

TOWN OF KENSINGTON - BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road, Kensington, NH 03833
MONDAY, MARCH 4, 2019 6:00pm
MINUTES – DRAFT

In attendance: Ben Cole, Bob Long, Mike Schwotzer
Approximately 80 others in attendance

Mike stated that the meeting was opened at 6:00pm and the BOS met with the newspaper.
There was a brief recess and at 6:39pm, the meeting resumed.

Pledge of Allegiance

Selectman Ben Cole swore in Sgt. Scott Cain as Kensington Police Chief.

Fire Chief Jon True recognized Alfred “Buzzy” Felch, a charter member of the Kensington Fire Department for his service to the community over the years. Mr. Felch held various positions on the Department rising to the rank of Assistant Chief, and was also a NH Forest Fire Deputy Warden. Firefighter/EMT John Andrews, President of the Kensington Fire Association presented Mr. Felch with an award for over 70 years of service to the Kensington Fire Department and Association. Forest Ranger Michael Matson presented a certificate from the Committee of Merit to Mr. Felch. Chief True presented a plaque to Mr. Alfred for his years of service, thanking him for his vision and leadership that helped build the Kensington Fire Rescue Department.

Selectman Mike Schwotzer recognized and presented a plaque to Tax Collector Carlene Wiggin for her 40 years of service to the Kensington Community.

Selectman Mike Schwotzer acknowledged his fellow Selectmen, Bob Long and Ben Cole, for their service to the community and they have all enjoyed working together.

DEPARTMENT HEADS:

- Police Department – Chief Scott Cain reported as follows:
 - Newly sworn in Chief Cain thanked the public for coming tonight and thanked the BOS for helping him get to this point. Chief Cain thanked former Chief Scott Sanders and wished him luck in his new position. Chief Cain announced to the public that he has presented the BOS with a 90 and 180 day projection plan for the Police Department.
 - Chief Cain would like to promote Officer Dennis Gorski to Corporal. Chief Cain stated that Officer Gorski has worked for the KPD for 23 years, and is professional, resourceful, hardworking, and has been an Officer in Charge if needed. Chief Cain plans to put Officer Gorski in charge of the evidence as he has served as a Detective and Evidence Technician. Mike asked Officer Gorski if he would like to be promoted to Corporal. Officer Gorski confirmed. **At 6:55pm, Ben made a motion to appoint Officer Dennis Gorski as Corporal. Bob seconded, all voted in favor.**
 - Chief Cain reported that he is working with Kathy Felch to handle some building maintenance issues

There was a brief recess.

- Fire Department – Chief Jon True reported as follows:
 - Sadly reports the Line of Duty Death of Captain Joel Barnes of Berwick, ME Fire Department. Berwick is part of the mutual aid system and KFD has offered condolences, services, and manpower to the family, department, and community.

