

TOWN OF KENSINGTON  
BOARD OF SELECTMEN MEETING  
Kensington Town Hall  
95 Amesbury Road  
Kensington, NH 03833  
FRIDAY  
December 7, 2018  
Meeting Minutes-Draft  
1:00 PM

In Attendance: Mike Schwotzer, Bob Long, Ben Cole; approximately twelve people in attendance

Meeting Opened at 1:00 PM.

- Pledge of Allegiance
- Mike begins by reviewing meeting procedures.

New Business

- RTK request for May – November documents from Ms. McCann
  - Mike defers to Ben, who asked former Board members to comply with RTK request by Holly McCann to supply emails from May to September period during their tenure, handing out Town request with original RTK request for reference. Ben explained that he understood from a conversation with Ms. McCann that intent of her RTK request may have changed to eliminate the need for this request of prior Board members, but no alteration or amendment was issued to Town and under these circumstances Town is late in its response and legally required to make this request. Ben Described legal advice that prior Board should submit all selectmen-related emails for retention by Town Hall, which will be policy for current and future Board members.
- Former BOS – discussion of “possible legal actions”
  - Mike asked Mr. DeBoisbriand whether he had read Exeter Newsletter article about this issue published 12/7/18, handed him this article, and asked whether Mr. DeBoisbriand’s statement in that article was accurate to the effect that he feels legal action is premature. Mr. DeBoisbriand confirmed that he did state that. Mike asked how BOS wishes to begin; Ben stated he would like to hear what the former BOS has to say and to know what they want, and recommended yielding floor to former Board up to 15 minutes to be extended if necessary. BOS is in consensus, Mike opens floor and starts clock.
  - Mr. DeBoisbriand approached podium and said he had asked for discussion to be in nonpublic.
  - Mike handed out an information sheet describing 91:A-3 limits on nonpublic sessions, reminding Mr. DeBoisbriand that litigation is only a legal reason if it is extant or “threatened in writing.”
  - Mr. DeBoisbriand withdrew the Board’s request for a meeting if it would be in public, saying he felt prior Board had suffered enough. Ben said he agreed about suffering enough, and asked if they had a reason specified in RSA 91:A that would allow a nonpublic session so the Board could consider it. Mr. Wadleigh exited the meeting. Mr. DeBoisbriand declined to discuss further, thanked Board for its time, and exited meeting with Ms. Blood.
  - Questions from the crowd about nonpublic session limitations; responses with clarifications.
  - Mr. Macek asked if there would be a citizens’ forum as he would like to discuss 11/19 minutes. Mike said this is not on the agenda today. Ben asked that in the future members of the public try to communicate with Board members first, through email, phone, or in-person, so that Board members can address issues or prepare to address issues without tying up Citizens Forum for non-urgent concerns, and asked Mr. Macek to be in touch.

- Question from Mrs. Carter about legal expenses paid to date; another audience member asked the same about 2017 legal expenses; Mike answers: budget records show Town is about \$17,000 over budget on legal expenses, and about \$7,000 over 2017 legal expenses.
- Bob clarified that prior Board's letter did not specific topic of "potential legal actions" nor even who may be considering any such action, and reminded everyone to not jump to conclusions.
- Budget Discussion – 2019 Budget and Proposed Warrant Articles
  - Mike reviewed budget totals for 2010-2018; his opinion is that budget reductions are no longer possible; Ben asked Mike to confirm that without federal grants town is estimated to have been running out of money by 12/31. Mike confirms, and points out this would have violated the law. Bob reminds Board and public that this could still occur as grant money has not yet arrived.
  - Mike began dept-by-dept review of budget items, including 2018 budget, 2018 actuals, 2019 default, and 2019 proposal, highlighting changes.
    - Discussion ensued on several issues: no motions or actions.
    - Bob Long is taking lead on reviewing parks, rec, sawyer park budget areas
  - Mike reviewed warrant articles
    - Ben is taking lead on town clerk and tax collector salary warrant articles.
    - Bob is taking lead Sawyer Park agreement warrant article.
    - Ben is taking lead on investigating balloting procedures for Sawyer Trust officers to become elected positions; confirmed understanding of Board of Selectmen that they understand this change, if it occurs, would happen regardless of future SKT-Lewis-Town draft agreement.
    - Because BOS rep will be absent, Ben asked SKT (will email members) reps from town to ask SKT at its next meeting (12/12/18) to begin process of changing paperwork from town-appointed to town-elected positions.
    - Motion from Bob: **"The BOS supports the SKT proposal to change the three positions appointed by the BOS to positions which shall be elected by the residents of Kensington with staggered 1,2, and 3-year terms, effective at the 2019 Town Meeting."** Mike seconds. Unanimous. Board will remind public on December 17.
    - Mike reviewed positions open for elections in 2019 with filing dates and procedures.
    - Mike motions **"BOS work with Town Clerk to publicize and post open elected positions for 2019 and that the listing be updated whenever a person files for one of the spots."** Ben seconds. All in favor. Intent is to post list publicly outside of Town Clerk office. Ben takes the lead on working with Town Clerk in this regard.
  - Concerns about website; Ben is coordinating website revision requests for Kathy; citizens asked to be in contact. Donna asks who has website credentials: Ben investigating.
  - Ben updated Board on BOS procedures/policy project; Bob suggests adding conflict of interest policy; Mike suggests policy preventing deletion of relevant emails while in office.

Mike motioned to adjourn at 2:30 PM. Bob seconded. All in favor.

Respectfully submitted,

Ben Cole