

**TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Elementary School Library
122 Amesbury Road
Kensington, NH 03833
THURSDAY
March 24, 2016
5:00pm**

Meeting Minutes-Draft Subject to board approval

In Attendance: Norman DeBoisbriand, Chairman, Peter Merrill, Robert Wadleigh, Chris Batchelder, Pete LaChapelle, Waste Management ; Luisa Pereira attended later.

Norman opened the meeting at 5:00pm.

NEW BUSINESS:

Recycling Issues-

The board explained how our current Recycling Plant Integrated Paper keeps having to close and not notifying the town. The board had contacted Waste Management in Rochester to see if the town could dump the recycling there, while Integrated Paper's plant was down. This meeting is to set up an agreement/contract with Waste Management because of the willingness to help the town out when it had no place to dump. Mr. LaChapelle introduced himself and explained that the recycling is not processed in Rochester it is done in Billerica, MA. It is single stream, and will be analyzed periodically to see what the town is recycling most, which will set the rate per ton. Mr. Batchelder will be picking up the recycling and dumping at one of the facilities. There are two rates of recycling, if it is brought to Rochester, NH it would be approximately \$57.05 per ton, but if it is trucked to Billerica, MA it will be around \$22.50 per ton, because there will be no trucking charges. Mr. LaChapelle will get the address to the Billerica, MA facility to Kathleen tomorrow. For the next few dumps the town will be taking the loads to Rochester, NH because there is a load currently on the truck that will need to be dumped before the next collection on Tuesday.

Mr. LaChapelle explained the recycling market and the cost driven changes. If the market picks up again then the costs will be reduced and passed on to the Town. There is a 3 year contract that has a clause in it for the town so that if the budgeting process does not pass the expense there is no penalty to the town. Chris asked if the cost would be less to the town if they were to pick up the recycling, and it would not because they would have the trucking charges. They would be happy to bid on it in the future.

There is a specific list that the town will have to follow for recycling. The cleaner the loads the less it will cost. No Styrofoam will be accepted, even if it has a recyclable symbol on it.

Discussions continued after Mr. Chapelle left the meeting.

- Town wide mailing or meeting for education on recycling process
- Weight and size of trash bags currently being picked up/ a lot are over the weight limit and size
- Going to bags instead of using the stickers; discussed as being pay for use.

Mr. Chapelle and Mr. Batchelder exited the meeting.

149 South Road:

Luisa Pereira came in at to the meeting at 6pm. She had some concerns about the letter from the Building Inspector, Norman Giroux. Copies of the letter were handed out along with the email sent.

Norman explained that there has been a change in the building permit procedures. The Board of Selectmen does not have the control over the issuing of the building permits. The Board of Selectmen is now strictly code enforcement for the town on the building permits. Mrs. Pereira is aware of the change and expressed that her permit was approved prior to that change. She explained that she is okay with doing some of the things on the list. She has issues that need to be addressed and answered. Is the original building permit lost? It was clarified that is was the building permit card that all of the inspectors sign. Peter explained that there is only one copy of the permit card that gets displayed at the location of the construction. Mrs. Pereira explained that is now missing, but had signatures. James Boyd the last electrical inspector had signed off on that permit. March 3, 2016 Luisa had a conversation with Norman Giroux the building inspector, and he informed her that the building permit that was issued was not charged correctly for what was done, and that he could reassess and charge accordingly. It was also explained that he receives a percentage of the permit. She does not feel that she should have to pay extra for a mistake made. There have been many requests for more things to be completed, and they have been doing their best to complete those issues as they come up. Mrs. Pereira would like a copy of the building card produced and put in her file for future reference. Mrs. Pereira asked about getting an occupancy permit, and does she need one issued.

Norman explained that there was an assembly permit issued, and that the board would have to discuss her situation in regards to the occupancy permit. Mrs. Pereira read the following from the Town's Zoning Ordinance:

8.1.7 CERTIFICATE OF OCCUPANCY REQUIRED

Applications for Certificates of Occupancy shall be filed coincident with the application for building permits and shall be issued or refused in writing for cause within ten (10) days after such buildings have been completed. Failure of the Building Inspector to act within ten (10) days of receipt of said notification shall be deemed to constitute approval of the application for a Certificate of Occupancy.

The board expressed that they understand what Mrs. Pereira is going through in regards to the situations at the business. The board wants to work with Mrs. Pereira, and expressed that what was just read has credence. Some procedures in town have been lacking, the board should work with her to make things work.

Bob expressed that it needs to be fixed and in compliance with the state requirements. Mrs. Pereira talked with Dean, who is the Safety and Building Commissioner. She is not going to get the occupancy permit. Norman expressed that if the board put a document together on what they as a group are okay with regarding the letter sent from the building inspector and sign it, is she okay with that. This would create a paper trail for this process. Peter expressed that this is a better process to have a paper trail.

Mrs. Pereira expressed that Mr. Giroux had a verbal conversation and listed things that needed to be fixed, but it was not written down. That is not the proper process and she does not want that done again. The board agreed.

She is not willing to do the application for FEMA. Mrs. Pereira talked to the state and they indicated that if she was not excavating then she did not need to file the permit. Renovating the interior does not qualify for the permit according to Mrs. Pereira. The board went through a list of items and will respond to them and send a letter to Mrs. Pereira by tomorrow.

