

**TOWN OF KENSINGTON  
BOARD OF SELECTMEN  
MEETING MINUTES**

**August 18, 2014**

***Approved October 13, 2014***

**In attendance:** Norman DeBoisbriand and Russell Perry were in attendance. Norman called the meeting to order at 7:41pm.

The Board presented Chief Michael Sielicki with a citation and flag that was flown over the state house in his honor by Governor Hassan. The Board thanked him for his service to the Town of Kensington and wished him well.

Norman made a motion to appoint Scott Sanders as Police Chief, seconded by Russell with both in favor. He was sworn in by the Town Clerk. The Board congratulated him.

Cake was served for the many attendees and their families. The meeting continued at 7:58pm.

***CITIZEN'S FORUM-***

***DEPARTMENT HEADS:***

**Fire Department-** Chief Leblanc was not in attendance.

**Building Inspector-**Mark Sikorski presented four permits for approval:

- Webber, 12 Shaw's Hill Road, after the fact permit for shed that exceeded costs. Russell made a motion to approve the permit as presented, seconded by Norman with both in favor.
- Emmons, 5 Juniper Lane, temporary above ground pool. Russell made a motion to approve the permit as presented, seconded by Norman with both in favor.
- Manic, 5 Rose Petal Lane, above ground pool, Russell made a motion to approve the permit as presented, seconded by Norman with both in favor.
- Yarossi, 71 Wild Pasture Road. Add exterior storage and office space to existing garden shed. Mark reported it already has an outdoor seasonal shower and Mark submitted a letter with a recommendation that will be included in his assessing file. He will request pictures of before and after to be included in the file to maintain a record of the work done. Russell made a motion to approve the permit as presented, seconded by Norman with both in favor.
- 149 South Road. Mark provided an update to the Board that he has not heard anything since the last meeting and there hasn't been any permit applications submitted.

**Emergency Management-**

- A practice for the upcoming drill will be held on Wednesday at the Emergency Operations Center. Anyone that would like to volunteer may attend. It begins at 8am.
- He presented the application for the LEOP for the Board to sign and notarize. He will need copies of these minutes. This is a requirement to institute the FEMA operations

plan for the town. The cost of this project is \$8k which \$4k is paid directly through FEMA and the other \$4k is labor so it will not cost the town since we'll be reimbursed. *The Town of Kensington Board of Selectmen, in a majority vote, accepted the terms of the Emergency Management Performance Grant (EMPG) as presented in the amount of \$8,000 for the purchase of the LEOP. Furthermore, the Board acknowledges that the total cost of this project will be \$8,000, in which the Town will be responsible for a 50% match (\$4,000). (Amendment made at the September 8, 2014 meeting).*

**Assessing-** Kathleen Felch presented the following for signatures:

- MS-1
- Two bills

**Tax Collector-** Carlene Wiggin did not have anything to report.

**Town Clerk-** Pamela Kehoe reported:

- She is working with the police department on dog licenses which are still being pursued.
- She introduced Dana Donovan, the new deputy clerk who will be starting state training tomorrow.
- The voting machine will not be ready for the upcoming primary so they will be recruiting counters.

**Recreation Department-** Donna Carter inquired who should send a donation thank you letter to Mr. Lewis for offering to offset half of the cost for the fireworks for the next ten years. The Board asked Donna to have Leslie send the information to Lynne and she will send the letter.

**Police Department-** Chief Sanders reported:

- At the last meeting he was asked about restrictions on types of weapons that are discharged. The only restriction for shotguns is for hunting, not recreational target shooting so they are unable to enforce.
- He applied for three portable breath test machines. One is required for his drug certification. After providing information on recent work they've done in Kensington, they were awarded to us at no cost. They are valued at \$750/pc.

**Conservation Commission-** Members were not present.

**Sawyer Kensington Trust-** Lynne reported:

- There has been a request to place a partition in the bathrooms at Sawyer Field. Norman suggested installing an eye latch instead.
- The installer of the railing never responded. Norman thought it was loose but Art reported it was bowed and thought the installer should be liable.

