

## **Kensington Town Deliberative Session**

February 9, 2022 – 6:30pm

Talbot Gymnasium

In attendance: Selectman Joe Pace, Selectman Bob Solomon, Selectman Bob Gustafson, Fire Chief Jon True and approximately 40 residents.

Harold Bragg opened the meeting at 6:35pm and described the procedures for the Deliberative Session. He explained the Town Vote will be on March 8<sup>th</sup> of 2022.

### **Article 01: Elect Officials**

**To choose all necessary Town Officials for the year ensuing.**

There was no discussion on Article 01.

### **Article 02: Amend definition of non buildable lots**

**Are you in favor of the adoption of Amendment number 1 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Add the following definition to Article II: DEFINITIONS, after the definition of Motor Vehicle Junkyard:**

**Non-Buildable Lot - As part of subdivision approval, the Kensington Planning Board may, but is not obligated to approve lots not meeting minimum zoning requirements provided such lots are used in perpetuity only as open spaces, buffer zones, reserve spaces, parks, recreation areas, or similar uses, subject to such reasonable terms and conditions as the Planning Board may require.**

Planning Board Articles cannot be changed in Deliberative Session and are voted on as presented.

Vanessa Rozier, Planning Board Chair, summarized the article.

There were no questions from the public. Article 02 will go to Ballot as presented.

### **Article 03: Delete definition of frontage in Article II**

**Are you in favor of the adoption of Amendment number 2 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Delete the current definition for frontage found in Article II.**

Vanessa Rozier, Planning Board Chair summarized the article.

There were no questions from the public. Article 03 will go to Ballot as presented.

### **Article 04: Amend Article IV, 4.2 Driveways- sight distance**

**Are you in favor of the adoption of Amendment number 3 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Amend Article IV, 4.2 Driveways and Other Accesses to the Public Way, 4.2.4.A.2, to read**

**Unless all season safe sight distance of 200 feet in both directions along the road can be obtained, the Planning Board shall not permit more than one access to a single parcel of land, and this access shall be at the location which the Road Agent determines to be safest. The Planning Board shall not give final approval for use of any additional access unless it has been proven that the 200 foot all season safe sight distance has been provided.**

Vanessa Rozier, Planning Board Chair summarized the article.

There were no questions from the public. Article 04 will go to Ballot as presented.

**Article 05: Amend Article III Section 3.5B Definitions**

**Are you in favor of the adoption of Amendment number 4 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Amend Article III Section 3.5, B. Definitions by adding the following language to become the final line of the definition for Open Space Subdivision:**

**The project density may exceed the maximum density allowed by current zoning only for the provision of affordable housing as provided for in Section 3.5, H. below.**

Vanessa Rozier, Planning Board Chair summarized the article.

There were no questions from the public. Article 05 will go to Ballot as presented.

**Article 06 : Amend Article III Section 3.5G**

**Are you in favor of the adoption of Amendment number 5 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Amend Article III Section 3.5, G. by adding the following language to become the final line of the section:**

**The project density may exceed the maximum density allowed by current zoning only for the provision of affordable housing as provided for in Section 3.5, H. below.**

Vanessa Rozier, Planning Board Chair summarized the article.

There were no questions from the public. Article 06 will go to Ballot as presented.

**Article 07: Amend Article VII, Section 7.1 B Septic Reserve Area**

**Are you in favor of the adoption of Amendment number 6 as proposed by the Planning Board for the Town of Kensington zoning ordinance as follows:**

**Amend Article VII, Section 7.1, B. Definitions by changing the definition of Septic Reserve area to read as follows:**

**Septic reserve area - is defined as that portion of a lot containing a land area of 4,000 square feet as required by state regulation for leach system sizing, reserved exclusively for the location and operation of a septic system, and the duplicate area for replacement.**

Vanessa Rozier, Planning Board Chair summarized the article.

There were no questions from the public. Article 07 will go to Ballot as presented.

