

KENSINGTON BOARD OF SELECTMEN MEETING
95 Amesbury Road, Kensington, NH 03833
MONDAY September 9, 2019 – 6:30pm
Minutes - DRAFT

In attendance: Peter Graves, Joe Pace, Vanessa Rozier
Approx 20 other

Joe opened the meeting at 6:32pm.

Pledge of Allegiance

PUBLIC COMMENTS:

Norman DeBoisbriand of 26 Moulton Ridge Rd addressed the Board stating that there has been a rumor into town that is being spread by a town official that he is paying for K&B Landscaping's legal expenses. Mr. DeBoisbriand wanted the Board and public to know that this is not true and he wishes that the false allegations would stop.

A letter from Donna Woodbury for 61 Amesbury Rd has been received by the Board. There was no additional discussion.

Swearing in of New Officer- Justin Moran

- Chief Cain introduced Justin Moran to the Board. Chairman Joe Pace swore Justin in and his mother pinned his badge. Congratulations to Officer Justin Moran!

DEPARTMENT HEADS:

- Police Department – Chief Scott Cain reported as follows:
 - Portland Glass installed the door. Unfortunately, there is an issue with accessibility compliance and they will need to cut down the door. That should be done in approximately 1 week and then the security company will come in for the wiring.
- Fire Department – Chief Jon True reported as follows:
 - Sadly, the passing of Newington Fire Chief Darin Sabine was announced. Thoughts are with his family, his department, and the Town.
 - All 3 engines and the ambulance have had annual inspections, preventive maintenance and minor repairs completed.
 - The following issues have been resolved: E3 alternator issue, A2 suspension/tire issue, E2 oil leak
 - Forestry will go out next week for a recall and inspection
 - There will be a brief 9/11 service in front of the Town Hall starting at 9:58am on 9/11. All are welcome.
 - Ben Cole is now an EMT
 - Tiah Eaton is currently taking a certified FF1 course
 - Chief True is working on budget and warrant articles. In addition, a 3rd round of grants were issued this week.
 - Chief True has received 2 more applications to join Kensington Fire Rescue.
- Emergency Management - Chief Jon True reported as follows:
 - The department has been awarded \$12,371.00 from NH HSEM towards preparedness for Seabrook Station training, manpower, and drills in addition to \$8,200.00 towards a new radio for the EOC.
 - The Board still needs to choose 2 dates in October for the Seabrook Station Tour.
 - There is a Hazardous Mitigation Plan meeting on September 11th at 3:30pm at the Town Hall. All are welcome.
 - Chief True has received 2 more applications for people who want to work at EM and have 4 from within the FD. If anyone has interest, please contact Chief True.
- Road Manager – David Buxton was not present.
- Tax Collector- Carlene Wiggin had nothing to report.
- Building Inspector- Norman Giroux was not present.

- Treasurer- Sara Belisle was not present.
- Town Clerk – Carol Beers Witherell reported as follows:
 - The current printer used for registrations and title applications is failing. She requested funds from the Board for a new printer because the state is no longer providing a printer or repairs on the existing printer. Peter said he is looking into this with Carol and will present options at a later time.
- Recreation Committee: Donna Carter reported as follows:
 - Alnoba has requested the Recreation Committee's participation in the Halloween party. The Recreation Committee will discuss this further at their meeting this week.
 - They are working on improving and expanding summer camp programs, including expanding field trips and activities, increasing fees, and possible opportunities for expanded age groups.
 - The Recreation Committee would like to use the shed off the soccer field for storage of summer program materials. They are working with the Trust and this will be discussed further at the Rec Committee meeting this week.
- Conservation Commission – No one was present to report.
- Sawyer Kensington Trust- Hez Mercadante reported as follows:
 - Mike Gross secured liability insurance in order to have alcohol at the party he is holding at the Town Park. The Trust is satisfied that he has provided everything. The Board requested copies of the insurance. Vanessa suggested that in the future, the liability insurance amount should be the same for any town facility rental.
 - Vanessa asked how the cleanup from the Summer Program went. Hez said that they are still working on that with the Recreation Committee.
- Kensington School Board – No one was present to report.
- Trail Committee – No one was present to report.
- Rockingham Planning Commission Rep. – No one was present to report.
- Heritage Commission – No one was present to report.