**Road Manager-** David Buxton reported

- Roadside mowing is complete for sickle bar mowing.
- He received two bids for roadside brush cutting, one contractor is \$100/hour and the other is \$80 /hour. The cheaper contractor is Soule Enterprise from Lee. They are

handling all of the towns right now and can start the end of September. Chris Batchelder's rate is \$100/hour but he won't be able to start until sometime in October.

- Complaint was received on limbs and brush on Dow Lane, he prefers to do brush cutting first and they could manually trim this.
- We usually stock 3"-4" of rip rap but we are all out. He received pricing from Pike Industries for \$75/hour and would like to order two or three loads.
- Chris Batchelder will be starting town wide patching.
- New Boston, Hickory Lane and Bartlett Roads need some gravel and grading. He will obtain quotes. Typically we pay \$15/yd. for gravel and \$130/hour for labor.
- He submitted engineering quotes for Kimball Road to the Board.
- Some areas in town need ditching and cutting of shoulders and he will work on this.
- Granite State Minerals provided their salt delivery pricing which is valid until 2015. The cost quoted is \$48.43/ton. We've paid as much as \$62/ton recently. Since we consume approximately 200-250 tons we'll see significant savings.

**Town Hall Update-** Norman reported that part of the recommendation for getting the building back into some type of operation is to bring the heating and cooling up to standard. WH Demmons came to evaluate the electronics. The piping was removed from the baseboard heating to prepare for installing the waterproofing. Demmons monitored the electronic components and confirmed they work. They came back and re-piped so the system can be started and an air quality test can be conducted since there is now air flow through the system. All electrical outlets on the exterior walls had to be raised which was done today and the electrical panel was removed from the wall. Northeast Basement Systems will start the interior waterproofing which will take 3-4 days to complete. Once it's cleaned up they could conduct an air test to see how far we move into the future with the building. Norman requested permission to order a dumpster because they need to remove the studs. He also received a recommendation from the engineers to remove the lilac bush growing in front of the air intake system. Norman also reported there has been no apparent water seepage over the last several rain storms since the gutters were installed. Russell made a motion to order the dumpster and remove the lilac bush, seconded by Norman with both in favor. Norman asked Dave to have the oak tree that is hanging over the town hall to be trimmed.

**Police Department Trailer Update-** Norman reported Peter Landry provided us with a septic design which includes a pad for double wide trailers. He updated the audience that this is a temporary solution for the police department as a result of the Department of Labor siting the town for our police department's lack of appropriate sanitary conditions. The Board is looking for a solution which is bringing in one or two double wide trailers and providing water and sewer. The sewer solution was to install a holding tank instead of a leach field which the state approved. We have a plan but need to determine the cost to bring in fill and address the slope. Norman wasn't sure if we needed to hire an engineer. Dave responded we should be able to use the existing design but he wasn't comfortable with the well being located so close to the road. Dave suggested having a meeting on the site to review the proposal. They will meet at 7pm on Thursday at the site. Lynne contacted a well company and put them in touch with Dave for their questions. He has some small contractors that can provide quotes to do the tie in. He would like to contact more well companies.

The inspector from the Department of Labor returned from vacation today and she originally requested a meeting today or tomorrow because she was concerned about the timetable for a solution. Norman hasn't heard from her but will try to schedule it so Russell will be able to attend. She indicated to Norman that there are fines that are involved in this but he's hoping if we show her we are making progress, they will be satisfied.

### ***NEW BUSINESS:***

**39 Wild Pasture Road-** Donna Carter attended to discuss access to the back lots. Dave Buxton confirmed the planning board only has jurisdiction on the first 13 feet for driveways so the Board of Selectmen would be the office who does the approvals for the back lots. Donna is requesting a letter from the Town stating they can use the original driveway to access all four of the lots. She reported the fire chief already confirmed the required width. She presented the assessing cards showing they predate zoning as well as list the chain of deeds. Peter Merrill stated he read the email from town counsel and unless there was additional communication he felt it was a vague response and not specific to this property. He encouraged the Board to review the chain of communication first.

