

**TOWN OF KENSINGTON
BOARD OF SELECTMEN
MEETING MINUTES**

June 30, 2014

Draft Minutes-Subject to Change Prior to Acceptance

In attendance: Russell Perry, Scott Lowell and Norman DeBoisbriand were in attendance. Norman called the meeting to order at 7:34pm.

CITIZEN'S FORUM-

Michael DiCroce is running for Rockingham County Attorney and came to introduce himself. He has over 23 years of experience in the industry as a prosecutor for local communities as well as management experience.

Kathleen Felch asked if the Board will discuss the closing of the recycling plant tonight. The Board responded that until we find another facility, we will need to send recycling to the landfill.

DEPARTMENT HEADS:

Police Department- Chief Sielicki reported:

- The Dodge cruiser was repaired and is back in service.
- He met with Peter Landry last week to review the site for the trailers. Peter responded today that we will be able to install a 2000 gallon temporary holding tank. Peter is now awaiting our response if we will be digging a new well. Lynne will ask if the Church members can attend our next meeting. Chief will have Peter create a cost estimate before proceeding. Russell asked how quickly they can move with plans and was told it can be started immediately. Chief reported Peter confirmed the swale can be reworked. Dave Buxton offered to assist the Chief as a General Contractor and report back to the Board so it will proceed smoothly. All selectmen accepted his offer.

Linda Blood indicated she was at a social gathering and an official from Exeter inquired about our Police Chief retiring and he stated Exeter would give us a quote for a community police department. She asked if we've ever looked into it. Russell stated in the past we have but past boards were concerned that Kensington wouldn't receive the same level of dedication. Chief reported there is a state statute which doesn't allow Exeter to have jurisdiction in our town and we don't have jurisdiction in their town. He also advised that Exeter pays their employees a lot more than we do and we'd still need to provide them a station. Norman thinks we should review the pros and cons of this suggestion. Russell said as long as it doesn't take away from other serious issues they need to deal with.

Dave Buxton asked if the Board knew how soon we will have a qualified individual to replace the Chief. Russell responded it would be filled as soon as possible.

Fire Department- Chief Leblanc was not in attendance. Norman asked Lynne to make sure he attends the next meeting because Norman still wants to discuss the transaction of the air packs in exchange for the old fire truck.

Building Inspector-Mark Sikorski presented one permit for approval:

- Wadleigh, 199 Amesbury Road, remodel interior of home to bring the house up to date. Russell made a motion to approve the permit as presented, seconded by Scott with all in favor.

Lynne let the Board know they attended the FEMA meeting regarding the flood insurance plan and the required new ordinance for residents who live in the affected areas. We will need to devise a permit that takes the ordinances into consideration and create a fee to cover the additional administrative work. Mark explained he is not in a rush to finalize the new building permit rates but we will need a separate fee for the flood zone areas.

Road Manager- David Buxton reported

- Sickie bar roadside mowing was put out to bid. Last year the bids were within \$100. Chris Batchelder, a town resident, who was awarded last year's bid stated he could do it for the same cost as last year which was \$3,800.
- 139 Wild Pasture Road Drainage Issues- Dave solicited three contractors for pricing. He anticipated a cost between \$8,300-\$10k. The Board opened a sealed bid from Brad Poole Excavating from East Kingston for \$7,100. Dave recommended accepting this bid and requiring impact fees from the developer. Scott asked Dave his opinion of this vendor and Dave replied he's a hard worker. Russell made a motion to accept the bid from Brad Poole Excavating, seconded by Scott with all in favor. Scott recused himself per Dave's request and Norman seconded the motion with both in favor.
- Dave has been working with NH Department of Environmental Services regarding the culvert replacement needed on Kimball Road. He was told a design is needed for dredge and fill. Dave suggested hiring Bob Tufts from Georgetown who does this work for Salem, NH. Dave contacted Matt Gallant in East Kingston who repaired Giles Road which cost \$74k. Newfields repaired a culvert for \$66k. He will ask who they used for the design. He called a local pipe supplier for pricing for four 36" culverts and was quoted \$6,400 for the pipe delivered to job. He estimates another \$10k to install and repave that section of road if the engineer allows it. He requested permission to evaluate if we need to close the road or limit it to cars only. He will solicit some input on what a design might cost to keep Kimball Road open. He would like someone who would use plastic instead of concrete if possible. Bob Gustafson asked if it's a recurring problem because it may qualify for some type of matching grant. Norman advised Moulton Ridge may have the same issue and Dave was already aware. Kathleen said since we are now in the NFIP we need to go through FEMA before any work can be started.

