

TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road
Kensington, NH 03833
MONDAY
August 20, 2018
Meeting Minutes-Draft
6:30pm

In Attendance: Norman DeBoisbriand, Robert Wadleigh, Linda Blood

Norman called the meeting to order at 6:30pm, Bob seconded, all in favor.

CITIZEN'S FORUM –

Norman asked if there was anyone for citizen's forum.

Lili Spinosa spoke.

- stated that she liked that the meadow by route 150 was being mowed and appreciated that, the cross-country meet will be going through there again this year.
- She asked if it was possible to have town counsel in attendance to get some facts out and for residents to talk to them.

Lynne Bonitatibus:

- Any updates on the deputy tax collector. No updates at this point.
- Did Holly McCann resign, and it was stated that she had.
Effective date was unsure and was handed into the selectmen. She asked Linda if she accepted it at a public meeting, Linda was unsure of the exact date at this time. She questioned why she had a lot of information and was at the recreation meetings in May, June and July. Linda responded that she was there as a volunteer. She questioned if she was appointed to the recreation committee, and she was a legitimate recreation member until she resigned. After that she continued the activities that she was involved in as a volunteer. She asked if she was a town employee. Norman asked what the relevance of the questions were, and continued that she was a volunteer and did many things for the town. He was upset with the picture she was trying to portray of Holly, and whether she is a recreation member or volunteer. She is wondering if she is a recreation member and second that she had keys to the park, and if she is not a recreation member she should not have keys to the park. Norman explained that he had the keys to the park and he opened the park for the pancake breakfast. She questioned if there was a Recreation meeting in August and if there were any minutes. Linda stated that there were and that she would look into it.
- She stated that they went into non-public for legal matters and it was stated that it was option c and that is a lawsuit. She stated that if they want transparency, and quoted the meeting minutes. If Mr. Lewis was there why did it not even state that Alan Lewis was there.
- Lynne asked about transparency and this board. They feel that they are due to the fact that the meetings were not recorded when she was the administrative assistant. There have been a

number of requests for the tapes, the board is not covering things up. Anyone that wants a recording of the meetings may have them.

- She continued that they board might want to read the NH Right to Know Law, and quoted a section pertaining to violation fines of this law. The board is aware of this law.

Lili Spinosa-

- She knows that the board has to post the minutes in two places, and because she does not frequent country brook, where they were posted last time, she would encourage you to post the minutes on the website as one of the areas to post minutes. Board thanked her.

DEPARTMENT HEADS:

- Police Department –Chief Scott Sanders-nothing to report
- Fire Department – Chief Jon True-
 - Inspected the fireworks and had a very safe shoot
 - Asking for funds to replace some of the old pagers, there was a quote given to the board at a previous meeting. He showed the board his pager and explained that they are the small devices that page department members from the dispatcher, there is also an internet and web page back up, but this is their primary means for notification. These are 15-20 years old at this time, and there is new technology for them. He is asking for four this year, and PW has the lowest price with an extra year on the warranty with the program included as well. This allows the department to program them if needed. He is looking for approval of this soon.
 - He is going to attend the planning board meeting where he is putting forward new regulations for cisterns and hydrants, and asked the board to let him know if they have any questions.
 - He is working on a report for the hydrants in town, which will include the water supply and maintenance.
 - He asked about questions on the draft pay scale for the fire department. He made some minor changes and wants to make a final submission, he asked for their input on this.
 - The cistern on Tannery was inspected, they finished it this afternoon and they are ready for a sign off tomorrow. He will be sending the planning board a letter when it is inspected and approved. The owner still had to maintain it until the town accepts the road. Dave Buxton asked if the well fails in two years who pays for the repairs. Jon answered that the fire department would. Dave stated that he would like to request that some type of modification be made to the wording to eliminate the wells to these cisterns, because it is a maintenance and cost factor to the residents of Kensington. He would like to see the cisterns be filled with pool water or whatever is available. When there is a fire the homeowner's insurance can reimburse the town to fill the cisterns, that way it is not a financial burden to the town to maintain. He believes that this will be less maintenance for the town. Jon thanked him and expressed that is what he is trying to do. The proposed ordinance is for a 30,000-gallon tank, with or without a filling station. His intention is to have a line item in next year's budget for a company that will come out and immediately refill it, and it will be billed to the insurance. The wording will not be able to incorporate any previous cisterns. He is hopeful that the department will continue to get the \$25,000 to update the cisterns and fire ponds. He also explained that if they are upgraded to 30,000-gallon tanks then anyone within a 2,000-foot radius would get an insurance break. He expressed that there are ways to apply for grants to possibly double the town's money to repair these, and some are 50/50 matches.

