

TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road
Kensington, NH 03833
MONDAY
September 24, 2018
Meeting Minutes-DRAFT
6:30pm

In Attendance: Michael Schwotzer, Benjamin Cole

Public in attendance: approximately 30

Mike called the meeting to order at 6:30pm.

All in attendance pledge of allegiance.

Introduction of new Board of Selectmen members

Mike has been a resident for 41 years and has a BA, MBA and MPA, and is a Certified Management Accountant, and worked the last 8 years as the finance director in Hampton. He has held many different roles in the town.

Ben explained that he has grown up in town, went through the Kensington School System and has a Bachelors in Political Science at UNH and a Masters degree for the same. Ph.D. in public policy from George Mason and taught government for a few years at UNH, and at Dartmouth, and been at Simmons since 2012 teaching full time. Moved back to town in 2014 and bought the family homestead. Since 2016 he has been on the school board.

Mike explained that they will be the selectmen until March 2019, there will then be 3 seats open on the board with staggered terms. A one, two and three year for residents to sign up for. He asked if anyone had any questions on how they got here and there were no questions.

He explained that it is a public meeting and everyone is welcome and they have the right to record. He stated that people should ask to be recognized and address the comments to the board, and to use the podium and state their names and addresses for the record.

DEPARTMENT HEADS:

- Police Department –Chief Scott Sanders
 - Governor early last year established a task force for school safety and preparedness. The report has been finalized and is being sent out to the communities, and by looking through the report he sees that lot of recommendations have been implemented in SAU16 already. There will be a few ideas that should be done, but is confident on what they have done so far.
 - Starting in October Beards for Bucks Fundraiser will begin, this helps to fund the CDC, who support the children who have been victims of physical and sexual abuse. If there is an incident in town the CDC helps them to conduct interviews in a setting where there is a counselor that helps to minimize the impact of the trauma to the child. Kensington has used this program 2-3

times each year. Starting this week, the department will be growing out their beards. Mike asked how people can donate. The Chief stated that he will have a link on the department Facebook page and explained that there is a competition between the officers and towns, and donations are appreciated and they all go to the same place.

- The Chief will be gone from October 5-9 for the International Police Chiefs Conference, Sergeant Cain will be in charge to deal with any issues, but he will be reachable by phone.
- Fire Department – Chief Jon True-
 - Fire prevention week is October 7-13, 2018. Have emergency evacuation plans with your family, have a meeting place outside of the house and check your smoke detector and carbon monoxide detector batteries. Any detectors over 10 years old should be replaced. Please contact the fire department if you know anyone who doesn't have them, or who needs them.
 - Pay Scale- Numbers have been updated and adjusted to be in line with surrounding towns, and added a tenure for 8 or 16 years on the Kensington Fire and Rescue. He requested a non-public session for the next meeting to discuss these.
 - Working on the SOG's and best practices along with the job descriptions. He is melding them with the proposed Kensington Employee Handbook.
 - Ambulance bumper is being repaired. Vehicle inspections will be done this week.
 - He recently attended a seminar on the Assistance to Fire Fighters Grant (AFG) which opened today instead of the end of October giving him 4 weeks to write the grant. He is looking to replace some structural fire fighter gear, a gear dryer, some other new equipment. Ben asked if there was anything that was needed from the board for this deadline, and nothing at this time.
 - Working with the 2019 budget and changing it a little.
 - During the gas emergency in Merrimack Valley it was great to see the towns seamlessly working together. He wanted to let the public know that Unitil has done a press release that will be posted on the town website that addresses any concerns with the natural gas pipelines and pressure. He wanted to remind the people in Kensington with natural and propane gas services that if you smell gas leave the structure and call 911, do not try to turn anything off.
- Emergency Management - Chief Jon True-
 - Working with FEMA on the reimbursement from the snow storms and one meeting next week.
 - The sound system still has issues, and he is going to take the lead on that, for some of the system to be reimbursed through emergency management the job has to be completed.
 - He left and unsigned copy of Emergency Management Operations document for them to review for signatures next meeting. He is hoping to present an updated copy to the new board in March or April of 2019.
 - The report from the spring Seabrook Station graded exercise was released, Kensington and most of the planning zone had only positive comments from the state and federal evaluators. There will be tabletop drills this year with town officials, and possible simulated drill with the police, fire and emergency management departments.