Norman stated that since this concern was raised he felt it was due diligence to research it but the Board would be able to provide a resolution very quickly but it wouldn't be tonight. Donna stated since the site distance was fine what were their concerns? She stated the planning board included in their minutes that it was up to the selectmen. She continued that there will be a domino effect if they don't get an answer. She just wants to confirm the buildable lots can use that driveway since the only other access is to use the right of way up the street and many abutters are in attendance and don't want it used. Dave reported that the driveway permit process was done when original owner installed the driveway so the first thirteen feet are already accepted. There is a modification to be required for the hottop before an occupancy permit is issued. Dave is comfortable with using it as an updated driveway. Peter will send his comments first thing in the morning. Norman responded if everything is clarified Lynne can send a letter before leaving on Thursday allowing use of the existing driveway.

**Selectman Appointment-** Norman advised that there were five candidates for the open position and he's hoping to come to a decision tonight for Scott's replacement. He would like to open it up to the floor but doesn't want to make it to a political campaign. He asked to keep it positive and was encouraged at the number of people who attended tonight.

Wayne, Peter and Robert were in attendance and each gave a brief overview of themselves.

Russell advised this is only a six month interim position and he encouraged all of the candidates to run at the March election. He agreed on giving people an opportunity to speak but they should keep it to relevant information. The Board advised if they don't make a decision they need to petition superior court and they don't want to do that it would cost the town money.

- Several residents spoke in favor of Peter Merrill.
- Dawn Frost inquired if this could be included on the September 9<sup>th</sup> election and was told it wasn't possible.

- Pam Kehoe suggested appointing a newer resident.
- Steve Smith suggested the two candidates who were not in attendance should not be considered. Norman stated they were committed enough to put their names in so they should be considered. Russell advised since he was at work and unable to attend the last meeting when all candidates were invited to attend, it shouldn't be held against them. It was only the third meeting he missed in two terms.
- Dickie Welsh hopes the chosen candidate does not have a personal agenda.
- Rich Powers suggested each selectman take a minute to explain what they are looking for in the candidate.
  - Russell stated he envisions on going through rationale on what he's looking for and what's important for a selectman.
  - Norman stated similar to Russell the next six months are going to be very active and he's looking for someone who can adapt to it and knows the history. The last election has shown the town wants to move in a direction different from what was done in the past.
- Scott Lowell stated two of the candidates were chosen by the people in past elections so he thinks they should take priority. The people will have the ability to choose at the next election in six months.
- Dawn Frost disagreed with him.

Russell stated he agrees with Scott Lowell and in looking for an interim he would prefer to have someone who was part of town operations so his first choice would be Stefanie Johnstone followed by Mr. Wadleigh.

Norman disagreed and said he thinks the town wants to go in another direction. He said Stefanie has her house up for sale and if it's sold we could be in the same predicament next month. That is one of the reasons he wouldn't recommend her. Russell stated that wouldn't be an issue. His first choice would be someone who can hit the ground running. He's not supporting the newer candidates because the issues in the town are very deep rooted and need an understanding and philosophy of how the town thinks and the next six months are a very active period. His first choice is Peter Merrill followed by Bob Wadleigh.

He asked Russell why he didn't think Peter would be a candidate. Russell stated he prefers someone who was already a selectman. It's just a fill in for the short term and she was elected three times by the residents.

Russell made a motion to appoint Robert Wadleigh as interim selectmen with an expiration date of March 2015, seconded by Norman with both in favor.

Mr. Wadleigh was sworn in by the Town Clerk and took a seat at the selectmen's table.

**Health Officer Renewals-** Karl Singer was reappointed and Chief Scott Sanders was appointed as a replacement of Chief Sielicki as health officers.

**Road Race Application-** Krempels King charity road race application was submitted for October 18<sup>th</sup>. Russell made a motion to approve as requested, seconded by Robert with all in favor.

**Special Events Application-** The Farm at Eastman's Corner requested permission for an assembly. There will be wine tasting. They will hire two police officers for details and contact the Police Explorers to help with parking and traffic. The Board approved the request as long as the police department was satisfied with the details.