**Article 08: Operating Budget**

**Shall the Town of Kensington 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 \$2,327,010 (two million three hundred twenty-seven thousand and ten dollars)? Should this article be defeated, the default budget shall be \$2,239,260 (two million two hundred thirty-nine thousand two hundred sixty dollars). 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. The Board of Selectmen unanimously recommend this article.**

**The proposed operating budget is an increase of \$182,093 from the budget adopted last year of \$2,144,917. The net estimated impact is \$.454 per thousand dollars of valuation. (forty-five point four cents per thousand dollars of valuation.)**

Chairman of the Board of Selectmen Joe Pace went over cost drivers relative to the budget and noted that salaries are primary driver as well as retirement increases. The Town would like to remain competitive to retain police officers.

Mike Schwotzer of 49 Cottage Road noted a reduction in the Police Department overtime budget as well as in the part time budget.

Selectmen Chair Jo Pace noted that the Police Department is moving away from part time and moving toward FT.

There were no further questions from the public. Article 08 will move to Ballot as presented.

**Article 09: To Establish a Wildlife Mitigation Expendable Trust Fund**

**To see if the town will vote to establish a Wildlife Mitigation Expendable Trust Fund pursuant to RSA 31:19-a for the mitigation of wildlife encroachment within the Town of Kensington, and to raise and appropriate \$10,500 (ten thousand five hundred dollars) to be placed into the Wildlife Mitigation Expendable Trust Fund, with this amount to come from taxation; further to name the Board of Selectmen as authorized agents to expend from said fund as they deem reasonable and prudent. These funds may be expended only for wildlife mitigation purposes due to the significant increased activity by native wildlife which has presented situations where mitigation may be required for maintaining public safety and property protection. These funds will be used only for control and management of wildlife to prevent situations where safety of town residents or residents' property are threatened within the Town of Kensington.**

**The Board of Selectmen unanimously recommend this article.**

**The tax impact of this article will be an increase of \$.026 per \$1000 valuation. (Two point six cents per thousand dollars of valuation.)**

Board of Selectmen Member Bob Gustafson summarized the article.

Chairman of the Board of Selectmen Joe Pace noted there was a transcription error in the handouts for the evening involving the written amount for tax impact. He stated that the number value was correct, however.

There were no further questions from the public. Article 09 will move to Ballot as presented.

**Article 10: Amend Percentage of LUCT to Conservation Fund**

**To see if the town will vote to authorize 100% (one hundred percent) of the Land Use Change Tax collected pursuant to RSA 79-A:25 to be deposited into the existing Conservation Fund in accordance with RSA 36-A:5, III. If adopted this article shall take effect April 1st and shall remain in effect until altered or rescinded by a future vote of the town meeting.**

**The Board of Selectmen unanimously recommend this article.**

**There is no tax impact for this article.**

Andy Roberts of 5 Wild Pasture Road, a Conservation Committee Member, summarized the article.

Mike Schwotzer of 49 Cottage Road described how currently money from land use change tax goes to both the Town and to the Conservation Committee. Currently it is 25% to the Conservation Committee and 75% to the Town. He stated that the tax impact cannot be calculated as it is from unanticipated funds that are received by the Town.

J. Pace, Chair of the Board of Selectmen, noted that the money becomes unanticipated revenue and described how that revenue is used. He noted that the money would likely go to Fund Balance and would not be used against property taxes unless the Board of Selectmen voted to do so.

Donna Carter 119 Amesbury Road asked if there was an amount that came out of Current Use this year. Kathleen, Director of Administration, stated it was \$63,500 for 2021 and noted that it varies year to year.

There were no further questions from the public. The Article will go to Ballot as presented.

#### **Article 11: Road Reconstruction**

**To see if the town will vote to raise and appropriate the sum of \$200,000 (two hundred thousand dollars) for road reconstruction and maintenance of town roads. This will be a non-lapsing appropriation as per RSA 32.7, VI and will not lapse until December 31, 2023. This is in addition to the operating budget article.**

**The Board of Selectmen unanimously recommend this article.**

**The tax impact of this article will be an increase of \$0.499 per \$1,000 valuation. (forty-nine point nine cents per thousand dollars of valuation)**

Road Manager Matthew Armstrong summarized the article.

Mike Schwotzer of 49 Cottage Road asked the cost of the similar Warrant Article the year prior and described his thoughts on the tax impact of this article and the road plan.