Any questions. Wendy Osgood- will the towns people be alerted before the sirens going off, and there will be some notifications if the sirens are going to be activated. Chief Sanders confirmed that if

the sirens will be going off notification can be done through nixel. Chief True stated that there will be a drill on October 2, and cell phones will go off with an emergency management test.

- Road Manager – David Buxton

- Reconstruction to start next week on the parking lot across the street. 150 entrance section will be closed and the section off of Osgood Road will be widened. It has been painted out with spray paint to indicate what will be happening and it is a weeks' worth of work.
- The fence for the fire pond next to the town hall has been completed.
- Ricci Development- The Tannery Way retention pond still has no vegetation and has not been cleaned out loamed or seeded. He believes that the sequence of construction has not been followed. Please hold the rest of the funds until it is in accordance to what was agreed to with the planning board. He does not feel that any further funds should be released on that project until the sequence of construction is upheld. Mike responded that there is still 107k left in the account. Dave had asked Christian Smith the engineer when the developer was to put the top coat of asphalt down, and there was nothing in the town ordinance, but it does say in accordance with DOT specifications. He stated that the developer can put the top coat down, but the town has not made out well in the past with subdivisions. The landowners will be responsible for the maintenance of the road until the town accepts the road at town meeting. Mike asked if the town can still use the current sequence of construction in regards to where the top coat falls in that list? Dave expressed that he was unsure if it was defined that clearly, but there is a sequence that should be followed. Maybe need to go back to the planning board to modify some of the notes, he would like to discuss that.
- Dave is still waiting on quotes from Morton Salt, he would like to go with them because they cover their piles and keep them dry but they have been slow getting the bids out. There is currently a bid from Granite State.
- Next meeting, he would like to discuss the shoveling and plowing contracts. He has asked for quotes from Matrix and B&S. He is looking to change the way it has previously been done. Mike asked if there were other bidders? Dave does not have any others, and the quotes he has have been verbal so they will be submitting them to the town.
- Dave has asked B&S for a quote to repair the loading dock at the salt shed as well as a quote on the sand for the year.
- New Boston Road residents called and expressed the need for repairs on the road. Dave stated that he is taking care of the spreading of that due to the fact that it has not been done in some time.
- Mike asked about the change of the parking lot across the street and when that is cut off and changed will there be some type of temporary signage to remind people that is no longer an entrance. Entrance to and from that parking lot will be off of Osgood Road. Dave has something that will work temporarily.
- Ben stated that he is looking through the employee handbook and trying to understand the different procedures for quotes and bids. He asked if he has thresholds that he uses for competitive bids versus just getting quotes because it needs to be done and it is a small job. Dave explained that in the spring you can get anyone to bid, right now there are not many people to bid. He explained that Chris Batchelder can be called at midnight and he will do it,

and doesn't always bill the town. There are those that pull the town through. The fire ponds did go out for bid, and he does ask for bids but there is no hard-core process and everyone is different. He is trying to get along with walkthroughs for now. Ben will be working with him to see what makes sense going forward. He explained that there is usually a liaison for him so that there is always a board member aware of what is happening.

Wendy Osgood- concerned about the drainage that is coming from the perimeter drain on the second house being built off of Tannery Way and she is worried about her well that is receiving all the water. Dave explained that Tim Mason is the builder, and Dave will speak to him about maybe some hay bales and explained that he is an upstanding builder, and if he was asked to address the run off he is sure that he would not have a problem complying.

Chief Sanders- Ricci owns the road and the lots, do you think that people will be living in those homes before the town takes ownership of the road. Dave stated that if there is a viable top coat on the road the lot is eligible for a occupancy permit. His thought was of an issue of plowing a previous road where the town wasn't plowing it because it was not an accepted town road. He is concerned about the fire and police responses if they are unable to access the residences. Dave explained that it is the Developers road and he is responsible for plowing, sanding and safe passage of the road as well as trash. Dave would like a letter sent to Mr. Ricci reminding him of his responsibilities in regards to the maintenance of the road. Chief Sanders would like a sign put up at the end of the subdivision explaining that the road is not a town road and not maintained by the town until it is formally accepted by the town.

