

TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road, Kensington, NH 03833
Monday, December 3, 2018 - 6:30 pm
Meeting Minutes - Draft

In Attendance: Mike Schwotzer, Ben Cole, Bob Long.
Approximately 20 residents in attendance.

Mike opened the meeting at 6:37 pm.

PLEASE NOTE: After 1 hour and 22 minutes the recording device batteries failed.

Pledge of Allegiance

DEPARTMENT HEADS:

- **Police Department** - Chief Scott Sanders has nothing to report at this time.
- **Fire Department** - Chief Jon True reported as follows:
I would like to acknowledge and introduce new members to our department.
Laurel Urwick - recently passed her advanced EMT, from East Kingston.
Alexis Garrant - an EMT/Lieutenant from Hampton Falls.
Jeremy Poder - an EMT who is currently taking his advanced EMT from Hampton Falls
Tiah Eaton - unable to attend tonight but is from Hampton Falls.

EMT training is a commitment of about 200 hours with continuing education every year and responding to calls day or night. These members have stepped forward to help Kensington with their expertise. We continue to work to add new members and get them trained and licensed. Please join me in welcoming them to our department and our town.

We had an engine in the Amesbury parade this past Saturday and were able to help with the Holiday Stroll with an engine and lighting.

Reminder - to be considered "snow covered" and therefore not require a burning permit, there must be COMPLETE coverage of snow for a 50 foot radius from the pile and winds below 20 mph. That's around 4 inches of cover to meet the standard. If there is any question, please call and get a permit.

KFD had a dinner to celebrate the 70th Anniversary - Thank you to those who were able to participate.

KFD received a matching grant for the sound system. Due to so many natural disasters, staffing changes at the state level and paperwork delays we are hopeful to receive \$16-\$22K in grant money from FEMA.

Annual calendars from Seabrook Station will be sent out soon. Please utilize the card on the back cover to notify us of any special needs of any kind. For example: a ride, hearing, speaking or moving disability. In the event of a power outage assistance can be provided for medical equipment which requires power. This information is restricted to emergency personnel only.

Bob asked a clarifying question - regarding in home dialysis. Annual notification is required directly from the patient.

There is also a program called Violet Lives, starting in January, which is a pill bottle magnet on your refrigerator that has all medical background necessary in the event of an emergency. All medical information would be accessible to first responders and is not shared.

Road Agent: David Buxton reports the following:

- That sand and salt has been delivered and the town shed is full.
- There is a repair that is scheduled for the loading dock but it has not yet been completed. There is a quote that exists but has not yet been completed.
- 2019 Road Budget - \$200,000 budget per warrant article. Road Construction is still being worked on.
 - Concerned citizen on Towle Hill Road; concerned with water flow. David checked into it quickly and saw no major problems. Explained that at the time the berms were removed, it was usually done with top coat, and under drains were all plugged. He will review.
 - Hudson heights is having issues with ditches being full.
 - Ben reported to Dave a message from Chief True that a culvert on Wild Pasture Rd. is backing up.
 - Muddy Pond Rd needs attention to address water going onto road, which could become an ice issue.
 - Spoke with Matrix regarding issues and they reported between now and Saturday work will be addressed.
 - Trash Pick Up - Tannery Way (Private Road) Ben discussed liability of using town equipment on private road. Need to make it clear to owner that plowing is up to them. B&S feels that they are covered by their insurance. Mike inquired about the stage of completeness on that road. David clarified that the binder is installed but the top coat is not on. It is best to wait until construction is complete before top coat is applied.

- Discussion with Ben and Mike regarding this being an immediate issue. Subdivision is paying taxes and are entitled to trash pick up. Road owner needs to understand they are responsible to plow the road.

Ben made a motion that if Tannery Way is plowed then Trash pick up will be provided. - Bob seconded. Ben amends the motion to include recycling. Bob seconds. All in favor.

- Wild Pasture pot holes will be addressed.
- Resident inquiry (Elaine Bodwell) about having the crosswalk re-painted on Rt. 150 to access the Town Hall. Further discussion continued to inquire what the criteria from the state is to complete it. David responded that he would see what is involved to see if he would be able to cover the cost with funds from his road budget.

Tax Collector: Not in attendance

Building Inspector: Reports that 18 Cottage Road, interest to buy was able to go through. 3 abandoned cars on property. Discussion about options and this being a safety concern. Bob inquired if the buyers understand the issues at hand. Discussion to start process and record at the registry that the building is condemned per the RSA. Norman and Kathy will work on paperwork. Discussion at last meeting regarding plumbing and mechanical permits. Information from other towns (Seabrook) copies given to board. Norman and Mike will work on this.

