

# Selectmen's Meeting

Kensington Town Hall

April 3, 2017

Meeting Minutes-Draft

In Attendance: Norman DeBoisbriand; Robert Wadleigh

Public: Linda Blood, Richard Elwell, Holly McCann, Donna Carter, Gary Bonitatibus, Lynne Bonitatibus

Department Heads: Robert Gustafson, Chief Sanders, Carlene Wiggin.

Norman called the meeting to order at 6:29pm, Bob seconded, both in favor.

Norman asked if there was anyone present for Citizen's Forum, no replies.

Chief Sanders explained that during the snow storm on March 14<sup>th</sup> Chris Batchelder and his crew did a great job with the roads and falling trees, and working around the closed roads. They worked well with the police department and at one point there was over 600 residents without power. He hopes to have the Tahoe by the next board meeting.

Charlie and David were not in attendance.

Gary Bonitatibus asked if the Citizen's Forum had been skipped, and Norman stated that he had asked at the beginning of the meeting, but they would go back to it if they needed to. Norman asked if anyone was recording the meeting, just so that the citizen's in attendance would know that they were being recorded. All in attendance stated that they were not.

Mr. Bonitatibus asked why there was such a high turnover rate for the town. He asked about the two selectmen, electrical inspector, building inspector, police personnel, and police chief, he believes that the town is losing a lot of people, and asked why the high turnover rate.

Norman responded that the building inspector asked not to be reappointed, the electrical inspector moved out of the area, the chief of police went into retirement, he couldn't comment on why the first selectmen resigned, but Peter resigned because of personal reasons. Mr. Bonitatibus asked what the common denominator was in the 3year span and Norman explained that it is normal occurrence.

Norman asked again if someone was taping or video recording the meeting. Ms. Bonitatibus stated that she was recording. Norman explained that everyone in attendance should be made aware that someone is recording. Ms. Bonitatibus stated that it is a public meeting and she can do whatever she wants. Norman explained that he knows that she can record, but he thinks that the citizens have a right to know that they are being recorded.

Mr. Bonitatibus stated that there was a rumor that there was a water leak in the building. Norman explained that there was an ice dam on the west side of the town hall and they were worried about the compressors below them. There was staging put up to protect the units on the ground and the plywood used to protect the compressors was pushed up against the building and the water splashed up and

came in around the window. There was a small portion of the patrolman's ceiling that was wet, as soon as the plywood was removed the leak stopped. There are no other leaks in the building, and this one was relatively minor, and being fixed.

The town had just conducted an air test in March that was after the leak and the test came back good. These tests are conducted on a biannual basis.

Mr. Bonitatibus asked why the issue with the non-compliance with the budgeting process has not been added to the agenda. Norman explained that it was brought up at the deliberative session and suggested that they go to town counsel and they did. Counsel worked with the Department of Revenue to correct the deficiency, it was brought up at a meeting and they discussed that they are working with the Department of Revenue, and they called it a minor procedural deficiency. The DRA will be giving the town guidance on how to handle the issue. But since then the Governor has taken exception on how the elections were handled the DRA has not given any further guidance to the town. He explained that the state may make the towns hold another vote, so any decisions on the procedural deficiency is contingent upon what happens now. This has been discussed at previous meetings and the board has addressed it and acknowledged the procedural deficiency and it will be corrected. The town will be getting guidance from the state, once they determine how they correct the election issue. Ms. Bonitatibus asked if every town that held the election on that day will have to do that. Norman stated that we should find out tomorrow.

Bob explained that he had talked to David earlier and he has Chris going around picking up brush that came down from the storms, and he will be getting some bids on the some of the bigger trees on Osgood Road and throughout town that might need to be trimmed or removed. Chief Sanders added that he had talked to David about the signs that are needed around town on the streets, and David asked him to take that list created to the sign company and have them made up.

Robert Gustafson explained that the State of NH is looking to see what the damage was around the state and as of this morning they were \$75,000 short of what they would need to qualify for FEMA. He explained that any of the storm damage would count towards what the town can report. If the declaration is accepted then the town has the potential to get some money back. The snow removal will not be an allowed expense because it was not considered to be an abnormal amount of snowfall. There is also some concern with some localized flooding due to the rain coming.

Holly informed the board that the Eggstaviganza is all set to be held at the Elementary School. She is also helping to organize the field rentals for the local baseball and softball teams this year. KYAA has not submitted the formal application yet, but they don't seem to have any conflicts.

