

**TOWN OF KENSINGTON
BOARD OF SELECTMEN
MEETING MINUTES
January 5, 2015**

Approved January 19, 2015

In attendance: Norman DeBoisbriand, Robert Wadleigh and Peter Merrill were in attendance. Norman called the meeting to order at 7:00pm.

PUBLIC HEARING FOR 2015 BUDGET AND MONEY WARRANT ARTICLES

Norman made a motion to enter public hearing at 7:00pm, seconded by Peter with all in favor.

Norman and Peter took turns reading through each line item on the budget and discussed any changes made and how it affected the default budget. They then reviewed the money warrant articles. An update was made to the default budget for the police department salaries.

Lynne will review with the Department of Revenue to see if the warrant article for the fire truck should be amended since the funds were not encumbered for the 2014 warrant article. Charlie inquired why this wasn't discussed sooner so they could've researched it and suggested legal counsel review. Norman stated it is in the RSA. He reviewed the lease and paperwork and felt there wasn't a legal obligation to encumber the funds since the next payment will be in 2015 so the 2015 warrant article would cover those funds to make us current instead of encumbering funds each year. Kevin Rosencrantz was in attendance and was a selectman at the time the truck was purchased. He reported they encumbered the funds because it wasn't due yet but they knew it was coming due. Kevin said it guaranteed the payment by signing the lease and they couldn't order the truck without having the funds approved.

Peter made a motion to contact town counsel for a mechanism to fix the problem seconded by Norman with all in favor.

All questions and comments were addressed.

Norman made a motion to leave the public hearing and return to regular session at 8:26pm seconded by Bob with all in favor.

CITIZEN'S FORUM:

DEPARTMENT HEADS:

Police Department-Chief Sanders reported:

- Trailer update:
 - They are now set up in the new trailer.
 - Need for outside lighting.
 - The computer dedicated outlet will be installed tomorrow.
 - Hot water heater doesn't appear to be working.

- The water isn't clear.
- Security is all set.
- He'd like to install a keyless entry system and will obtain quotes.
- He will schedule an open house on a Saturday at the end of the month.
- Jersey barriers still need to be installed. Dave contacted one supplier.

Fire Department- Chief Leblanc left for an alarm and returned later in the meeting to report:

- He received one verbal water hole repair quote and the second company did not return his call. The work will need to be done when it's warmer weather.

Building Inspector-Mark Sikorski presented the following building permit:

- **Holt, 53 Cottage Road, New Modular Home and then demo existing home and fill in cellar hole.** Norman confirmed with Mark that they meet the setbacks and are using the current septic. Norman made a motion to approve the permit as presented, seconded by Peter with all in favor. Peter noted a demolition permit will also be needed and would like it brought before the Board.

Road Manager-Dave Buxton reported:

- The engineers hired for Kimball Road have located the bad culverts and submitted their plan. He will talk to Charlie tomorrow to obtain his feedback and then bring it back to the Board.

Emergency Management- Robert Gustafson has two meetings scheduled this month.

Assessing- Kathleen Felch did not have anything to report.

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

Town Clerk- Pamela Kehoe was not in attendance.

Recreation Department-Members were not present.

Conservation Commission- Members were not present.

Sawyer Kensington Trust- Members were not in attendance.

Building Committee Update- Peter reported the studding work is taking place now and as soon as it's complete the insulation will be installed.

Citizens Comment- Richard Elwell thanked the Board for the work they've done in the past three months. There have been many meetings and the amount of work and personal time they spent to correct the water problem and move the police department was above and beyond what was expected.

NEW BUSINESS:

135 South Road- Peter Rizzo attended to discuss the property that his parents owned since 1955. His father recently passed away and they need to sell the house. He reported the Town told him the lot located in the back is not a separate lot. It was purchased in 1985 and in 2005 they transferred everything from John and Alice Rizzo to the Rizzo Trust. He stated that Kathleen told him title searches were not done so it was missed. He's here to try and resolve this so they are two separate lots. He presented the deed and Kathleen showed the Board the location on the map. Avitar told her they believe it was left off one of the deeds. She's not sure if the plan or deed takes precedence. Avitar thinks it is one parcel on our maps but the owner disagrees. The second lot has a driveway access to it. Peter confirmed with Kathleen that Avitar has seen this deed he presented. Both the deeds and the map are recorded at the registry. Norman made a motion to send to town counsel for their opinion seconded by Peter with all in favor.

Noise Complaint- Kevin Rosencrantz attended at the request of the Board regarding a noise complaint from a neighbor. Kevin advised the work that has been done when the complaints were made to the police department have been while he is working on his farm. This is a separate property from the dealership. He had the Farm Bureau send him the RSA's relating to the right to farm which he presented to the Board.