- The new/used ambulance is now in service as Kensington Ambulance 2. It has been inspected, and been on a call and all worked well. Later in the month Chief True plans to meet with the new BOS about putting the old ambulance up for bid.
- Chief True recommended the hiring of Jim Farley to Fire Rescue. Jim is a past Assistant Chief of KFD and would like to return as a Firefighter/Operator. His knowledge and training would be helpful to the organization and Chief True is confident in his skills. He is also an issuing agent for burn permits through the NH Forest Fire Division. **At 7:02pm, Ben made a motion to hire back Assistant Chief Farley to the position of Firefighter/Operator. Bob seconded, all voted in favor.**
- Emergency Management - Chief Jon True reported as follows:
 - The meeting with the field representative from NH Homeland Security and FEMA today was cancelled, but will be rescheduled to review sections of the Radiological Emergency Response Plan, budget items, and grants.
 - The Emergency Management team hopes to fund joint training with KPD and surrounding agencies, obtain EM and EMS equipment, and fund drills for Seabrook Station.
 - The Emergency Management Team is looking for members of the public to attend/join the Hazardous Mitigation Plan Update Committee. If interested, please contact Chief True by phone or email. There will be 3-5 meetings in the coming months to discuss and review a plan for mitigation projects. The existing plan is on the town website under Emergency Management and meetings will be posted on the website in advance.
 - Chief True looks forward to working with Chief Cain. Chief True thanked the current BOS for their work, and looks forward to transitioning to the new BOS soon.
- Road Manager – David Buxton reported to the BOS that he is plowing, sanding, and salting when necessary.
- Tax Collector- Carlene Wiggin had nothing to report.
- Building Inspector- Norman Giroux reported as follows:
 - 26 Moulton Ridge – Norman was able to talk with the owners of both properties. The homeowner will be meeting with the contractor to come up with a satisfactory plan for both parties. The problem has been resolved and the Town does not need to get involved.
 - 4 Laurel Lane – Norman has had 2 appointments scheduled for a final inspection that have been cancelled by the homeowner. Norman is defining spaces where the walls and ceiling are insulated and there is trim on windows as finished. In order to determine if the shop is finished space, he will need to see it.
 - Continued general discussion on work that has been completed without a permit throughout Town. Norman presented to the BOS a preliminary proposal of how he would like to address this issue. Summarized, Norman is receiving calls from real estate companies listing properties for sale in town and inquiring whether permits were obtained for work done in the past. At this time, there are no fines or penalties in place for violations to the permit process for residents who have done work on their property that did require permits, but were never applied for. Norman feels that there should be fines/penalties in cases such as these. The town could potentially be held liable if there because there is no policy in place. Norman would like to encourage residents to understand the importance of this problem and encourage residents to come forward to bring existing violations into compliance. Norman suggests sending a letter, and an “After the Fact Building Permit Application (ATF)” to all property owners, allowing 120 days to apply for and pay for required permits without penalty. Then, appropriate inspections for safety concerns and code violations, making recommendations, if needed, for correction. This would only be for the ATF permits. Going forward, there should be a policy in place that would fine owners in violation of the Building Permit Process. Norman explained that Chief True has expressed interest in assisting. Norman shared with the BOS paragraphs from the International Residential Code book that apply. Ben encouraged Norman to consider what all of the options are and the possible outcomes. Bob asked how this process would work if the work to the home was done years ago and the house has since been sold or inherited, and if a permit would have been required then as permit requirements have changed over time. How does a homeowner know and what is the timing piece. Resident Peter Merrill stated that it seems inspections would as a result indicate a change on the tax card. Ben said that the town has not and does not have resources to cross check tax cards to building permits. Chief True stressed that the real reason for a permit is safety. He suggested adding that equipment needs to be inspected for safety by a professional and a document provided in writing from the professional that the equipment is safe. Resident Donna Carter asked about the domino effect of this of something that was previously safe/to code but now the condition is not. Norm addressed that he would want safety issues brought into compliance. Resident Glen Greenwood is surprised that the town does not have

a fine and feels this is a serious concern for public safety. Mr. Greenwood encouraged the BOS to make counsel aware of any letter or policy to understand current laws. The current BOS supports Norman's efforts that a process needs to be established, but will allow the future BOS to make a decision.

- Treasurer- Sara Belisle was not present.
- Town Clerk – Carol Beers Witherell was not present.
- Recreation Committee- Elaine Bodwell was not present. Bob Long reported that at the last committee meeting, there were modifications of the Policies and Procedures of the Recreation Committee. The Committee accepted all of Ben's suggestions from the prior BOS meeting and adopted the Policies and Procedures. The BOS signed the new Policies and Procedures.
- Conservation Commission – Bob Gustafson reported as follows:
 - The Conservation Commission met with the representative from DES to discuss questions about water usage. In summary, the aquifer is in good condition. DES feels the organization in Seabrook is being run professionally. It was suggested to the committee that the town could monitor the wells through a bore hole and measuring rod to periodically check the levels. Resident Peter Merrill stated that that method relies on the status level being within stick range, and normally is done with a sonar pin.
 - The Committee thanked Norman for his efforts with the drainage issue between the two neighbors.
- Sawyer Kensington Trust- Committee Review – Bob Long reported that the termination letter was sent to the current contractor for maintenance of the Town Park so now the contract can be rebid. Bob asked the Trust if they would be willing to manage the bid process if the BOS allowed and recommended that the BOS allow the Trust to do so with Kathy Felch. Ben made the point that if the Trust is acting on behalf of the Town, the Trust needs to be following the town's bid practices. **At 7:45pm, Mike made a motion to allow Bob to move forward with the Trust managing the bid process for the Town Park maintenance contract. Ben seconded, all voted in favor.**
- Kensington School Board – Jennifer Ramsey reported as follows:
 - There are no contested races this election for the School Board. Mike stated that he will be assisting the new BOS with the agenda for the first meeting and will continue to have the School Board on the agenda. Jennifer explained that the School Board will be happy to work together to achieve economies of scale for the Town and the School. The BOS received a State Health Notice that NH RSA 130-A Lead Paint Poisoning Prevention and Control Law was changed in April 2018, and thought that the School Board may be interested to know about it as they have contact with families of young children.

