

TOWN OF KENSINGTON  
BOARD OF SELECTMEN MEETING  
Kensington Town Hall  
95 Amesbury Road  
Kensington, NH 03833  
Monday, April 1, 2019  
DRAFT MINUTES

In Attendance: Joseph Pace, Vanessa Rozier, Peter Graves

Joe opened the meeting at 5:45 and made a Motion for Non-Public to discuss Personnel. Non-Public Session RSA 91-A:3, II (a).

Peter made Motion to close Non-Public, seconded by Vanessa. Close Non-Public at 6:00pm.

Peter made Motion to recess until 6:30pm, Vanessa seconded, All in favor.

NO Motion to Seal Non-Public Session.

Joe opened the public Session opened at 6:30 with the Pledge of Allegiance.

Approximately 25 people in attendance

Introductory greetings from Senator Tom Sherman (District 24). He explained that he has the goal of visiting all of the 11 towns in his district. Many areas are faced with various issues that he hopes to be voice for and help be a bridge between the towns and the state for communication and resources.

From a Legislative standpoint, things are very busy. There are several major crises effecting the State. Substance Abuse, Mental Health issues are especially high. There is currently an ER boarding issue as well as DCYF crisis in the increased numbers of caseloads. There should only be 15 kids on a caseload and currently they are managing 40+. Resources are being sought to help with this crisis as welfare and safety are paramount.

Financially the State is doing well and working to give back to the Towns for relief. Many areas being discussed at the state level are bipartisan issues and they are working on long term solutions. Senator Sherman expressed his desire to attend 3 BOS meeting a year and can do more on an as needed basis. Joe has his contact information and encourages anyone with questions or needs to contact him.

David Buxton – Road Manager spoke regarding his extensive work with the DOT investigating the crosswalk and requirements for handicapped access to move forward. Senator Sherman offered to help in that area if he could be of assistance.

**Police Department** – Chief Scott Cain presented estimates for a door to provide privacy in the PD lobby area when people come in and need to discuss things. Discussion about meeting with Seabrook officials regarding the gun range. Discussion of opening it for Hunter Safety Courses approximately 2x/year. Chief Cain expressed no concerns as this would be a supervised safety course. The Town of Seabrook is not planning to develop that area as a gun range. There are currently 3 people working on it and a long list of safety precautions to fulfill before any further use of it will occur.

Appointments of new personnel to the PD which Chief Cain is excited to announce. Jerrald Heywood will be promoted to Sergeant. He comes with several years of experience and great skills to add to the police department. Brad Von Hayden is also joining the department and will be a great asset to the town with his experience. These officers will be joining the department on a full-time basis. These officers were sworn in by Joe Pace, Board of Selectmen Chairperson.

**Fire Department** – Chief John True has 2 new appointments for tonight. He recommends Sarah Gallo and Seth Noyes as members of Kensington Fire Rescue, pending their background checks. Additional reasoning is that they will participate in the EMT class starting this week. Also attending the EMT class will be Mike Lawson Sr, Mike Jr, and Ben Cole. They should all be licensed and working as EMT's sometime in July.

We recently had a one alarm brush grass fire on Rose Petal Lane. In addition to our two engines and forestry unit, mutual aid was provided by East Kingston (Chief Car and Forestry), South Hampton (engine), Hampton Falls (Tanker, Special Deputy Warden and Forestry Trailer) and Amesbury (Forestry and staff car), while Seabrook and Exeter provided coverage. During the incident we had an additional ambulance call that was handled by Exeter Fire. Chief Cain and Officer Wlasuk of KPD helped as well, and we thank all of them for assisting us. The fire was quick moving, burning almost two acres of field and was headed toward a neighbor's house and into the woods, but was extinguished before it could cause much damage. Overhaul and final extinguishment took an additional hour. There were no injuries.

The FD is hoping to have a donated structure for training, possibly this weekend or next. This will allow members to have hands-on training of tools, tactics and safety procedures. We will be inviting East Kingston, Hampton Falls and South Hampton to join us with some of their members and equipment so we can network as well. We will not be burning down the structure, but we may have small smoke fires in the structure. This will be in the area of Trimble Trail and Muddy Pond Road. Notices will be hand delivered to neighbors a few days in advance of the actual event.