- Tax Collector- Carlene Wiggin-nothing at this time.
- Town Clerk – Carol Beers Witherell-not in attendance
- Recreation Committee- Adult Basketball
 - Elaine Bodwell approached the board representing the recreation committee. She reported that the committee had a number of meetings and the last formal meeting was in August. Mr. McDonough came forward and he is interested in running the adult basketball league. He is projected to start this on December 6, 2018. He wants to follow the proper procedures and to see if the board would be on board with a volunteer basketball program at the school. She explained that the recreation committee supports the program. There appeared to be two options. To have a pick-up kind of program or a more structured program. Elaine outlined the suggested options for the program and how the information would be reported and turned into the town. She is looking for the board's approval on this so that Mr. McDonough can get the information into the October 12 deadline for the community news.
 - Ben stated he is hoping to take the lead on this with Elaine, and the way that they handle the waivers there will be two made and signed for each individual. He wants to talk with Stephen to see a way that the fees could be collected and is the easiest for him. Elaine asked if Ben could provide a finalized and formalized list so that everything is written down. With the understanding that if something isn't working it can be flexible. Ben is looking to figuring this out with Stephen and working together to see what will be best for this program. Ben or Kathy will email a more formal list. **Ben made a motion to board of selectmen support the Adult Basketball and he will assume the role of liaison for Elaine and Stephen, Mike seconded, all in favor.** She is all set to submit his article to the community newsletter.

She thanked the people involved with the recreations committee over the past year and stated that the festival was a success, due to the volunteers.

Mike asked if there were any questions for the rec committee.

- Other Department Heads-
Kensington School Board-Nothing to report

NEW BUSINESS:

Appoint Sara Belisle as Town Treasurer (till Town Meeting)

Mike explained that he had to resign as the Town Treasurer, due to this being a conflict with his new role of selectman, so they have asked Sara Belisle to step into the treasurer's position.

Mike read the appointment to the public in attendance. **Mike motioned to appoint Sara Belisle as the town Treasurer, Ben seconded, both in favor.**

Sara will need to come to the Town Clerk to take the oath of office.

Deputy Treasurer Appointment- John Andreasse was suggested by Sara Belisle to be the deputy treasurer and John has agreed to it.

Mike explained that the deputy would take on the responsibilities of the treasurer if Sara was unable to perform her duties. Mike read the oath to all those present. **Ben moved to appoint John Andreasse as deputy treasurer, Mike seconded, both in favor.**

Request Letters of Interest for 3rd Board of Selectmen position be sent by Monday, October 1st

The board is requesting that the letters of interest be sent into the board with what your experience is. They are scheduling the next meeting for Monday October 8, 2018. Interviews will be held that night in public. The board is willing to take calls for those interested in submitting. This will be posted on the website. The judge left the third seat open for the public to see who else would be coming in and it is the ability of the current board to fill the third position.

Deputy Town Clerk Appointment-

Ben stated that the Town Clerk expressed to him that she is overloaded and needs extra help and sent an email. She asked the board to consider Nancy Wadleigh for the position of deputy town clerk, and out of the applicants that they had she would be the best person to fill the position. Carol has asked the board to schedule an interview with her so that she understands the responsibilities of the job. Ben has reviewed the applications and he agrees with the assessment that of the people that applied Mrs. Wadleigh is by far the most qualified. **Ben motioned to go ahead with the interview of the candidate before they give their approval. Mike seconded that, and commented that he has reviewed the candidates as well and agrees with that assessment, All in favor.** The board will reach out to her for the interview.

Deputy Tax Collector Appointment

Mike talked to Carlene Wiggin and she is asking for the board to accept Barbara Clark, the tax collector of East Kingston to be her deputy, and that both towns use Avitar software, and Mrs. Wiggin believes that she is an excellent candidate. Mike explained that Mrs. Clark is not a resident of Kensington but that is not a requirement for the deputy position. Mike has not met the candidate, but expressed that having someone who knows the job and the software is fantastic. **Mike motioned to accept and appoint Barbara Clark to the deputy tax collector, Ben seconded, all in favor.** Carlene thanked the board.

Proposed Board of Selectmen meeting dates through Town Meeting 2019-

Mike explained that they have proposed meeting dates scheduled out until 2019. If they are to go two weeks from today it will fall on the 8th of October. Both agreed to the schedule, which will be posted.