Jonathan Lavelle of 7 Palmer Drive asked about inflation and cost of material. Road manager Matthew Armstrong stated that the paving of the roads was not under contract, although the Town was working to pave Moulton Ridge, West School, Hickory and Bartlett Road.

Bob Hall of 101 Drinkwater Road spoke in favor of this article.

There were no further questions from the public. Article 11 will move to Ballot as presented.

#### **Article 12: Funds from EMS Fund for a New Ambulance**

**To see if the voters of Kensington will raise and appropriate \$350,000 (three hundred fifty thousand dollars) for the purchase of a new ambulance, with \$150,000 (one hundred fifty thousand dollars) to come from the KENSINGTON EMS FUND created for that purpose and \$200,000 (two hundred thousand) to come from grant funding. The Kensington EMS Fund is a revolving fund that was created in 2018 that allows the accumulation of money from ambulance billing and can be used for ambulance acquisition. Any expenditure over \$50,000 (fifty thousand dollars) out of this fund requires a majority vote by the legislative body. These funds will not lapse and shall be available for the purchase of a new ambulance until December 31, 2024.**

**The Board of Selectmen unanimously recommend this article.**

**This appropriation will not affect the tax rate.**

Harold asked if anyone objected to Fire Chief True speaking as he is not a resident. No one objected.

Fire Chief Jon True summarized the article.

There were no further questions from the public. Article 12 will move to Ballot as presented.

#### **Article 13: Appropriate funds for Fire and Emergency Services CRF**

**To see if the town will vote to raise and appropriate \$50,000 (fifty thousand dollars) to be placed in the Fire and Emergency Services Capital Reserve Fund. These funds will be earmarked for the purchase, repair, upgrade, overhaul and/or retrofit of fire vehicles, apparatus, equipment, and related services. This is in addition to the operating budget article.**

**The Board of Selectmen unanimously recommend this article.**

**The tax impact of this article will be an increase of \$.125 per \$1,000 valuation. (Twelve point five cents per thousand dollars of valuation)**

Fire Chief Jon True summarized the article.

There were no further questions from the public. Article 13 will move to Ballot as presented.

**Article 14: Appropriate to Fire and Emergency Services CRF - Water Fund**

To see if the Town will raise and appropriate \$25,000 (twenty-five thousand dollars) to be placed in the Fire and Emergency Services Capital Reserve Fund. These funds are earmarked to the Water Fund to be used for upkeep, installation, and repair of hydrants and cisterns used for fire suppression activities in Kensington.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.062 per \$1000 valuation. (Six point two cents per thousand dollars of valuation.)

Fire Chief Jon True summarized the article.

There were no further questions from the public. Article 14 will move to Ballot as presented.

**Article 15: Appropriation to Fire and Emergency Services CRF- earned revenue**

To see if the Town will vote to raise and appropriate \$1,425 (one thousand four hundred and twenty five dollars) to be placed in the Fire and Emergency Services Capital Reserve Fund. This amount is to come from Unassigned Fund Balance and represents the total of all permit fees and inspections received by Kensington Fire Rescue throughout 2021. These funds will be earmarked for the purchase, repair, upgrade, overhaul and/or retrofit of fire vehicles, apparatus, equipment, and related services.

The Board of Selectmen unanimously recommend this article.

This article has no tax impact.

Fire Chief Jon True summarized the article.

There were no further questions from the public. Article 15 will move to Ballot as presented.

**Article 16: Grange Hall Maintenance and Repairs**

To see if the Town will vote to raise and appropriate a sum of up to \$11,000 (eleven thousand dollars) to do maintenance on the Grange Hall. The funds will be used for, but not limited to, replacing the shingles on the shed roof, doing annual heating system maintenance, exterior painting, carpentry needed to replace rotten boards, exterior foundation work to improve pest control, and addressing any items cited in annual Safety Inspection Report in 2022.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.027 per \$1,000 valuation. (Two point seven cents per thousand dollars of valuation)

Frank Whittemore, a Grange Trustee, summarized the article and the use of the Grange.

There were no further questions from the public. Article 16 will move forward to Ballot as presented.