Emergency Management – Chief True explained that if anyone has contacted him in the past about being part of Emergency management, he will be mailing out application forms to those people this week. He is hopeful to do some training in June to prepare for drills this fall. There are about 8 positions that need to be filled and 4-5 drills expected. Work continues to be done on various grants for EM as well as new furniture for the meeting hall room for BOS meetings.

Finally, a warning that the ground is very dry and we are currently in a Moderate/High Fire Warning until we have some significant rain.

Road Manager – David Buxton explained that on Saturday he and Peter Graves and Vanessa Rozier went on a tour of the town roads with regard to areas that need particular attention. Along the tour 1-2 other areas were added to the area of focus. Peter expressed many thanks to David for taking the time to share his knowledge. This information will be compiled to enable competitive bids to be sought. Vanessa expressed that putting the information in a line item style might assist in attracting the desired competitive bids.

Along with Norman Giroux the Building Inspector he hopes to draft a Truck Route for the purposes of needing to know what trucks are using the roads as the subdivisions continue to be developed. The recommendation was made that once the Truck Route is drafted, it should be posted on the town website as another point of reference. As permits are being applied for, it will be helpful to make sure that the language exists to include the truck routes at that time also. In addition, an umbrella when people are seeking Intent to Cut or excavate permits. Bob Long added that the designated route to use should be found in minutes from the previous board for the work on Drinkwater Road. David requested that Kathleen email him the address of the current property in discussion and he will address it in person.

Tax Collector – Carlene Wiggin stated that Thursday 4/4/19 will be the date for her Annual Tax Lien. Also, there are 2 abatements for property at Lots 17 and 104 of the Campground. It is the same trailer but 2 different bills. Vanessa made a motion to sign the documents as requested. Peter

seconded. All in favor. Regarding the Tax Lien there is an outstanding \$82, 542. Vanessa made a motion to sign. Peter seconded. All in favor. There is a closing on one of the properties for lien. Vanessa made a motion to sign the document. Peter seconded, all in favor.

Building Inspector – Norman Giroux gave the new BOS some background of his experience and expertise and expressed looking forward to working with the new board. He would like to bring up 3 items this evening. Currently there are no Demolition Permits. Currently there are no fees for demolition. Also, no inspections required for things like asbestos, oil or gas disconnections. Currently building permits are being used for demo permits. By law at time of demolition there needs to be a test for asbestos and there is a special process to notify the state. He provided copies of DES documents to this fact. There is a requirement for written notice 10 days prior to any asbestos abatement activity conducted as part of a renovation. He recommends a \$50 permit fee based on what other towns do in this situation. The different types of asbestos and the health implications of exposure are serious. Joe added that there seems to be a need to update code and policies and then fees can be added once the permitting process is updated. Discussion and development of this will continue between Norman and Chief True to draft a form. They can schedule a public hearing April 15<sup>th</sup> on the agenda to view and discuss the permit. Norman noted that he last discussed this with the previous board on March 4, 2019. Insurance companies are requesting permits/realtors in the selling process of houses. He would like to present ideas about permits going forward to avoid issues where people are not going through the appropriate process for obtaining permits in the first place. Vanessa suggested sitting down together and working together to use time as efficiently as possible. Vanessa will be the building liaison. Joe will work on the legislation and legal background regarding state law. Further discussion continued that Portsmouth follows a Massachusetts model but that there is no desire to be punitive and have to enforce back fees. The hope is to use an amnesty approach. It is unclear at this time if there is a successful model to show that it can be done that way. There needs to be fines or penalties in place for those people not getting permits. Vanessa suggests Joe research the RSA's for authorities and communicate with Kathleen to move forward on the process and resume the discussion with the BOS at another date.