Treasurer: Not in attendance

Town Clerk: Ben spoke on behalf of the Town Clerk. New proposed Deputy is a part time employee in training. Ben reviewed the process, saying that he participated in the interview process for two very strong finalists, and that the successful candidate, Sarah Wiggin, has outstanding direct service experience relevant for the job. **Ben moved to confirm Sarah Wiggin as Deputy Town Clerk per Town Clerk's nomination. Bob seconded, all in favor of the motion.**

Physical Plant/Control access to parts of the town hall was discussed. Inquiry into what happens after this board changes. Need an access control/go to person. BOS should be able to address immediate issues. Personal access and storage decisions will stay with BOS. Ben is the point person. Town Clerk requests access to storage in the building. **Ben made a motion to confirm his decision granting the Town Clerk and Deputy Town Clerk access to the storage areas of the building. Bob seconded. All in favor.**

Town Credit Card requested by Town Clerk. Mike made a motion to deny additional credit cards due to open liability posed by additional credit cards in circulation. All in favor.

Recreation Committee: Elaine Bodwell reports as follows.

Thank you for the participation in the recent Holiday Stroll. So many people were involved in making it a success. Including Lili Spinosa, KES Student Council, Donna Carter, Bob Long, Chief True, Chief Sanders and other KPD Officers. Chief True was instrumental in

the lighting of the Christmas Tree at the park. Josh Preneta, Vanessa Rozier, Jenny Leonard lead the singing on the wagons. Chris and Holly Batchelder from Hidden Brook Farm were able to have 3 teams of horses and wagons. The folks from the church who helped coordinate was tremendous. So many thanks!

December 12 will be the next Rec. meeting to discuss the Father/Daughter dance. As of now it is planned for February 8 at Alnoba.

Hez thanked Elaine for shoveling the steps at the park. Elaine praised Hal for the work.

Bob made a motion to remove the dumpster from the park until it reopens. Mike seconded, all in favor.

Conservation Commission: Not in attendance.

Sawyer Kensington Trust Committee Review: agenda item skipped due to prior discussion at 5:30 PM; see Sawyer Park Trust Informational Meeting Notes separately.

Kensington School Board: Ben discussed a possible social event at the Grange to provide a chance to socialize and discuss warrant articles before or between deliberative sessions. Ben will continue to work on this with a School Board rep.

NEW BUSINESS:

Discussion of Minutes Format: The last two meetings citizens forum have had lengthy discussions. Questions have developed around lengthy questions and letters being asked to be included/attached to the minutes. **Mike motioned to not include written attachments with minutes unless approved by the Board of Selectmen prior to minutes approval. No request for written addendums to be attached to the official BOS minutes will be granted without a positive motion from the board. The motion can happen at the meeting as it occurs or at the next meeting when reviewing/approving the prior meeting minutes. This is applicable to and includes any minutes not approved as of this meeting. Bob seconded, all in favor.**

Mr. Elwell approached the podium. Mike reviewed meeting rules, said additional comments would not be accepted.

Avitar Contract: At the next meeting Mike proposes meeting with Lauren at 6pm and it being the first agenda item.

Budget: Mike distributed budget handout. Expenses need to be monitored because budget forecast suggests possibility of an unfavorable (negative) balance by year-end. This would be definite without grant funds. But, no further large expenditures expected this year. Reviewed major items driving negative forecasted balance in budget, Ben emphasized that this does not necessarily reflect badly on department heads, as, for example, Chief Sanders fit an entire extra police officer in his budget on BOS instructions without going far over. Chief Sanders reports he anticipates actually being slightly under budget with a favorable balance because He was able to defer cruiser maintenance to cruiser fund.

List of Warrant Articles (See Warrant Article Document). Mike noted the documented ideas for warrant articles. Further review to occur. Proposed budget is still in process and will be reviewed further. Meeting scheduled Friday 12/7/18 at 1:00 pm.

Ben Discussed the need to start scheduling Budget Meetings (Public). Dates proposed January 9th - Public Hearing for Budget. Articles can still be received until January 8th. Additional hearing will be held in February. Ben recommends to cross check the KES calendar to avoid overlapping budget hearing dates. Deliberative sessions available dates 2/9/19 - 2/16/19; also need to check with KES to confirm the date.