Request nominations/self-nominations for Recreation Committee-

The board has received one nomination so far. Ben made a personal appeal that if you are willing to volunteer the town needs help. They will not appoint this person at this time until they get a set, and look to do appointments at the next meeting. Ben asked if Elaine has any business on rec committee that she needs to get done. Elaine is checking with Alnoba to see if they are having the Halloween party this year and looking to join forces with them. Carlene stated that they have sent out emails, about having an event. Chief Sanders stated that they have requested a detail so they are planning something around that time. Ms. Carter stated that she got an email from Alnoba stating when their event was and asking for volunteers. Ben stated that he will reach out to Elaine. Ms. Carter stated that Carol Cray was the contact and Elaine will reach out to her. Ben is willing to help Elaine with whatever she needs. It was confirmed that the date is October 27 from 4-7pm at Alnoba.

Rockingham Planning Commission Contract- Mike reviewed the standard contract that has been signed by the planning board chairman. One of the questions was for the circuit rider to provide a detail of her hours to the board each month, and he has asked for a year to date to be added to the totals. The hours were not many so far this year due to the contract not being signed and no funds paid towards the contract. It is for \$10,132.00 and in the budget. There is to be 3 payments, with the first to be at signing and the second in September, but due to the late signing the board would like to pay in full.

Mike made a motion to approve and sign the RPC contract for the Circuit rider, and to pay the cost in full. Ben seconded, all in favor. Mike signed the contract for the board.

Mr. Elwell asked if the contract included an accounting of the circuit riders' hours, and it does. Mike also asked for the year to date to be added to the monthly report.

MS-1- signing- Mike explained that the MS-1 is the document from the assessors which gives the calculations for the taxable property in the town of Kensington and is the basis for the property taxes, and is slightly overdue. This needs to be given to the state as soon as possible. **Mike made a motion for the board to sign the MS-1 and get to the state as soon as possible. Ben seconded, all in favor.**

Mike read the information below to the public in attendance.

CITIZEN'S FORUM –

Citizens' forum is for residents that have a specific matter they need to discuss with the Board of Selectmen and were unable to get on the agenda for that meeting. Matters should be urgent in nature or otherwise time sensitive and require immediate attention. **Presentations will be limited to three minutes each, except if extended by a majority vote of the Board, and the Board is not required to respond nor take any action.**

Wendy Osgood- she asked if there was a recycling flyer to be sent out, and where that stands. Kathy stated that the flyer is not ready yet, and the information from the recycling company has not been provided. Wendy is willing to volunteer to help with the mailing. The board will put that on the list and will get a report. At the end of the meeting check in and Ben will get her contact information.

OLD BUSINESS:

Town and Kensington Sawyer Trust Agreement committee appointments-

Ben explained that there are two separate committees. He explained the following:

- that there are two agreements that are in question.
- that the financial agreement can't be signed until there are members on the trust.
- that the previous board had made a call to have volunteers to review the agreement, and he has since sent out emails and asked them to respond with a paragraph explaining why they want to participate and what their relationship is to the town, trust and the park.
- The agreement in its most recent form is a 30-year agreement that appoints a manager for the park to handle the scheduling and the things that have fallen on the board of selectmen and Kathy.
- He believes that the previous board was looking for people to review to see if there are any holes. The board of selectmen have the authority to just sign the document on behalf of the town, but he has had some residents state that it should go out for some broader consideration from the town and he would like the committee to come back to the board with their thoughts. He thinks that the previous board had a really good idea on doing the review committee.
- They will have to make some appointments to get the agreement signed. They will have to decide if they are going to make the appointments and are they comfortable appointing some or all of the same people to both of those groups.

Mike thinks that the advisory committee should be formed first. From that they could see the expertise going forward to the next level. He would like to appoint those who have submitted letters to the committee to be considered to review the agreement.

Ben stated that Chief True wrote a report on the park, sighting some issues to be corrected at the park and Bruce Cilley has offered to take on the smaller issues to get them handled. Mike stated that if they did this route then the selectmen would interface on any safety issues.

Mike suggested that the board should check with town counsel to see how quickly the positions can be put on the ballot. This might take two town meetings to implement. He believes town counsel should be contacted to clarify the process that will be needed.