4 Laurel Lane – on 9/3/18 there was a plan submitted for a garage. The original plan showed a 2 car garage 20 x 26 detached building. The permit was written to those specifications. Subsequent inspections showed a 29 x 38 detached building with a second story and sheet rock installed. The fee for finished space is 50 cents/sqft vs. 10 cents/sqft for unfinished. Additional fees were incurred because the space was now technically finished. Vanessa inquired if there was a building code. The issue now becomes how does the permit distinguish finished vs. unfinished spaces and in addition living vs. nonliving spaces. There is no disagreement over the change of the space with the property owner. Normans questions need to figure out the penalties for non-compliance with building permits. Discussion continued and the property owner explained that the space was being used as a workshop for her husband's wood working hobby. Chief True recommended if the owner could provide a letter of intent for the space. They void the rights and have to pay full fees if the space is found to be used for something other than a workshop. Peter made a motion to forgive the extra fees and requests a letter to state the intent of the space. If changes are made to the space in the future it will require re-permitting and appropriate fees will be assessed. The condition of this proposal requires a letter be submitted that the space is not occupied as a living space and the second that Chief True will inspect it. The additional 40 cents/sqft will be forgiven. Joe clarifying that this decision is not an indictment of Normans efforts. All in favor of the motion made by Peter. Future permits will distinguish Finished vs. Unfinished.

Sara Belisle – not in attendance.

Town Clerk – Carol Beers Witherell proposes an additional \$1 administrative fee for dog licenses. Joe states that the statute supports this fee increase. A public hearing will be scheduled in 2 weeks to discuss it.

Rec Committee – No one in attendance. Kathleen noted that there is a new appointment for Donna Carter for a 2-year term. The committee will now be referred to as the Kensington Recreation and Social Committee per Peter. Motion was made and seconded for the appointment of Donna Carter, by Peter and Vanessa, All in favor.

Sawyer Park Trust – Hez Marks-Mercadante was unable to attend tonight but she provided an email with updates. Peter read the email. The email discussed that the Sawyer Park Agreement was presented and signed by the Trustees. A maintenance/field bid has been accepted. A turf care bid had been accepted. There is a date for the Park Clean Up, Saturday April 13<sup>th</sup> and it is hoped that anyone in town that enjoys the park will also come to lend a hand. Gloves and rakes are encouraged. Trustees and Selectman Graves toured the park to see what needed fixing. Bruce Cilley has been working hard to fix many things. Efforts are being made to look into the repair of the score boards. Finally, the park officially opens on Monday, April 15<sup>th</sup>.

Conservation Committee – Sydnee Goddard spoke regarding funding for the 2019 Invasive Control on Municipal Lands Project. The project has been approved and would like to proceed if the town is still interested in participating. The grant from RCCD to spray for invasive plant species would proceed with a Special Permit for 211 South Road. Optional herbicide application on up to one acre of invasive vegetation will also be offered as one other initial step in management. The Kensington salt shed was evaluated on a site walk last year and they will use that information to develop a draft invasive species management plan for the Town to review. Any herbicide applications will be completed June – September and will take 1-2 days to complete. In addition, the RCCD will submit a special permit application to the Department of Agriculture Markets and Food over the next few weeks in case there are invasive plants to be treated within 25 feet of any wetlands. Peter made a motion that Joe sign on behalf of the BOS, Vanessa seconded, all in favor.

School Board – nothing to discuss.

Trail Committee – Vanessa is the Liaison with the Conservation Commission. Issues will be reviewed further.

Rockingham Planning Commission – Peter Merrill is the Commissioner and takes part in legislature and how it relates to the town. Joe expressed the importance of feeling free to come here and share ideas/concepts that are of a public interest. Peter continued with the fact that ALL towns are experiencing a Trash/Recycling issue. In March there is a presentation in Hollis on energy efficiency topics. Peter discussed an opportunity that the town has to participate in a type of energy audit relating to the consumption of town offices. There is an April 15<sup>th</sup> deadline. Kathleen has the spreadsheet from a previous energy audit that can be updated for this purpose. It looks at KWHrs.

Heritage Commission – Email from Lynne Monroe was referenced. A group of 12 residents of Kensington met on March 21 to begin the process of organizing the Heritage Commission as approved by the town in the March 12 election. They introduced themselves with their qualifications for membership and made a list of potential members for consideration. (Ex Officio Members) Joe Pace is

willing to be a Selectmen's representative and Peter Merrill may be willing to be the Planning Board representative. (Regular members) 3-year term: Lynne Monroe, Steven Mallory. 2-year term: Robert Solomon, Meghan Gross. 1-year term: Robert Gustafson. (Alternates) 3-year term: Elaine Kachmarek, Ben Cole. 2-year term: Frank Whittemore. 1-year term: Lorraine O'Keefe. There remains one open space for an additional regular member. Regular meetings will be on the third Thursday each month, the next meeting being April 18<sup>th</sup>. Joe shared how exciting it was to have so many people interested and wanting to engage. Motion was made to sign the appointments so the individuals could come in and be sworn in with the Town Clerk. Vanessa made the motion, Peter seconded, all in favor.