Mrs. Pereira explained that there is a patio outdoors and that Yvette had someone attend for her to represent the business and that they need to go to the Planning Board for a site plan review. She explained that she does not think that has to be done. Peter explained that if the patio was there and the use of it changes then it would be a change of use and have to go back before the Planning Board for a change in use. But that is not the purview of this board.

The board is unable to make any determination on that.

Mrs. Pereira expressed concern that a police officer informed the board at a selectmen's meeting that there was not an occupancy permit, and she is concerned about that. She expressed a concern for the police presence at the property. Yvette has documented all interactions and policing in the area. The board was unaware of that presence. Peter explained that it was a public meeting and not sure why the police officer would have indicated that there was no occupancy permit. Bob explained that it might have been because of the liquor permit being issued without the occupancy permit, and that the Assembly Permit was issued first. It was recalled that he only stated that he was not aware of the final inspection being done. The Chief of Police does not have any code enforcement authority within the zoning issues; he would only deliver the cease and desist order if needed.

Mrs. Pereira is very frustrated with the process, and wants the issues resolved. Bob talked to Mr. Giroux and the one thing that he was concerned with in regards to the electrical would be the GFI's in the kitchen. The electrical is not the purview of the building inspector.

The board and Mrs. Pereira will come to a reasonable agreement, and a letter will be drafted by the board and delivered to her tomorrow. The board deliberated over the list and produced a letter to Mrs. Pereira that will be put onto the permanent file. Mrs. Pereira has concerns that she wants to discuss with the police department at the next open meeting. She also requested all correspondence to be in writing to her, and not to Yvette.

Mrs. Pereira exited the meeting.

Norman made a motion to go into non public at 6:43pm; seconded by Peter all in favor.

Non Public RSA 91-A:3, II(c); there were 3 non public reputation issues discussed and one legal issue.

Norman made a motion to Seal and Close non public session and reenter the public session at 7:30pm seconded by Bob, all in favor.

The board went over the list that was sent to the board from the Trust. Kathleen was asked to respond to the email with the boards responses. The trust would like to update the signs at the park and the changes will be discussed at the April 4th meeting between the Trust and the board.

Norman suggested that the board just get a quote from Royal Tree Service to take down the tree at 49 Cottage Road. Kathleen will call Mr. Pacy tomorrow. The board will also get a price from them on the hemlock that is on the skate park. Norman will meet him to show him what needs to be done.

The Concession Stand keys have been rekeyed and there are 5 keys to distribute. Norman, as the park liaison will have a key, as well as Bruce for the Trust. The board signed the bill to be paid out for the rekeying.

The board talked about receiving quotes on the painting for the Town Hall Renovation Project. The different aspects of what is needed were discussed.

Building update:

- Possibly have the painting done in phases
- One week out for the basement to be insulated; can it be done in phases
- All offices upstairs are wired except for data lines.
- Tomorrow moving the PD from upstairs to downstairs.
- Upstairs will be gutted this weekend.
- Within 6 days should be framed up; first week of April.
- April 11th should be ready for insulation. Peter cautioned that when you stage spraying you want to do it all at once.
- Tiling will be going in at the end of April.

- Rooms tiled downstairs for \$12.50 per hour with Norman helping, they will continue with all non public areas if the board agrees. The board is in agreement for them to continue.
- A few colors will be presented to the office staff upstairs for them to choose colors for the offices.
- Hallway will be painted in matching color.
- Heating pads under the tile downstairs for added warmth; just under desks; programmable
- Week for official opening of the building; Maggie Hassan would like to attend.
- 3rd week in June it should be completely done
- Air test will be done before anyone occupies the building. Could be 2 weeks to get back.
- The board will have a meeting with all employees and give the air report to everyone and have someone from the company interpret the report to everyone at the same time.
- Official Ceremony might be around the Kensington Days in July. The board will discuss further.
- Handicap ramps by Amesbury Road- check if 36 inches for handicap doors is sufficient; swing and paved area has to allow for movement, cement might need to be made wider, and railings on both sides of the walkway; traditional period railings should be used. The board will continue to discuss.
- The board will contact the Friends of the Town Hall and the Historical Society, write a letter and ask if the shutters can be put back on. Traditional wood shutters will be expensive.
- Handicap ramp for main entrance; should be done nicely; maybe a heating circuit to keep it thawed in winter
- Parking lot lights; the board will contact Skip Heal for interest in doing lights. Main hallway and parking lot. Coordinate styles with Carlton Rezendes.
- Paving parking lot
- Possibly a mural for stairway
- Time capsule date and time for it to be opened. Different groups have been contacted.
- Generator will be expensive; Bob is applying for a grant to help cover costs.

Norman made a motion to have Carlton Rezendes to help to choose traditional colors and flooring for the town hall project to match old town hall colors to the new section. Peter seconded, all in favor.

Bills signed for reimbursements for Town Hall Renovation expenses, and rekeying of the concession stand, and recreation committee events.

Norman made a motion to adjourn at 8:13pm; seconded by Bob, all in favor.

Respectfully Submitted,
Kathleen T Felch