Norman explained that they have tried to solicit interest from area vendors for running the concession stand, but no interest has been reported back to the board yet. Because there has been an overall loss at the park, and because the rentals this year don't pay for rentals due to the affiliation with the town, he made the following motion.

**Norman made a motion to not open the concession stand, due to lack of volume and loss position for the town, Bob seconded, both in favor.**

The board will also get a notice over to the Trust that they will not be opening the park this year.

The park rental was presented April 15 from 2-5pm. The insurance was not submitted.

**Norman made a tentative approval pending that they provide the town with insurance, Bob seconded, all in favor.**

Wheelmen Road and Park application-

Chief Sanders stated that they work with the organization every year and have already scheduled a detail with the department for 150 and Trundle Bed Lane. They are requesting the main parking area of the park. Deposit has not been made yet. Holly explained that the only concern she can see is that the park is still open to the public, and suggested that they use the field C side of the park due to the park still being open that day.

**Norman made a motion to approve the request of Charles River Wheelman, pending the receipt of the deposit. Bob seconded, all in favor. This was for both the roads and the park.**

There were also two road use permits. The Chief reported that some of the road permit users mark the roads with non-washable paints and asked if the board could make a note for them to use the correct marking paint. The recreation is not planning on having a road race this year for the festival, they have not been contacted yet by the individuals who usually run the event.

**Norman made a motion to approve the Granite State Quest road permit, Bob seconded. Both in favor. Norman made a motion to approve the Alzheimer's road permit, Bob seconded. Both in favor.**

Norman informed the public since Peter resigned they will be posting the opening on the website and it will close on the 15<sup>th</sup> of April. Richard Elwell asked if it will be explained on the website what a person interested in the position will have to do. Norman stated that it will.

Norman explained that the board is doing bi-annual air testing and the test came back that there were no issues. They will continue to do the testing to be sure that the air quality is good for the employees. Ms. Bonitatibus asked if there has been any complaints by anyone. Norman explained that there was a complaint about a smell of sewage. They believe that they have located the issue back to the janitors sink. They have instructed that the water be run in the sink every couple of weeks, and believe that problem to be fixed.

Open Air permit for The Farm at Eastman's Corner Foundation on June 3, 2017 from 2-7pm, an annual block party. Chief Sanders commented that there is already a detail scheduled for the event.

**Norman made a motion to approve the permit, Bob seconded, both in favor.**

Knox Boxes for the public buildings. There has been a concern about what keys should be contained within the box located on the town hall. Chief Sanders has some concerns with a complete building key for the Town Hall being located within the box, but will be fine with what the board decides. Norman explained that they will continue the conversation when Charlie is present.

There has been a request to identify "Brownfields". Kathy explained that she went to the state site and printed off the current ones. They seem to be mostly businesses, Norman would like to get a clarification on what they are looking for.

There was a request from the Trustees of the Trust Funds to add a page for them to post their meetings and minutes. The board is okay with that addition.

Norman explained that the town and the Farm have obtained approval from the state for crosswalks. The farm has gone ahead and done the engineering for theirs and they are ready to begin. Normally the town would have to maintain the crosswalks within the town, but the Farm has indicated that they would be willing to pay for the maintenance of the crosswalk that is located there. The town has sent the agreement to legal for them to draft and review, they have come back to the town, but the board thought that if the farm is sold then the agreement would be transferred to the new owners of the farm. It appears that legal has incorporated the agreement all in one, the board will discuss with the state and see if they will accept that. If they don't then two agreements will be drafted one for the town and the state and one for the town and the current owner of the farm. They would like to get the crosswalk in as soon as possible.

Norman Giroux approached the board with two issues. He is having a difficult time contacting some of the residents with outstanding permits and some will be losing their permits. He asked if it would be appropriate for the town to write a letter to them. Norman asked Mr. Giroux to try to contact them again, then the town could write a soft letter asking them to follow up.

He also wanted to explain to the board his interpretation on the 6 Lamprey Road property permits.

Mr. Giroux explained that this permit has been brought before this board before, so wanted to go before them since it was denied from them in the past. He explained that part of his job is to determine what board the residents need to go to for the permits, after reviewing all the information he does not believe that he needs to go to the Zoning Board of Adjustment. Norman asked what the difference was with this permit as opposed to the one that was denied. Mr. Giroux explained that he was looking for a two bedroom over the garage, but is now seeking approval for a one bedroom. He passed the board out information on the property that had older minutes on the property indicating that the property is grandfathered to have a second dwelling on this property. The reason he is cutting back the bedrooms is because he has 3 bedrooms in the home now. The septic is acceptable for what he is proposing.