Notice needed for meeting December 7th at 1:00 pm. - Discussion of legal actions and any other items with prior board:meeting scheduled.

Right To Know: Regarding thumb drives (USB) - Chief Sanders “recommends USB devices should be new before plugged into our system.” Ben made motion to adopt a policy that the first option to share information is to email. If size demands usb to be used, they would be supplied by the town at cost. Mike interrupted to note that RSA 41:91-A requires establishing public approval through town meeting first before fees can be set. This was defeated in 2013, but in 2014 authority to set building permit fees only passed. Currently no authority on RSA’s for printing or thumb drives, including charges for paper copies of Right To Know (RTK). Ben withdraws the motion. **Bob made motion to reverse 11/19/18 motion setting the RTK fee. Ben seconded, all in favor.** Preferences for distributing information should be: 1. Email; 2. Thumb Drive; 3. Print. **Ben amended original motion to this effect, requiring use of Town-provided USB drives, all in favor.**

Financial Audits on website: Audited financial statements in town reports. Asked for them to be posted (Audited financial statements for year 2017).

Trustee of Trust Funds: Trust and capital reserve funds, inquiry about whether board takes management role of this or the town. Forward email to Trustees of Trust Funds. All info sent to Trustee of Trust Funds. They do their own reporting. Concern regarding this needing an administrator/Town Employee to do that.

Approval of Board Minutes: Discussion of minutes from meeting from 11/5/18, after discussing them at the meeting on the 19th. Making this discussion of revision “3” of 11/5/18 minutes. Ben said that he personally communicated to Holly McCann his personal support of attaching her letter when she submitted it, but did not think through consequences and precedent it might set. Discussion of the best way to address this question. Bob states, he doesn’t feel official business should be mixed with personal statements. **Ben moves to strike attachments and use minutes as amended from 11/19 for 11/5 meeting. Mike seconds, Mike and Ben in favor, Bob abstained.** Peter Graves mentioned to use Amazon Smile to purchase any Thumb drives for RTK requests used as a way to give back to the community.

(brief pause while Kathy obtained copies of 11/19/18 minutes).

Back to minutes of 11/19/18. Mike wrote summary of letter citizen requested to be attached when revising the minutes. Ben noted he had previously suggested grammatical corrections to section of minutes dealing with David Macek entries, to clarify narration change between 1st and 3rd person in a quoted section of the minutes. Bob called for no revisions. **Ben made a motion to accept the minutes as amended for 11/19, with minor grammatical changes previously suggested by him included. Mike seconds and all in favor.**

Citizens Forum: Ben reminded public that this BOS tries to remain accessible, and hopes people will communicate with BOS members or Town officials during the week to keep forum available for people with urgent needs who were unable to communicate in advance. This forum is open to the public but could be removed from agendas in the future if people do not respect the parameters. Each speaker will have 3 minutes - it is important to have compliance as a courtesy to others.

Mr. Elwell - Residents should also be treated with respect. Mike apologizes for the 2 occasions mentioned by Mr. Elwell. He states that if letters to the BOS are given in advance, he would like it considered that the statements be added.

Dan Sweet - As a resident, inquiry expressed regarding potential legal action, why can't we discuss the issues now vs. meeting Friday at 1:00. Ben addressed this by saying that it came down to availability of the Board of Selectmen and was not the 1st choice for a public meeting. Further concern was expressed that this could be adverse to the town. Mr. Sweet expressed his hope that people involved could turn the page and move on so that town funds are better used. "It has been a difficult year for the town. It would be nice to turn the page."

Mike noted there were 12 public meetings scheduled when new Board assumed its positions, tonight is the sixth meeting of 12. "We are halfway to March." Jubilation ensued.

Old Business/Other: The Ratio needs to be signed by the State. **Mike made a motion for the Municipal Equalization Assessment Date Certificate to be signed. Ben Seconded. All in favor.** Ratio reflects 98.6 Ratio assessment.

BOS signed an employee's Pay Rate Form.

Building inspector invoice for a penalty- Rate for fines discussed. Board agreed a policy should be established and that paying the building inspector for violations is problematic, but he should be paid for his time. In the meantime, because invoice is outstanding and payment is six months delayed, BOS signed invoice to pay for building inspector violation fee specified in invoice #1801 at established 3/5 rate to building inspector.

Mike moved to adjourn the meeting at 8:20pm. Ben seconded.

Respectfully submitted,

Sarah J. Wiggin