Ben stated that there were 5 appointees for the trust and there currently are not any town appointees on the committee. Ben read the names of the people that had responded to his request for information:

- Hez Mercedente; Glenn Greenwood and Donna Carter. Ben moved that the town have Hez Mercedente, Glenn Greenwood and Donna Carter to begin review of the financial agreement and report back as they see fit, Mike seconded, all in favor.

Mike asked if there were any questions on this subject. Loren Curtis asked who the board would be using for town counsel on this. Ben stated to date the attorney that has been working on the trust agreement has been Charlie Bauer, and the board would probably be the one they would be continuing to use based on his knowledge of the agreement.

OTHER BUSINESS:

• Assessing Office – Kathleen Felch-

- Intent to Cut- the board reviewed the intent to cut for Lorraine and Robert O'Keefe off of Wild Pasture Road. Mike made a motion to approve the intent to cut for Map 9 Lot 13-1, Ben seconded, all in favor. A question was asked what number Wild Pasture it was, and there is no address to the wood lot and the board was shown the town map to identify where the property was.

Norman DeBoisbriand- asked if he could go back to the appointment of individuals for the agreement review. He continued that he strongly suggested that the board take a look at any conflict of interests in regards to any member that they appoint to that board and whether they have financial transactions dealing with Trust members, any trust activities or Alan Lewis. The board thanked him and will look into that.

- Request to rent fields A&C –Kathy explained that people are looking to book the fields for next year already, she also has multipurpose field requests. Mike asked if any of the requests are dealing with the

fields in the next two weeks. And they do not, he asked to have this put back on agenda in two weeks. Ben stated that there needs to be dates and processed established for requests. Just because they are early does not mean they will be scheduled.

- **CMS v. EHS rescheduling** of game due to rain. Kathy explained that they have the field scheduled for tomorrow and are looking to rescheduled for October 3, but the cross-country meet is that day so she got back to her to see if there was an alternate date and they stated that October 4th would work for them. **Mike motioned to approve a possible rescheduling date of October 4, 2018, for the CMS v. EHS game, Ben seconded, both in favor.**
- **KES PTO request** for concession stand for the CMS/EHS event-They are looking to donate the proceeds to the end 68 days of hunger which the game is looking to donate towards as well. Mike asked if there needs to be accommodations to open the concession stand. **Ben made a motion to approve the PTO use of the field c concession stand for either day the game is scheduled, Mike seconded, both in favor.** Ben stated that he would help with opening the stand if needed.
- **Road Permit-** Kathy explained that they do ask for a detail, but not sure if the Chief had signed off on this yet. Mike read that the King Challenge is for 400 people for bike race. The application does state that they will accept any damage to the roads, as well as permanent marking of the road. **Mike motioned that they approve the use of town road permit for the town roads on October 20, 2018, Ben seconded, all in favor.**
- **Grange Permit-** Carol Rogers for Eagle Scout Ceremony for Sunday October 28, 2018 from 2pm to 8pm for 80-90 people. **Ben moves that the board accepts the application and to put in a letter congratulating this Eagle Scout, Mike seconded, all in favor.**
- **Assessing Expert Witness for Utilities-** Kathy explained that this is for a current court case with the utilities and the need for this was because there were two expert witnesses representing different towns and the town counsel recommended that it is in the best interest of the towns to just have one. Mike explained that he is waiting to be served at this time for a case he believes involves the utilities. **Mike made a motion to sign the two contracts in regards to the expert witness, Ben seconded, both in favor.**
- **Open Air Assembly permit-** This is for the Farm at Eastman's Corner. They are going to be holding fall celebrations for multiple Saturday's and they are not intending for the attendance to be over 100, but they wanted to have the permit just in case it does. Mike read the dates to be Saturday 9/22 & 9/29 and 10/6 & 10/13 from 10-2pm. **Mike made a motion to approve the Open-Air Assembly Permit for the Eastman Corner Foundation, Ben seconded. All in favor.**
- **Request for Pavilion:** permit for 10/7/18 to use the park pavilion, there is not a current conflict, they are saying that only 25 people are attending, but there is no payment or insurance submitted at this time. **Mike made a motion to approve the request pending the payment of the applicable fee and the insurance Ben seconded, all in favor.**
- Lauren Curtis explained that she just went to the parking lot across the street and street light is out. The board will look into it as it is a safety issue.