**Park Use Applications-** The Kensington Congregational Church is having two events at the park. One is for a concert and the other is for a gathering. They are aware that it is soccer season and there may be a game on the field during their September 14<sup>th</sup> rental. They submitted a request to waive the fees. The Board approved of the fee waiver. They will need to work with the police department on a detail since a large crowd is expected for the concert.

### ***OLD BUSINESS***

**Recycling Facilities-** Norman gave an overview of the recycling situation. Lynne obtained two quotes, one from Waste Management and one from Integrated Paper Recyclers (IPR). IPR is located in North Andover vs. Waste Management in Billerica. Lynne created a spreadsheet comparing what the Town would've paid for recycling in the past year had we been using each of these facilities. The selectmen stated IPR is closer and has lower pricing. The Board wants to clarify the definition of dual stream vs. single stream recycling. Norman made a motion to accept the bid from IPR in North Andover and if it's single stream as we anticipate- to use that method, seconded by Russell with all in favor. This will begin the first Tuesday in September. Recycling will still remain 48 weeks without pickup on the fifth week of a month.

**Access to Church Well Proposal-** The church submitted an email offering two year usage for \$2500/year paid quarterly in advance. In addition they would like a four year agreement to share costs of repairs as well as all costs of connection and disconnection. The Board will need to research what it will cost to bring over and connect vs. cost of a new well. Peter Merrill asked about tying into their septic. Norman stated we have an approval on a temporary tank. Robert stated after listening to the last meeting he suggested staying away from a leach field. He was told we have a tank with crushed stone but no leach field and it's an old dry well.

#### **Administrative Assistant:**

- **NFIP-** FEMA sent a letter to the Board approving our request for joining the NFIP.
- **Dept. of Revenue-** Our municipal agent has retired effective August 1<sup>st</sup> so we've been assigned to another agent.
- **Softball Tournament-** The adult rec. department softball tournament was approved.
- **Pavilion/Grilling Permit-** A permit was presented with permission for grilling. The Fire Chief already approved his portion.
- **Safety Committee Meeting-** Norman will submit minutes from the meeting to Lynne. Russell stated he will remain on the committee.
- **Planning Board Selectman's Rep:** Norman will remain as the selectman's representative.

- **Umbrella donation-** Terrie asked Lynne to send a thank you letter to Coca-Cola for their umbrella donation to the park. There were concerns if there were stands for the umbrellas so they didn't blow away. Lynne will check with Terrie.
- **Olivia Lane Business-** Peter Merrill asked about the status of the business on Olivia Lane. He drove by recently and noticed there were a lot of vehicles parked there. There haven't been any further complaints and they moved the business to North Hampton. The Board asked Chief Sanders to drive by check it out.
- **Unitil Sign Erected-** Lynne received an inquiry from a resident about the sign recently erected at Unitil. A sign permit has not been submitted. The Board asked Lynne to send a letter to Unitil advising them of the correct process.
- **Tree Work on Softball Field-** Dave Macek submitted two bids for tree work on Field C. They use funds from their softball league to pay for the upkeep and this is included. Towle Hill quote is \$1100.00 and Seacoast Tree is \$1800.00. Russell made motion to accept Towle Hill's bid, seconded by Robert with all in favor.

**Non Public Session RSA91A:3,II(e):** Norman made a motion to enter non-public session at 10:18pm, seconded by Russell with all in favor. Litigation was discussed. Russell made a motion to leave non-public session, seal the minutes and return to regular session at 10:57pm, seconded by Norman with all in favor.

**Non Public Session RSA91A:3,II(a,b):** Norman made a motion to enter non-public session at 10:59pm, seconded by Russell with all in favor. Russell made a motion to leave non-public session, seal the minutes and return to regular session at 11:55pm, seconded by Norman with all in favor.

**Bills & Mail-** Bills were approved and signed.

**Next Meeting Date-** **September 8, 2014** 7:30pm in the Kensington Elementary School Library.

**Approval of Minutes** –Norman made a motion to approve the July 21st meeting minutes, seconded by Russell with both in favor.

Russell moved to adjourn at 12:20am, seconded by Norman with all in favor.

Respectfully submitted,

Lynne Bonitatibus  
Administrative Assistant