He proceeded to explain what work was being done. During the fall he harvests silage hay which needs to be wrapped in plastic before it rots. Three or four times police were dispatched during this wrapping process and he was asked to finish as quickly as possible and usually within 15 minutes he was done only occasionally was it longer. There was a cow born Sunday night around 11pm and he had to bring it into the barn so it didn't freeze and die. Sometimes you can't control circumstances. The RSA states the farm must have been in business for more than a year and he's been farming for 20 years and noted his neighbor has been there for 10 years. He did not deny there were issues between the neighbor and tractor dealership. They hired a sound company and installed a berm and no longer work after their deadline. Kevin believes the complaint is with him and the neighbor has never come to him with his concerns. This is not an everyday occurrence, he even disconnected the backup alarms since it's on his own property but the police still came.

Kevin stated he gave them the data so they can make a logical decision. Norman confirmed with him it's sporadic and he's not harvesting crop, only doing hay. They confirmed this has nothing to do with the tractor dealership. Kevin reported every time an officer has come, it has been to his farm, never to the dealership. Peter asked how many acres are being hayed. Kevin responded probably 250 acres. After they are baled, they are trucked to his farm and wrapped there. Peter asked if he can do it the following morning, but was told once it is in a bale it's heating up and starts to rot immediately. Kevin said he wrapped four nights and each time the police were called and something broke which delayed the work. He doesn't want to be out there that late. Kevin confirmed with Norman that approximately four to eight days per year he's out working after 9pm. Peter suggested making a courtesy phone call to the neighbor so they can coexist. Kevin said he would gladly do it if the Board wants him to, but he doesn't have contact information. Norman disagreed with the idea because of the circumstances and it could be misconstrued or considered harassment. Kevin provided the RSA to the police chief and his intentions are not to be a nuisance. Chief had told him now that he has it, he can let the neighbor know when he calls that Kevin has the right to farm and it won't tie up the officers since it's

something they can't enforce. Kevin thinks the neighbor needs to be made aware it's his farm not the dealership. They thanked him for coming and he offered to come back if needed.

Non Public Session RSA91A:3,II(c): Norman made a motion to enter non-public session at 9:12pm, seconded by Bob with all in favor. One tax matter was discussed. Norman made a motion to leave non-public session and seal the minutes at 9:38pm, seconded by Bob with all in favor.

OLD BUSINESS

Administrative Assistant:

- **Notarized Document-** Kathleen notarized a legal document for the Board of Selectmen earlier in the meeting.
- **Safety Committee Meeting-** Norman would like to schedule the first quarterly meeting on January 22nd at the library at 7pm.
- **Warrant article submission request-** A Webster selectmen submitted a warrant article asking if the Board would consider including it on the ballot. Peter made a motion to not include it on the ballot, seconded by Norman with all in favor.
- **Rock Wall Damage-**The Board asked Lynne to see if the contractor who built the wall would submit an estimate to repair the damage.
- **Recycling Pamphlet-** Lynne created a flyer for the new recycling. It will be submitted to the Community News.
- **Route 150 Road Complaint-** NH DOT confirmed they will look into it. Bob stated it looked like some work was already being addressed.
- **Oil Delivery-** Lynne is still awaiting a response from Midway Oil.
- **Septic Permitting Proposal-** Peter Landry will prepare a proposal for the Board.
- **Filing Period for Elected Positions/ Petitioned Warrant Article Deadline-** Lynne advised this is on the town calendar and was submitted to the last Community Newsletter. Peter asked her to add to the website.
- **Budget Finalization-** Lynne suggested scheduling a tentative meeting on January 26th to sign the warrant and budget for posting if it's not ready sooner. The Board agreed.
- **Fire Truck Paperwork-** Lynne advised Norman he was appointed as the person in charge of contacting Lakes Region to resolve this issue. NOT DISCUSSED.
- **Daytime Ambulance Coverage-** NOT DISCUSSED.

Bills & Mail- Bills were approved and signed.

Meeting Minutes- Peter made a motion to approve the draft meeting minutes from September 22, 2014 through December 29, 2014 seconded by Bob with all in favor.

Next Meeting Date-January 19, 2015 7:00 pm in the Kensington Elementary School Library.
There will be a continuation of the budget & money warrant article public hearing if needed.

Norman made a motion to adjourn at 10:28pm, seconded by Bob with all in favor.

Respectfully submitted,

Lynne Bonitatibus
Administrative Assistant