Emergency Management-Robert Gustafson reported:

- The Emergency Management Center was activated during the active shooter incident. Bob was in contact with the State and the Governor was involved. Our Deputy Director, Jason Greene, was on site because he is a lieutenant on the Exeter Fire Department and also a member of the Seacoast Response Team. Norman wanted to commend everyone

that was involved. He saw it from afar since he was out of state and he was impressed the way it was handled. Chief Sielicki and Sergeant Sanders both discussed issues that need to be worked out for any future responses. One issue was it was very warm out and the responding officers had all of their gear on. Kensington doesn't have a large supply of water and the procedure used for feeding the officers need to be reviewed. Chief stated one agency was concerned the staging guys were requesting food and it wasn't for the guys on site. Bob said we don't have a local Emergency Management plan and it's required but we aren't there yet. Jason reported to him that people were giving him orders that had no authority to do so.

Scott Lowell asked if the donated trailer was all set and was told it needs to be registered. They are waiting on Charlie for decals and lettering with reflective tape. One of the fire department members offered to mount the current racks for the barricades and cones right in the trailer. The Toyota or Bob's truck can tow it when needed.

- He attended the 10th annual conference in Manchester on June 11th.
- He attended the first workshop for the Seabrook drill on June 18th.
- Lynne reported that FEMA will no longer be accepting submitted budgets. Payments will now be made via reimbursements.

Assessing- Kathleen Felch presented the following:

- Primex overbilled us so we should be receiving a refund.
- Abatements-
 - Smith, Matt – 58 Muddy Pond Road, Avitar's recommendation is to approve the abatement for a \$1,900 value adjustment. Matt reported in 2010 he bought an old house and fixed it up and moved here from Stratham so they could semi retire. They own a 1,600 square foot, two bedroom and 2 ½ bathroom home with a two car garage. Since he's lived there, Avitar told him they had a three bedroom house and this year Kathy suggested having a real estate agent write a letter to confirm it is only a two bedroom. Avitar never came out to see the interior. Now Avitar agrees it is a two bedroom home and they are only suggesting a \$47 rebate which is ½ of 1% of the taxes he's been paying. He is asking how they determined the value for the bedroom as \$1,900. He also asked if he would get a discount for the wet section of his property. Kathleen confirmed they do account for buildable lots which are rated differently. They will submit Matt's valuation question to Avitar and wait until next weeks' meeting to make a determination.
 - Warren, Leslie 9 Oak Ridge Road, Kathleen found an error so this will also be sent back to Avitar until next week.
 - Gavutis, George, 231 South Road- Russell made a motion to accept Avitar's recommendation to approve the abatement for a \$1,500 value adjustment seconded by Scott with all in favor.
- The Rockingham Planning Commission increased their fees by \$447 effective for the fiscal year July 2014 through June 2015.
- Department of Revenue administration PA-28. Carlene suggested giving everyone a one year notice if we want to reinstate this form. Lynne advised that when she did research for code enforcement officers, many suggested using this form.

- Rate of pay for Brenda Flammini was signed.
- Write off report for Comstar. Russell made a motion to write off the Kensington residents on the report, seconded by Scott with all in favor.

Tax Collector- Carlene Wiggin presented two refunds for overpayments for approval.

Town Clerk- Pamela Kehoe was not in attendance but submitted an application for a new deputy that she recommends.

Recreation Department- Members were not present. The Board signed a road closure permit for the road race which will be held in the morning hours on July 12th on Trundlebed and Cottage Roads.

Conservation Commission- Members were not present.

Sawyer Kensington Trust- Bruce Cilley was not in attendance but submitted the following:

- Playground chips have been installed in the playground.
- The playground stone was knocked over by vandals but has been restored.
- Spot treating for weeds by Purely Organic was performed this morning.
- The meadow has been mowed by Down To Earth Landscapes per the contract.
- The aeration of the fields by Hillside will be scheduled for early July.
- The new air conditioner that is being donated by the Trust for the concession stand is to be installed this week.
- Musco Lighting sent out a crew to replace one of the burned out bulbs on field C's field lights. This is under warranty and does not cost us anything.
- He suggested the Board consider a policy that locks and equipment not be changed, loaned, stored or borrowed without prior approval by the Town. He thinks this will alleviate the issues that have transpired the last couple of weeks and open up better communication.

Norman asked that we have the railing inspected by the concession stand. The middle section seems to be wobbly. We can see if Bruce knows who installed it. Lynne will try to get a quote by next week. They want to schedule a meeting with the different organizations who use the park to review expectations.