**New Business:**

MS 535 Report shows a gap in authorization. Joe would like to have a meeting with the Auditor and council to ask questions about how it works. Vanessa made a motion to sign the MS 535, Peter seconded. All in favor.

Pole Licenses – Kathleen provided 2 petitions from town residents. One for an Amendment for Pole and Conduit Licenses and another for Excavation of pipe maintenance and highways. The board of selectmen accepted both petitions and set the public hearing date. These both tie directly to Pole Licenses and excavation permits. There will be a public hearing scheduled 4/29/19 at 6:30 pm to then move forward with pole licenses.

Comcast Franchise Agreement – Looking into an extension. The board does not feel comfortable committing to a full 10-year renewal commitment. Joe will lead this renewal issue. It would be nice to be able to record meetings, such as BOS meetings, and be able to stream them on the Town website for residents to access and have better transparency of meetings.

Recycling – Vanessa would like to be more proactive with this. She would like to call together a subcommittee for solutions and to put ideas together. At the current average tonnage of recycling per month and the current cost of disposal per ton, the estimated budget overage is \$2,000 this year. The Conservation Commission submitted a letter last year and would like to help and get an idea of their ideas. Peter with Rockingham Commission has a great deal of knowledge in this area.

Joe raised the idea of changing the title and placement in the agenda for what is currently called "Citizens Forum". He has suggested having this section in the beginning of the meeting for residents to be able to have a voice and raise discussion points that can be discussed further as an agenda item in subsequent meetings if needed. He feels this would be more welcoming and encouraging for participation.

**Old Business:** None to discuss.

Kathleen stated that there are a lot of Veterans Tax Exemptions. All have been pre-approved and there is 1 new submission. Vanessa made a motion to approve existing Veterans Tax Credits and moved to sign the new Veterans Tax Credit, Peter seconded, all in favor. It would breakdown to be a \$250 applied to the December bill and \$250 applied to the July bill.

Signatures needed for Probationary Appointments.

Signatures for Bills and Police Department. 2 Quotes submitted by Chief Cain for the 2<sup>nd</sup> door to close off the lobby area of the Police Department. \$2018 does not include the electrical needs only the door and mechanism. Board will ask Chief Cain for more information on the quotes.

Intent to Excavate – There is a report on the permit to excavate. Flooding at the School House is a state issue and we have no jurisdiction over the section requested to excavate, no excavation was done. Report of Intent to excavate being signed. Vanessa motioned for Joe to sign on behalf of the board, Peter seconded, all in favor.

Mailbox issue - 5 French's Lane. Kathleen will follow up on this issue.

Adult basketball – Some people still owe their money and it is possible that the Waiver may need some edits.

Minutes Approved – 3/22/19 approved and Road Meeting from 3/30/19 approved. Minutes accepted and approved. Vanessa made a motion, seconded by Peter. All in favor.

Door Control Inc – Approved and signed. Vanessa made a motion to sign the Handicapped Accessible Door for the vestibule. Peter seconded – Quote was signed.

Sawyer Summer Camp – Catherine Bannister applied for Director position. Issue is that the Rec department does not have a budget yet, which makes hiring personnel difficult. Discussion that the base rate for this position will be \$18 with Authority to go up to \$20 if she assumes the coordinator position as well. Joe proposed that going forward a protocol needs to be established but for now the program needs to get rolled out. Budget needs to be completed prior to an event being approved. Peter made a motion to hire a Director at \$18/hour and made a suggestion that a budget needs to be created going forward, Vanessa seconded all in favor. This needs a task schedule type protocol so that deadlines can be met timely.

Police Department – Joe would like more understanding before authorizing the cost of the door. Vanessa made a motion to table this topic for now and readdress when more details of the cost of the labor and project are available, Peter seconded, all in favor.

Vanessa made a motion to adjourn at 9:12 pm. Seconded by Peter, and all in favor. Next meeting will be Monday, April 15, 2019 at 6:30 pm.

Respectfully submitted,

Sarah J. Wiggin