

KENSINGTON BOARD OF SELECTMEN MEETING  
95 Amesbury Road, Kensington, NH 03833  
MONDAY August 12, 2019 – 6:30pm  
Minutes - DRAFT

In Attendance: Peter Graves, Joe Pace, Vanessa Rozier

11 Others in attendance

Joe opened the meeting at 6:34pm.

Pledge of Allegiance

Public Comments – No public comments

The JLC meeting is scheduled for August 28<sup>th</sup> at 10am meeting at the Town Hall.

**DEPARTMENT HEADS:**

- Police Department – Chief Scott Cain reported as follows:
  - There was a late fee for one of the bills, but the bill has been submitted.
- Fire Department – Chief Jon True reported as follows:
  - Five members of the Department have been training for EMT and the class ended this week. FF/EMT Taiah Eaton is attending FF1 school. There have been 2 more applications for new members.
  - The new county-based system is online, although coverage is still poor in Kensington. They are trying to work out some solutions.
  - A thermal imaging camera was purchased for approximately \$6,500.00. This was the lowest quote for a product that meets NFPA standards. This had been budgeted for and it will count towards the match for the grant if it is received.
  - There was a minor accident between Engine 2 and Ambulance 2 during training. The Police Department responded and investigated, along with Chief True. The total cost of the repair was under \$200.00 and corrective action was implemented.
  - The State of NH has adopted new editions of fire and building codes that will become effective in September. The information has been passed to the Building Inspector and they will be posted when they become effective.
  - Chief True presented a package to the Board on the short-term rental issue. The new fire/building code changes may affect this document, but Chief True plans to provide an update when one is available and suggests a September meeting to consider options. Joe asked how many short-term rentals are in town. Chief True said approximately 4 currently, but that number regularly can fluctuate.
  - A quote for tables and chairs for the Town Hall was provided. There was a brief discussion on the necessity and practicality of these. Chief True explained that Emergency Management also has uses for these.
- Emergency Management - Chief Jon True reported as follows:
  - Chief True met with the Field Rep today to review traffic control maps, bus routes, and other items. The next HAZMIT meeting will be September 11, 2019 at 3:30pm in the Town Hall.
  - He will be applying for a grant to review and update the Emergency Operations Plan. Public comments and suggestions are welcomed.
  - Chief True has finished application for potential members of the Emergency Operations Team and will send them out to those who have shown interest.
  - Reminder that Seabrook Station drills begin in late September 2019 through May 2020.
  - They are still waiting to getting EM budget from the state. Until that is passed, some projects are on hold.
- Road Manager – David Buxton reported as follows:
  - He received a call from the contractor on Tannery Way regarding the retention pond and topcoat. The silt was cleaned from the retention pond.

- Friday morning there was a tree down on Moulton Ridge Rd. The tree was moved to the side so it was not blocking the road, and David feels that it is on private property and the town should not be responsible for any additional cleanup.
- Tax Collector- Carlene Wiggin had nothing to report.
- Building Inspector- Norman Giroux reported as follows:
  - The letter for 3 Hemlock was successful and effective. The job has been inspected by both the Building and Electrical Inspectors.
- Treasurer- Sara Belisle was not present.
- Town Clerk – Carol Beers Witherell was not present.
- Recreation Committee- The Recreation Committee was not present.
  - Road Manager David Buxton reported the signs at Town Park have been taken down.
- Sawyer Kensington Trust- Hez Mercadante reported as follows:
  - There are lots of requests for using the park both sports and private events.
  - The Trust is concerned about the trees that were cut by Unitil and left on the property. Unitil was given permission to cut as long as they were removed. Chief Cain said that Asplundh has 1 truck picking up cut logs throughout the entire state. Susan Gilbert, Library Director said they have the same issue at the library. Vanessa will make several phone calls to individuals who may be interested in the cut trees and the Board will address potential liabilities of allowing private citizens to take the trees.
  - The next meeting is this Wednesday at the Pinnacle Center at 5:30pm.
  - Chief True added there may be something in a contract that the cut tree removal was required. Vanessa will look into it.
- Kensington School Board was not present.
- Trail Committee was not present.
- Rockingham Planning Commission Rep. was not present.

#### **NEW BUSINESS:**

##### Trustee of Trust Funds

- Jim Webber came before the Board as a representative of the Trustees of the Trust Fund. He gave a brief summary of the responsibilities of the Trust. He is currently the chair and will not be running in March. He introduced Kenneth Leonard to the Board who Jim is recommending be appointed as a Trustee. Mr. Leonard said he moved to town in 2013 and when he recently heard there was a need, he wanted to become involved and is excited to learn. **At 7:10pm, Peter made a motion to appoint Kenneth Leonard as a Trustee of the Trust Funds with a term expiring in March of 2020. Vanessa seconded. All voted in favor.**

##### Board of Health

- The Board convened as the Board of Health.
- Joseph Nicols from Beals Associates, PLLC presented to the board regarding a Septic Waiver request for 204 South Road Kensington. There is no expansion to the system. The waiver is requested to install a replacement septic system to reduce the estimated seasonal highwater table to two feet above the season high water table, instead of 4 feet. The system is designed to NHDES “New” construction standards. The waiver is requested as a result of evaluation of the best feasible location based on site conditions and to retain gravity flow. David Buxton suggested that the Board revisit a square footage requirement. Mr. Nicols said that South Hampton has something similar to what Mr. Buxton suggested in place. **At 7:18pm, Vanessa made a motion to approve the septic waiver for Tax Map 2 Lot 16-7. Peter seconded. All voted in favor.**

##### Maintenance of Library lawn

- Susie Gilbert, Director of the Library said that Jack Herney has resigned as a Library Trustee.
- Susie said that the lawn at the library has not looked good this summer and there were several weeks that it was not mowed. She asked what the town’s responsibilities and the library’s responsibilities are as far as the lawn. Vanessa said the library is town owned property and that the current scope of work with the maintenance company is not very detailed.
- The Board closed as Board of Health and reconvened as the Board of Selectman.