NEW BUSINESS:

Grange Rental- Rezendes

- Grange Trustee Carol Beers Witherell reported that as a result of an inspection by Chief True, the furnace in the Grange Hall will need to be cleaned, inspected, and potentially repaired since this was last completed in 2010. She requested up to \$500.00 from the Board for these expenses. The Board said that in order to grant that request, they require quotes from 3 companies with exact amounts. Chief True will assist Carol with getting the 3 quotes.
- There has been an application for use of the Grange Hall on September 28th for a memorial service for Carl Rezendes. This will only be open to those attending the service. There is a new requirement that anyone who rents the Grange provide a \$1,000,000.000 liability policy. That has already been provided by this applicant.
- **At 6:57pm, Vanessa made a motion to approve the use of the Grange Hall on September 28th for the memorial service for Carl Rezendes. Peter seconded. All voted in favor.**

Charity Bike Ride- King Challenge

- The Board reviewed the Town Road Use Permit application for October 19th for the King Challenge Charity Bike Ride. Chief Cain said he does not have any concerns with this coming through town. Chief True was in agreement. **At 6:58pm, Peter made a motion to approve the Town Road Use Permit for the King Challenge Charity Bike Ride on October 19th. Vanessa seconded. All voted in favor.**

Eastman's Corner- Open Air Assembly Permit

- The Board reviewed the Open Air Assembly Permit application for Eastman's Corner for 9/28-10/5 and 10/12-10/19. Chief Cain said police details have been requested for the annual fall event. **At 7:00pm, Vanessa made a motion to approve the Open Air Assembly Permit application for Eastman's Corner for 9/28-10/5 and 10/12-10/19. Peter seconded. All voted in favor.**

OLD BUSINESS:

Matrix parking lot drainage quote

- The Board discussed the conditions of the parking lot. Without Road Manager David Buxton present and no photos, the Board decided not to make a decision and will discuss this topic at the next meeting.

Treasurer Appointment- Schwotzer – Deputy Treasurer

- Norman DeBoisbriand of 26 Moulton Ridge Rd addressed the Board to voice his concerns regarding the appointment of Mike Schwotzer as Deputy Treasurer. Mr. DeBoisbriand stated that he represents himself, two former Board members, and other residents that also have concerns. Mr. DeBoisbriand gave a summary of the duties of the Treasurer. He went on to list a number of actions that he believed were concerning and could impact the Board's decision to appoint Mike Schwotzer as Deputy Treasurer. Mr. DeBoisbriand claimed the following:
 1. In 2015 when Mike Schwotzer was elected Treasurer, Norman DeBoisbriand was Chairman of the Board. At that time, a firetruck was sold. There were concerns surrounding this sale including the amount of money the town received. Norman stated that Mike never entered into discussions around this issue as Treasurer.
 2. There were concerns that money was not deposited in a timely manner. An individual came into the town offices and directed payments from the operating budget. Mike never reviewed the Rec Revolver account and accumulated a balance of approximately \$25,000.00. Norman states that Mike did not participate in any discussions in regards to this issue.
 3. There was a point when the Town Clerk was accumulating approximately \$1,500.00 to \$3,000.00 each day, and Norman stated that according to RSA, that money should have been deposited each night but it was not. Mike as Treasurer never was involved in this even though it pertained to town funds.
 4. The funds for the adult softball program dropped approximately \$17,000.000 in a 4 year period. Norman feels it should have been responsibility of the Treasurer to explain why there was a significant drop.
 5. In 2017, there were town funds deposited into a personal account. Norman states that Mike told the town administrative assistant that he supported the Board, but never addressed the issue with the Board. When the Board resigned and Mike was appointed to the Board and appointed as Chairman, he wrote a report stating all amounts were accounted for, however it was not stated in the report that town money was deposited and diverted to a personal account, and that town expenses were paid out of a personal account. Norman feels that there should've been a 3rd party individual hired to address this as it is conflict of interest to write a report on his own responsibilities.
 6. When Mike was Chairman of the Board, there was a requirement that if anyone wanted to speak at length during a meeting, they needed to write a letter. In one particular instance, a letter was submitted to the Board regarding a particular individual. Norman states that that individual was provided the letter and had a weekend to prepare a response for during the meeting if they chose.
 7. There are concerns that Mike knowingly and illegally sat on two Boards in town for over a year.Norman stated that there are concerns as to Mike Schwotzer's character and previous job performance that should prevent him from being appointed by the Board to Deputy Treasurer. Norman stated that he feels the board has the opportunity to do the right thing. Norman thanked the Board for listening.
- Ben Cole of 242 North Haverhill Rd addressed the Board. He explained that when he served as Chairman of the KES School Board, he nominated Mike Schwotzer as School District Treasurer without meeting him based on his good reputation and qualifications. Ben explained that was on the Select Board at the same time as Mike and got to know him as someone who has integrity, is honest, and is trustworthy. Ben Cole recommended that Mike Schwotzer be appointed by the Board to the Deputy Treasurer position without reservation. Ben addressed Mr. DeBoisbriand's remarks referring to the letter that was provided to an individual prior to a previous meeting. Ben took responsibility for this and stated that he shared those documents without Mike knowing and stressed that Mike should not be held accountable for that action.
- Mike Schwotzer of 49 Cottage Rd addressed the Board and acknowledged that many things were spoken correctly by Norman DeBoisbriand. Mike also pointed out that the Board of Selectman is responsible for all people working for the town, and the Treasurer is a part time position. The Treasurer is responsible, but the Board is also responsible. He provided clarification on procedures of the Planning Board, one of the Boards he sat on. Mike stated that with regards to depositing of funds, everything was done with the advice of the town council. Mike expressed to the Board that he is willing and qualified to be appointed as Deputy Treasurer, not Treasurer, which is an elected position. He stated that he knows the job and has done it before.
- Richard Elwell of 8 Amesbury Rd stated that he feels Mike's tenure on the ZBA was overlooked. He stated that RSAs are clear that an alternate member cannot act as a Chairman, although Mike acted as Chairman for 2

