "should" in the last sentence, seconded by Tori Dobrowolski, a vote was taken, motion carried. Barbara Ryan stated the intent is great, but has no legal validity. Ms. Ryan spoke of the wage and salary committee and stated any extra money gives opportunity to give raises, stipends for sick time, would hope the salary and wage committee become more active, fire department shouldn't be evaluating themselves, this article means nothing, the town is voting bottom line and entrust the board and department heads. Chair Bashaw encouraged regular participation, decisions made in public meetings, where public is encouraged to participate. Moderator Faulconer asked for any further discussion, there being none, declared the article will move forward as amended.

Article 44 Petition Warrant Article

On a petition of thirty registered voters of the Town of Kingston, to direct the Town's Select Board to include a list of employees who work for the Town in the Annual Report starting in the 2024 and continue until voted out by the voters. The list should be alphabetical by last name, followed by first name. The list should show the following: name, position held, salary for year reported, total cost of employee to the Town*, step level, years employed by the Town.

*Total cost shall include the following: all benefits including retirement cost, life, dental and health insurance premiums paid by the Town.

NOT RECOMMENDED BY THE SELECT BOARD 4-0

Motion made to accept the article by Trish Tidd seconded by Stacy Dion. Jeff Flanders-MacDougal made a motion to remove " Total cost" end at employed by the town. Chair Bashaw seconded. Jef Flanders-Mcdougall stated it was pointed out that information can't be included as it is private information and protected. John Pramberg stated that the total cost of employees should be removed. A vote was taken motion carried. Dan Doyle asked if stipends, cell phones and mileage would be listed. Chair Bashaw answered no, overall this article also has legal implications, and is unenforceable, there are specific state statues of what is required to be put into town report, can't vote to mandate per RSA again this could be an advisory article. This board had already decided to post salaries in annual report. But it can't be mandated as it is governed by RSA. Dan Doyle asked about take-home vehicles. Selectwoman Laurie Szwed asked if Mr. Doyle was looking for all the benefits. Mr. Doyle replied yes. Chair Bashaw stated as it was written it is not legally enforceable. Director Butler stated the school began posting and is unaware of any ramifications. Chair Bashaw stated the only court involved is the court of public opinion. Peter Broderick asked if it was public*

information. Chair Bashaw stated absolutely Mr. Broderick stated voters should ask themselves if they would want their salary posted in the public newspaper then vote accordingly. Tori Dobrowolski noted that some positions do not have steps as the salary and wage committee has not finished with the town hall staff. Adam Faulconer asked about salaries of hourly employees. Barbara Ryan stated it is public information and can be powerful or as negative as you want it to be, people feel things are hidden. Ms. Ryan stated she had requested information from the finance director and was given the information as it is public information on public employees. Anne Marie Roth made a motion to take out the name, Ellen Faulconer seconded. Blair Porter agreed to taking the name out and asked that position held not be aggregated. Chair Bashaw stated individual positions could be listed. Dan Doyle stated he was opposed to the amendment as it is public information. Mary Cyr stated the name is not necessary but need the department. Mr. Doyle asked if he had the right to know if he files a request. Several people answered yes. Mr. Porter asked for the amendment to be read. It was decided to first vote on the amendment to remove "name", a vote was taken not clear. The Moderator asked for a vote by hand, results were yes 40, no 11. Chair Bashaw reminded everyone that if the article passes it is still only advisory and not enforceable. Ken Iassac made a motion to change "direct" to "advise" Mr. Broderick seconded. A vote was taken motion carried. Barbara Ryan asked if the 30 voters that signed the petition were in attendance. Attorney Grandy stated petition warrant articles can change and can be revised at the deliberative session regardless of who shows up. Moderator Faulconer started to re-read the article, when an error was found, Claudine Dias made an amendment to include position and department. Ms. Cyr seconded the motion.

Moderator Faulconer re-read the article as follows **"On a petition of thirty registered voters of the Town of Kingston, advise the Town's Select Board to include a list of employees who work for the Town in the Annual Report starting in 2024 and continue until voted out by the voters. The list should be by position and department, the list should show the following: position held, salary for year reported, step level, years employed by the Town."**

Dan Doyle asked again what would be included. Chair Bashaw stated that it would include what the board decided. Mr. Doyle asked again if he could get the information, and was given the same affirmative answer
Motion carried, moved to ballot as amended.

Rick Russman thanked Chairman Bashaw for his service and hardwork. Ken Isaacs thanked the boards and volunteers for their efforts.

Moderator Faulconer asked if there was any other business there being none, she adjourned the meeting at 12:02 pm.

Respectfully submitted

Tammy L. Bakie
Town Clerk-Tax Collector