NEW BUSINESS:

- Discuss/Approve Letter re: Trash
 - The BOS reviewed a draft letter to resident Karen Monique Martell regarding a large amount of trash left for pickup. **At 7:51pm, Mike made a motion to send the letter signed by the BOS with the salutation changed to Ms. Martell. Bob seconded, all voted in favor.** Resident Glen Greenwood asked what is considered a reasonable amount. It was explained that it is not defined currently, but this was an abnormally large amount compared to normal. It was suggested that a number be included for reasonable amount in the next bid round.
- Recycling
 - The cost of recycling is increase. The town pays \$65.00 per ton of trash. In January, recycling was \$95.00 per ton, and in February the cost of recycling went up to \$115 per ton and is expected to continue to increase. The next BOS will need to revisit the issue of recycling with the rising costs. Resident Glen Greenwood asked if a barrel burn was permitted. It was determined is it not. Resident Peter Merrill stated that recycling recently came up at the Rockingham Planning Commission meeting and there was discussion of only recycling paper instead of single stream. Bob said he felt the Recycling Video was educational and helpful to understand the process. Discussion on recycling glass. Resident Vanessa Rozier asked when the current contract is up. Kathy Felch stated April 30, 2019.
- Discuss/Approve Letter re: Superior Court Judge
 - The BOS discussed a draft letter to Rockingham County Superior Court Judge Andrew Schulman, the judge who appointed Ben and Mike as Selectmen. The letter is to thank the judge for his decision, explain what issues arose and how they were handled.

OLD BUSINESS:

- Revisit RSA 91-A:4 IV regarding fees on copies
 - The BOS revisited RSA 91-A:4 IV regarding fees on copies. The BOS discussed using the same fee structure as the Police Department, which is \$15.00 for the first 25 pages, \$20 for 50 pages, \$30 for 150 pages, and \$40 for up to 200 pages. **At 8:06pm, Mike made a motion to institute fees as allowed under RSA 91-A:4 IV.** Bob asked if the warrant article should pass, could the BOS also establish a fee for the thumbdrive. That was confirmed. **Ben seconded.** Resident Jennifer Ramsey asked for clarification on if this would include requests for tax cards. The BOS responded that no, tax card requests would remain at \$1.00. Resident Jennifer Leonard asked for clarification that the BOS would prefer to have requests handled electronically before resorting to paper copies. BOS confirmed. **All voted in favor.**

OTHER BUSINESS:

- Assessing Office – Kathleen Felch-
 - There was a request made to add an event (a walk) in Portsmouth to town calendar. After brief discussion, the BOS decided that they did not want outside of town events such as this added to the town calendar at this time.
 - New Veteran's Credit Application – There is a new resident qualifies under the old requirements that has requested a Veteran's Tax Credit. The BOS signed the request.
 - Abatement request 149 South Rd – Town Assessing Service Avitar recommends that the abatement be denied. **At 8:15pm, Mike made a motion to follow the assessing service's recommendation and deny the abatement. Bob seconded, all voted in favor.**
 - There is a request to rent the town hall for the funeral reception for Ms. Willoughby March 9 from 11am-2pm. The family's first choice was the Grange Hall, however the trustees stated that the water cannot be turned on so there would be no restroom facilities. **Mike recused himself due to affiliation with the church. At 8:16pm, Ben made a motion to approve the use of the town hall for a funeral reception on March 9 from 11am-2pm. Bob seconded. Ben and Bob voted in favor. Mike did not vote.**
 - Ben clarified that he had written a letter to the editor as a private citizen and not a Selectman.
 - Tom Sherman will be coming to the April 1 meeting.
 - There will be employee handbook training on March 14th. The state is having training for writing employee handbooks. Kathy will be attending.

The BOS reviewed bills and mail.

At 8:24pm, Ben made a motion to approve the minutes from the February 18, 2019 meeting. Bob seconded, all voted in favor.

The next meeting will be March 12, 2019-Voting Day; March 18, 2019- New Board

At 8:24pm, Mike made a motion to adjourn. Ben seconded, all voted in favor.

Respectfully submitted,
Chelsea Lalime