Mr. Giroux explained that in section 4.4.1c is what needs to be discussed. He does not feel that he is expanding with the current addition. The current square footage of the mobile home is 1040, and the permit is for 784 square feet, so he does not see this as an expansion. Norman explained to Mr. Giroux about the latest accessory dwelling unit regulation that was approved. Donna Carter explained that this is an already approved use that is grandfathered, so she does not see where what we just voted in affects this property. Norman agreed, but this board cannot approve the issue. This would be a zoning board of adjustment or a planning board issue. He explained that about a year ago they went through the regulations and found that the building inspector has the full authority to approve permits.

Norman confirmed that the building inspector has the authority to approve a building permit, the selectmen are code enforcement. Mr. Giroux explained that he has not finished with his explanation on why he feels this does not need further board approvals to be approved.

In his opinion this is a mobile home and there is no footprint, it arrived on wheels and will leave on wheels so there is no footprint. The new structure will conform to the setbacks and he does not see any reason why the permit can't be written. Jeffrey Gleason, homeowner, explained that this will be an enormous improvement to what is there. Norman stated that if the building inspector has been satisfied the board has no jurisdiction, unless there is a code enforcement issue.

Kathy asked to return to the Fire Chief section and the Cascade system. The insurance provider got back to her and stated that the system would be covered under the current insurance, and would not need a rider or to be listed individually. Norman explained that the Cascade system is a way for the department to fill the oxygen tanks at the fire station, and it was donated to the fire station by the fire association.

Veterans Credit was reviewed and signed by the board members. **Norman made a motion to approve the veterans credit, Bob seconded, both in favor.**

WB Mason asked for the board to sign off on the new account. The police department and the town account have been separated, so they needed another signature for the account. Norman signed for the already approved use.

Kathy stated that she touched base with East Kingston on the rates that they charge for the ambulance through Comstar, but has not heard back from them yet. The board wanted to look into what other towns are charging. She will ask a few other towns what their current rates are.

Kathy reported that the new website is up and running. Norman stated that if there are any errors found to please advise the board for them to be addressed.

Bills were reviewed. There were a few bills that would need to be signed individually due to receiving them this afternoon in the mail.

**Norman made a motion to approve the bill summary, Bob seconded, both in favor.**

**Norman made a motion to approve Earthlink \$23.95; Registry of Deeds \$26.00; Fairpoint \$43.52; Unitil \$30.52, Bob seconded, both in favor.**

Homeland security submission for the FEMA funds will be submitted tomorrow with estimates.

Ms. Bonitatibus asked about the elections and if the state puts a hold on them, do the zoning articles just voted in have to be put on hold. Norman explained that there was a question that went to the state and there might have to be one warrant article for voters to vote on in a special election. If the town voted not to ratify the vote then the articles would all be defeated. Mr. Elwell explained that he heard the same on the news letting the towns to ratify the votes. This is not final. Norman stated that the only article that the town would have an issue with would be the fire truck lease amount.

Linda expressed that there are a number of people who have complained that the vote is not private if there is someone standing over the ballot box watching you insert your vote. They have expressed their concerns to her, and were wondering why people are allowed to be on the ballot and in the polls.

Donna stated that she has a rule book that addresses that, and there are certain positions that allow for them to be present during the voting. Mr. Elwell asked why the ballots have to be printed on both sides. Norman expressed that the board of selectmen have little to do with the election, the elections are run by the Moderator and Town Clerk. Norman expressed that out of respect for the moderator that the board could state that there has been a complaint made. Ms. Blood asked if the ballots could be printed at the town hall, due to the voting machine being used they can not. Mr. Elwell stated that if they were

one sided ballots it would alleviate the situation. Kathy stated that there used to be a privacy panel that the voters could have access to.

Donna approached the board about the banners. She gave the board the images that were sent out. Norman explained that the banner sales went to the trust and this year the fees from the sales will be going into the recreation revolver.

There was also an issue at the park, where the pressure tank has been determined defective. Allied Clearwater was at the park to do the yearly opening of the park process and noticed that the tank was defective. The board got a quote on it. There is also a leak coming into the cellar, through what looks to be the conduit to the outside lights. The board is looking into fixing the issue.

The board approved a tentative amount to be spent not to exceed \$1500. Both members will sign off on the estimate and bill when received.

Norman made a motion to close the public session at 8:37pm, seconded by Bob, both in agreement.

Respectfully submitted,

Kathleen T Felch