- Any other business brought before the Board

Mike requested to be the lead for the budget committee, and the planning board only until they have a full board.

Motion for Mike to be a temporary Planning Board representative, Ben seconded, both in favor.

Ben will be the liaison for the recreation committee and David Buxton until there is a full board.

Holly McCann- asked the board the following questions.

- going back to the Kensington Sawyer Trust- is the board willing to entertain more members. The board has only appointed for the review committee right now, and if there is interest in either board or committee the board will still be accepting nominations. Eventually the Trust requests will close as they

only need three members. Mike believes that the more people that they have to review the documents the better.

- Even after the committee has reviewed the document, will the document be out for the public to be able to read. Ben stated that he thinks that the document should be public, but not sure what the board is going to do, as it has not been decided yet.
- Are you willing to get public comment on the documents? Mike stated that they would entertain those comments. There are three or four people looking at the documents, and those meetings are always going to be public, but as far as he is concerned this is not yet a public document. Once the document has been approved and instituted it will be public. Her concern is that it is public but will be approved before public has had a chance to comment.
- How does the board intend to act on the recommendations and considerations if there is a timeline, since they stated that they want to get members appointed? Mike explained that this is the first time that they have sat down together to go over the information, and they appreciate the audience giving them the time to do so. This will be on the agenda and they will give progress reports. Ben stated that there will be a process, and he would feel uncomfortable signing an agreement like this if the public had not had the opportunity to review it.

• Approval of Board Minutes- July 9, 2018; August 6, 13, 20th & 29th

Ben explained that his thoughts on this is that they can't approve minutes that they did not attend. He stated they do not have to formally approve meeting minutes. He would recommend that they leave these minutes unapproved and take them off the agenda for future meetings. **Mike motioned to make a notation on the minutes that there would be no action taken on these minutes as of the selectmen's meeting September 24, 2018, and have this noticed on the website, and they will remain in the unapproved status. Ben seconded, both in favor.**

Ben stated that they need to add to the agenda for the next meeting to have someone take the meeting minutes for the selectmen's meetings and possibly the planning board meetings as well to lessen that load. Mike agreed.

• Bills and Mail

- Mike stated that there was a release of the funds being held for BWP due to the fence being installed as part of the bills.

Bob Long- stated that there is a need for volunteers, but is there something that could be written for a clarification of the roles so those interested in serving can decide what committee they want to work on. He believes that it would be helpful.

If there is a request for people to send a paragraph, there should be some guidelines. There should be conflicts addressed as well.

- Intent to Cut- There was another one attached. The parcel is on Wild Pasture Road and specifically for the preservation of the forest. One of the properties abut Palmer Drive. The intent for Map 9 Lot 13, which is the larger piece. They are looking to selective cut 60 acres of the 70 acres. **Mike made a motion to approve the intent to cut for Elaine Bodwell for Map 9 Lot 13, Ben seconded, all in favor.** She asked what the next process was, and the signed intent will be sent to the land owner and the state.

Mike opened the room up to the attendees for further comments.

Hez Mercadante -

- She stated that she had sent an email to the board on the minutes from July 9th. There was a word attached to a resident's name and the previous board stated that they would revisit it at the last meeting but they did not get to it. The board commented that if it was done under the previous board they are unsure if the minutes can be changed. They will look into it.

Ben stated that if there was a clerical error he would feel better at changing something like that. Mike stated that when he was on the planning board he would have to abstain from voting on minutes to meetings he did not attend.

Mike thanked the public for attending. Majority of the public left at 8:17pm.

The board reviewed mail and bills.

In reviewing the bills, the board discussed the legal bills.

- Mike made a motion to go to the Attorney with regards to the Seabrook Pit and ask them to continue, Ben seconded, all in favor.
- The important dates calendar was updated
- John Andreasse submitted a petition for the board on a town administrator that Mike is currently reviewing.

The board was pleased with how the meeting went.

- Next Meeting Date – October 8, 2018 Kensington Town Hall

Mike made a motion to adjourn at 8:31pm, Ben seconded all in favor.

Respectfully submitted,

Kathleen T Felch