- The department is filing for a grant for a thermal imaging camera, which run 3,000-7,000, but they are a huge asset for fire safety.
- Emergency Management - Chief Jon True
 - He is looking for approval for the contract for the Hazard Mitigation Update. The company is Mapping and Planning Solutions Inc. there are only 4 or 5 companies in the state that currently do this. This will cost \$7500, and the town will get back \$7500 from homeland security. He explained that the plan identifies, document and redefine potential nature disasters and to prevent them. If there are any residents interested in being on the committee please contact him. Some officials of the town are required to attend. Many areas will be explored. The company will write the report and give to the town. He is looking to get this approved to move forward.
Bob made a motion to approve the Hazard Mitigation Program, Norman seconded, all in favor.
 - Emergency Management directors are looking into ways to get the correct information from residents on who could possibly be in a wheelchair, or have other disabilities. He is looking for any idea on how to make this work better for our town.
 - FEMA- he is working on the FEMA submission and there should be a reimbursement to the town somewhere around \$24,000.
 - **He asked the board for the approval for the pagers. The quote was reviewed.**

Bob made a motion to approve the pager quote, Norman seconded, all in favor.

Linda stated that she would like to personally thank Chief Sanders and Chief True, your attendance at the festival was noted and appreciated.

- Road Manager – David Buxton-
 - Matrix Quote for work across the street (parking lot). Bob opened the quote from Matrix, and explained that they quoted on moving and closing off the exit on 150 (Amesbury Road) and the entrance and exit will be off of Osgood Road. This includes the hot top and culvert and other incidentals would be \$23,755.00; This will be from the grant money for highway maintenance encumbered from last year.
Linda made a motion to accept the bid from Matrix for paving of the parking lot and moving the entrance and exit for \$23,755.00, Bob seconded all in favor.
 - Matrix shovels the walkways across the street, town hall, fire station and the library. Over the past couple of years there has been one contractor plowing and one shoveling. There has been struggles with the shoveling and the plowing and timing. He has asked the board to streamline this. Matrix has the contract to plow the school for 2-3 years. He has asked the board to see if the same contractor can do the fire station, library, town hall and town parking lot across the street, so that there is an individual that stays here and does all the clean-up and bills it separate. He spoke with B&S Disposal and they would love to plow the town roads and not the parking lots. He would like to move forward with how they are going to work this. Town is under a Municipal bid to buy salt, and if Matrix was part of the town salting he should be able to buy the salt under the town bid, that will need to be worked out. There was a lot of ice melt used last winter and he would like to streamline that item buy you supply it. He will wait to see what the quote for salt will be. He has quotes verbally from vendors and asked for them to be written out for the next meeting.

- Fire Ponds- trying to set a meeting between the fire chief, the contractor who did the one at the Town Hall and himself to go over what is there and the specifics of the pond. He wants to make sure that the fire department is good with the pond and will take it over.
- Chief Sanders- asked if Matrix was awarded the bid for the parking lot across the street, when would he be wanting to do that. If could be committed to be done before the November election so that there are not any parking issues during the election. This needs to be done before the end of the year. Was it written in the proposal when he could do the job? It was not and Bob will talk to Matrix and let them know it needs to be done or they will have to go elsewhere.
- All board members are okay with him exploring the splitting of the plowing of the parking lots. Dave would like to have Matrix's contract work with the one at the school, so that the volume of the work is justifiable.
- Tax Collector- Carlene Wiggin-nothing to report
- Recreation Committee- Linda reported that due to weather problems they had to move things around last weekend for the festival and thought that it was successful and the next project will be Halloween.
- Conservation Commission Kathy explained that there was an email from Rockingham County Conservation District informing the board and the conservation commission that they will not have the time to do the invasive treatments as expected this year. They will be doing the treatment in 2019 and rolling over the funds to cover the cost.

NEW BUSINESS:

Donna Carter- request to speak to the board-

- Donna passed out to the board pages that contain the way the non-public was closed and sealed. She expressed that some were closed wrong, and she read prior motions. She stated that since the board has talked to the town's attorney it is now different. The last two meetings are sealed correctly. The minutes that she was looking for are the ones that were sealed incorrectly. She is not sure what the facts were that the attorney was given. In citizen's forum people can ask questions but the board does not have to answer them and when Lili asked about the town counsel she was not given an answer. She asked if at the next meeting the attorney that is representing us that's given the information that all of these are fine and still sealed. She thinks that they should still be allowed to ask question, because maybe he is not the attorney you need to have. Norman explained that the key word was the word "and", what they have done as long as this board has been together is that they vote to leave nonpublic, then they vote to permanently seal. As soon as they make the vote to leave nonpublic they are back in public. The definition of "and" can be many things. The process the board has taken, Donna asked why did they change them. It was to make it clearer. The board has always followed the law. And they will invite the attorney to the next meeting.
- She also wanted to mention that as of the April 13, 2018 Holly had not resigned.