NEW BUSINESS:

Department of Labor Inspections- Lynne and Russell gave an overview of the inspection of our buildings. The inspectors will be submitting a report with all of their findings but these are some things they discussed:

- The safety committee inspections policy was outdated and we need to remove subcontracted work and boilerplate items.
- Minutes must be kept in addition to our building checklists
- Meetings must be held quarterly.
- There was an immediate violation with the police department and we are required to provide a plan detailing how we are going to rectify the situation with a deadline.

Russell told them about our plan to bring in the doublewide trailers. Since they could not get in touch with their office, they were more lenient and gave us until July 31st to respond to them with a plan on how and when this will be addressed and to come up with a reasonable date and be sure it is completed by then. They will issue a full report to us within two to three weeks. The inspectors were quite unhappy when they learned the police department has been in trailers without running water for two years and handed us the state law that requires sanitary facilities for employees. Typically they would allow two days without facilities.

- They didn't go in the town hall but stated no one should be going in there so we need to move everything out. Norman didn't agree and asked for permission to contact the inspector. Russell said the plan we submit needs to include moving everything out of the building. Norman just wants to make sure we absolutely have to move everything out. Chief Sielicki stated many times the labor board will assess fines. He offered putting the town records in his secured site when the modular are brought in. Chief also advised he sent the trailer layout to William Scottsman.

OLD BUSINESS

Town Hall Discussion- Norman reported the gutters have been installed and he purchased dehumidifiers which have decreased the humidity from 75% to 45-50%. One has a pump that pumps into existing pipe and the other has a hose that is being discharged into the boiler. He will bring proposals to the next meeting for the waterproofing and he's trying to secure electrical estimates. Two contractors from Kensington are interested. If the interior work is done as presented at the last meeting, the studding on the exterior walls needs to be removed, the wiring needs to be raised and the main circuit panel needs to be pulled away from the wall. The heating contractor who installed our original system called Norman and will meet with him to determine what is needed to bring it up to the certification which is mentioned in the engineering report.

Zoning Violations Updates:

- Valente, 159 South Road, Sign Lighting. Sergeant Sanders confirmed he drove by and the sign is compliant.
- David, 21 Amesbury Road. Kathleen received a phone call today from an attorney's office letting her know they are preparing paperwork in response to our letter.

Administrative Assistant:

- **MD&A-**The Board will review the documents. Norman said it's accurate and if it's not required to submit notations, they are all set with the MD&A.
- **Southeast Regional Refuse District Minutes-** Hampton and South Hampton are withdrawing.
- **National Flood Insurance Policy with FEMA-** A meeting was held on Tuesday to review the building requirements for anyone whose property is located in a flood zone. Permits are needed for any change to the property whatsoever.
- **Legislative Policies-** They would like a representative from the board of selectmen to vote a position on the recommendations and floor proposals to provide direction to our voting delegate at the annual conference. The Board took the paperwork to review before making any decisions.

The Board responded to Richard Elwell's inquiry about non-public sessions and let him know they are required for the issues they are dealing with and the Board strictly follows the non-public laws.

Barbara Carpenter introduced herself. She's lived in town for thirty years and came to issue a complaint about the shooting that is occurring in her neighborhood. She stated the guns being shot are heavy duty and are loud and the people are not respectful hunters. She is not happy they are being bullied from the shooters. She expects a thoughtful response to her concerns. Norman stated it's the first time he's aware of this since he's been a selectman but he understands her frustration because he also lives where someone shoots all of the time. Chief Sielicki and Sergeant Sanders were both in attendance and addressed her concerns. They have received complaints and each one has been checked out to make sure it is legal and safe. The state laws protect firing of weapons and we can't pass an ordinance banning shooting. They are restricted unless it's a safety issue. Chief said we can't regulate where they shoot unless they don't met the setback requirements. They suggested having some residents petition the state. They can only enforce the noise ordinance after 10pm. Chief said he received more gun permits this year than last. Another option is to contact our state representative or senator to complain. He said they tried to regulate weapons for users with mental health issues but can't get anyone to sign a bill because of the politics so he wasn't optimistic she'd make any progress.

Non Public Session RSA91A:3,II(a, b): Norman made a motion to enter non-public session at 9:31pm, seconded by Russell with all in favor. Three employee issues and one hiring issue were discussed. Russell made a motion to leave non-public session, seal the minutes and return to regular session at 11:05pm, seconded by Norman with all in favor.

Bills & Mail- Bills were approved and signed.

Next Meeting Date-July 7, 2014 7:30pm in the Kensington Elementary School Library.

Approval of Minutes – Norman made a motion to approve the June 2, 2014 and June 6, 2014 minutes seconded by Scott with all in favor.

Scott moved to adjourn at 11:15pm, seconded by Norman with all in favor.

Respectfully submitted,

Lynne Bonitatibus
Administrative Assistant