**Article 17: Add to Revaluation Capital Reserve Fund**

To see if the Town will vote to raise and appropriate the sum of \$6,300 (six thousand three hundred dollars) to be added to the Revaluation Capital Reserve Fund. This is the fourth of five annual installments, which will be used to pay the assessor's cost for the State of NH required revaluation due next in 2023. This is in addition to the operating budget article.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.015 per \$1,000 valuation. (One point five cents per thousand dollars of valuation)

J. Pace, Chair of the Board of Selectmen, explained the cost of the revaluation was spread out over a 5-year period.

There were no further questions from the public. Article 17 will move forward to Ballot as presented.

**Article 18: Social Services Request for Richie McFarland Children's Center**

To see if the town will vote to raise and appropriate the sum of \$2,100 (Two Thousand One Hundred Dollars) for the Richie McFarland Children's Center's (RMCC) early intervention program that serves children from birth to three years of age and their families. This investment will support the cost of providing early childhood special education, pediatric therapies and family support services to Kensington residents. RMCC bases the request on three hundred dollars (\$300.00) per child served which is less than five percent (5%) of the annual cost for weekly home-based therapies. This is a special warrant article.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.005 per \$1,000 valuation. (Point five cents per thousand dollars of valuation)

There were no questions from the public. Article 18 will move forward to Ballot as presented.

**Article 19: Social Services Request Rockingham Community Action**

To see if the town will vote to raise and appropriate the sum of \$1,500 (one thousand five hundred dollars) to Rockingham Community Action for the purpose of providing financial assistance, budgeting education & support to Kensington residents in crisis to move them toward self-sufficiency. This is a special warrant article.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.003 per \$1000 valuation. (Point three cents per thousand dollars of valuation.)

There were no questions from the public. Article 19 will move forward to Ballot as presented.

**Article 20: Social Services Request for Meals on Wheels**

To see if the town will vote to raise and appropriate the sum of \$967 (nine hundred sixty-seven dollars) to Meals on Wheels for the purpose of providing meals and safety services to qualified Kensington residents. This is a special warrant article.

The Board of Selectmen unanimously recommend this article.

The tax impact of this article will be an increase of \$.002 per \$1000 valuation. (Point two cents per thousand dollars of valuation.)

There were no questions from the public. Article 20 will move forward to Ballot as presented.

**Article 21: Voting Machine Use-Petitioned Warrant Article**

To see if the town will vote to ban the use of voting machines in local, state and federal elections.

This article has no tax impact.

Al Brandano of 2 West School Road summarized his article.

Cindy Heal of 47 Osgood Road asked how accurate the machines are. Harold described the testing process of the voting machine. He stated there has never been a conflict in Town. She asked about the voting issues being a state issue. Harold stated there had not been a discrepancy since the Town got the machines in 2014.

Ben Cole of 242 North Haverhill Road, Assistant Moderator, spoke in opposition to the article and that he trusted in the integrity of the Town vote. He described ballots and how they are used. He discussed the possible need for an additional 30 to 40 volunteers if the Town returned to hand counting and that counting can last until 2:00am.

Susan Varn of 106 Drinkwater spoke against the article stating she felt the Town had high standards in its voting process. She felt that it was unwarranted challenging the integrity and honesty of the volunteers.

Peter Merrill 275 North Haverhill Road described the role of a volunteer and how they are compensated. He questioned the cost of paying for additional people hand counting.

Johnathan Lavelle of 7 Palmer Drive spoke in opposition to the article stating the Town had a lot of integrity and he trusted the technology.

Mr. Brandano spoke again to his article and discussed recounting of ballots and the cost of the machines. He stated he felt there were policies and procedures that should be corrected. He felt there was overrepresentation of votes versus the number of citizens.

Vanessa Rozier of 10 Hidden Pasture spoke in opposition to the article.

Cindy Heal of 47 Osgood Road explained that she felt this should be about Kensington's machines and that she felt that Kensington's machines were accurate. She also felt there was a cost to using more volunteers. She spoke in opposition to the article.

There were no further questions from the public. Article 21 will move to Ballot as presented.

Mr. Bragg asked that the public leave as neighbors as the meeting closed.

Respectfully Submitted,

Andrew Clarke