years. Richard stated that Mike is the reason that he stopped attending Select Board meetings due to the way people were treated.

- Norman DeBoisbriand spoke again stating that this isn't about him, but the appointment of an individual that didn't do his job and when he did his job, the RSAs were not followed. He stated that the Treasurer is an elected official but the Board has not jurisdiction over the Treasurer. Norman stated that this is another example of Mike blaming someone else, which highlights the character issue.

Joe stated that he would like to digest the information that has been presented tonight by all parties. Vanessa said that she feels it is in the best interest of the Town that the Board review all information. Peter agreed, and suggested that this be continued at the next meeting.

BOARD MEMBER REPORTS

Peter reported that he met with the Town Engineer and Road Manager Dave Buxton on Towle Hill Rd. They will be proceeding with the Road Reconstruction plans as previously discussed. The supplemental road reconstruction work still needs to be approved.

Vanessa reported that the Recycling Subcommittee will meet on Wednesday September 11th at 6pm.

Joe had nothing to report this week.

OTHER BUSINESS:

The Board reviewed minutes from the August 14th, August 12th, August 26th, and September 3rd meetings.

At 7:46pm, Vanessa made a motion to approve the minutes from August 14th. Peter abstained. Joe seconded. Vanessa and Joe voted in favor. Peter did not vote.

At 7:50pm, Vanessa made a motion to approve the August 12th minutes. Peter seconded. All voted in favor.

At 7:53pm, Vanessa made a motion to approve the August 26th minutes. Peter seconded. All voted in favor.

At 7:54pm, Peter made a motion to approve the September 3th minutes. Vanessa seconded. All voted in favor.

The Board reviewed an email request from Kadeine Peterson, a Biology Teacher at PEA to place 10 traps for organisms in the pond on Trundlebed Rd. The Board had no objections.

The Board received information regarding non-conforming uses and groundwater reclassification.

The Board reviewed payroll and bills.

The next scheduled meeting is September 23rd; October meetings are back on 1st and 3rd; October 7th and 21st

The Board briefly discussed the furnace maintenance at the Grange Hall. **At 8:03pm, Peter made a motion to authorize Vanessa to sign and approve furnace maintenance at the Grange Hall up to \$500.00. If the amount required exceeds \$500.00 the trustees will need to come before the Board. Vanessa seconded. All voted in favor.**

At 8:04pm, Vanessa made a motion to adjourn. Peter seconded. All voted in favor.

Respectfully submitted,

Chelsea Lalime