Current Use Application-There are two applications. These are for the White's on property identified as Map 17 Lot 29 and Map 8 Lot 18. Kathy explained that the law states that they can put wetlands into current use no matter the size. There is one entire parcel being entered into current use, and a portion of the other. They had met with Avitar and it was suggested for them to do this. Wetlands do not have to comply with the 10-acre minimum to be placed in current use. The owner is looking to place the

sections into current use. Kathy handed the board the tax cards and the section of the law to review. **Bob made a motion to approve the two applications for the White's for their wetlands into current use. Norman seconded, all in favor.**

Monarch Agreement- Kathy explained that the Registry of Deeds has changed the way that the towns can obtain their transfers. There is a new distribution agreement that needs to be signed, they will be putting a program on the computers to be able to comply with this new process

Bob made a motion to sign the new agreement for the Monarch Data Distribution, Norman seconded, all in favor.

MS 434- DRA form- Kathy explained that this is estimated revenues that are done every year and the supporting documentation was included. They are due yearly before September 1. The board reviewed the documentation.

Bob made a motion to approve the MS-434, Norman seconded, all in favor.

OLD BUSINESS

Town and Kensington Sawyer Trust Agreement- Norman explained that last meeting they had talked about putting together a committee to review the new trust agreement. There have been some people express an interest in this committee. The board will by the next meeting have a group of individuals and start looking at the agreement. He will let the attorney know that the board is putting together a group of citizens' together to take a look at the agreement and start the negotiation process. It was asked how many people submitted their names. And there were four. The board is looking for three to appoint to the committee plus a board member to be on it. The board member would be on it to provide past history and documentation that would be important going into negotiations. The criteria would be that they have expressed an interest and they are willing to put the time in and work on the agreement, there is nothing saying that they need any specific qualifications. The board might have to have a meeting before the next meeting to discuss the forming of the committee, and it will be a public meeting. The committee meetings will also be public.

OTHER BUSINESS:

• Assessing Office – Kathleen Felch-

- Park Permits- Pavilion rental for 8/31/2018- This is for the use of the pavilion from 10:30-12:30 on the 31st. There was no payment or insurance information turned in with the application. **Bob made a motion to approve the permit for the use of the park on the 31st for Jessica Costa, pending insurance and payment, Linda seconded, all in favor.**
- Park Permit- there is another park permit turned in by Lili Spinosa for the KES Cross-Country Meet for the school on October 3, 2018, there is no payment. Bob made a motion to approve the use of the park for 10/03/2018 from 4-5pm for the Kensington Elementary School, Norman seconded, all in favor. Lili asked if the time could be from 3:00-6:00, the board was okay with this change.
- Basketball Waiver- Kathy reached out to Primex on the basketball waivers for this year and they have been working with the town's where there are town's using the schools for their programs. They have developed a waiver that will cover the town, school and SAU16 district. It has been given to the school board to review as well. The board will review for next meeting.
- Dates for the September meetings will be September 10th and 24, 2018 due to the Holiday on the 3rd.
- Rockingham Planning Commission-request to come to a meeting. They requested to come to a meeting of the board to discuss the contract, they will also be attending a meeting in September with the planning board. There was not an issue with the suggested changes, he just wanted to talk with the boards.

- Dead Trees at town hall, will be discussed at the next meeting. The board would like to have David involved and get other quotes. This will be held and opened at a later meeting.
 - Power sounds, still holding a check for them due to them not finishing the set-up and review of how to use the system. Kathy will call and schedule a meeting with Chief True, Chief Sanders and those that attending the last meeting and they can advise the board.
- Bills and Mail-The board reviewed the bills on the bill report.
- Approval of Board Minutes-
The board reviewed the minutes.

Norman made a motion to approve the board meeting minutes for:

May 10, 2018, May 15, 2018 JLC, May 17, 2018, May 21, 2018, May 24, 2018; **Bob seconded, all in favor.**

Norman made a motion to approve the meeting minutes for:

June 4, 2018; June 14, 2018; June 18, 2018 and June 20, 2018, July 9, 2018

There was a comment from the attendees to strike or remove the word mocking, because it was judgmental, he was not trying to be and there were other people in the crowd that were saying things and it was recorded that he had said them and she disagrees with the use of the word. The board will review the email sent for the July 9, 2018 meeting minutes, and will look at amending them and get back to her at the next meeting, they will not be approved at this time.

Bob seconded it with the removal of the July 9, 2018 minutes, all in favor.

- Next Meeting Date –September will be held on the 10 and 24th 2018.

Norman stated that the board was going into nonpublic to discuss a Legal, hiring, compensation and reputation matters.

At 7:35pm there was a brief recess until the motion for entering nonpublic session.

- Non Public Session- RSA91A:3, II

Norman made a motion to go into non-public session at 7:37pm. There were legal, hiring, compensation and reputation matters discussed.

Norman made a motion to leave non-public at 8:34pm, Bob seconded, all in favor

Norman made a motion to permanently seal the non-public minutes, Bob seconded, all in favor.

Norman made a motion to leave public at 8:35pm, Bob seconded, all in favor.

Respectfully submitted,

Kathleen T Felch