## Bid Awarded for Road Reconstruction –

- Joe explained that the Road Manager, David Buxton returned to both bidders to let them know that the bids were more than the Town has budgeted for and asked them for bid adjustments. He did not get a response from Brox Industries for bid adjustments. R&D Paving responded that if the Drinkwater portion is removed, the price will increase because volume of materials is lower. If Drinkwater is removed from the bid, the cost of Wild Pasture from R&D Paving is \$143,834.50. Matrix Paving & Excavation was contacted and David walked through Kimball Rd with them and asked for a bid. The Board received a bid from Matrix. Joe said that he appreciates David going back to other two bidders and giving them the opportunity to revise their pricing. The Board opened the bid and Matrix's bid for Kimball Rd is \$35,550.00. David also asked for a price on Towle Hill Rd from Matrix, they said \$5,500.00. Joe explained he is comfortable with the process because the other vendors were given the opportunities to adjust their bid on the smaller portions of the road reconstruction. Vanessa suggested looking at the other roads in town and allowing David to make recommendations as to the remaining \$15,000.00 budgeted for Road Reconstruction. David said he would see which roads are furthest out from attention and see if there are areas of those roads that could be crack sealed to prevent further deterioration. Joe asked for an estimate for additional costs for this work. David suggested that this be addressed at the next meeting once he can gather additional information and have more to present to the Board.
- **At 7:43pm, Vanessa motioned to approve the R&D bid for work on Wild Pasture Rd totaling \$143,834.50. Peter seconded. All voted in favor.**
- **At 7:44pm, Vanessa made a motion to approve the Matrix bid for Towle Hill and Kimball Rd \$41,050.00. Peter seconded. All voted in favor.**

## Water Testing with building permit applications

- The Board and the Building Inspector are concerned with the water quality in the town. Building Inspector Norman Giroux explained that in new construction homes, the contractors are resisting providing full water testing results. Norman feels that because there is a known arsenic issue in town, this testing information should be disclosed. Currently this is not addressed at the state level, there are some efforts in progress, but Norman doesn't think that the town should wait. He presented to the Board the International Plumbing Code and pointed out that the IPC describes potable water and requires it be provided. It was clarified that this issue only pertains to new construction homes. There was discussion on potable water, methods of filtration and land use regulations. Possible options were discussed. The Board decided that based on the fact that the town voted to adopt state plumbing code, the Building Inspector can require water testing and filtration. The Board supports the Building Inspector in requiring the full water test results for the certificate of occupancy.

## Trail Committee Policies and Procedures

- The Board reviewed. Vanessa explained that she worked with Joe Hickey and also discussed with conservation. The opinion was that no there doesn't need to be a conservation member on the trail committee. The Board discussed and suggested minor edits. **At 8:36pm, Peter made a motion to approve the revised Trail Committee Policies and Procedures. Vanessa seconded. All voted in favor.**

## Heritage Commission Policies and Procedures

- The Board reviewed and discussed. The Board suggested minor edits. **At 8:41pm, Vanessa made a motion to approve the Heritage Commission Policies and Procedures. Peter seconded. All voted in favor.**

## OLD BUSINESS:

### Excavation Permit

- Vanessa said she met with Bill Manzi and the Seabrook Water Commissioner last week. She explained that at this point the town is still considering the environmental impact given that the excavation is in the area that bullets have been shot. The Town of Seabrook agreed that they would ask all of the departments in town to not excavate. There was brief discussion by the Board around NH RSA Chapter 155 Section 8: Local Excavations. Vanessa said that the town of Kensington needs to know what permits or approvals were granted and whether or not it was an allowable use at the time of the firing range starting. There is no timeline that Kensington can get their hands on. What were the zoning bylaws at the time of the start of the firing range. Joe questioned if it was 9pm, an allowable use. This issue will be revisited at a later meeting.

### Osgood Road Culvert- deterrent solutions

- Peter said there is no update at this time.

## **BOARD MEMBER REPORTS**

Joe explained that this is a new section of the agenda where the Board can discuss projects that they have been working on individually.

The board reviewed a solar exemption. The previous owner had a solar exemption, but the exemption does not move forward to the next owner with a sale. **At 9:08pm, Vanessa made a motion to approve the solar exemption for Tax Map 12 Lot 19-1. Peter seconded. All voted in favor.**

Peter explained that he is working on the Kensington Recreation and Social Committee Intent to Return Form for Summer Camp Employment. The Board discussed that this is a non-binding/non-contractual form for both parties.

The Board reviewed bills and mail.

There will be an upcoming need for the deputy treasurer in town.

The Board reviewed the minutes from the August 5<sup>th</sup> Board of Selectmen meeting. **At 9:18pm, Vanessa made a motion to approve. Peter abstained. Joe seconded. 2-0-1 vote.**

The next meeting will be on August 26<sup>th</sup>, 2019

**At 9:19pm, Peter made a motion to enter into nonpublic session under RSA 91A:3, II (l), (c), (d), (e). Vanessa seconded. Joe took a roll call vote. Peter Grave yes, Joe Pace yes, Vanessa Rozier yes.**

**At 11:01pm, Peter made a motion to exit nonpublic session. Vanessa seconded. All voted in favor.**

**At 11:01pm, Peter made a motion to adjourn. Vanessa seconded. All voted in favor.**

Respectfully submitted,  
Chelsea Lalime