

TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road
Kensington, NH 03833
MONDAY
JANUARY 30, 2023
MINUTES-Approved 2-6-23
Meeting 6:30 pm

In Attendance: Joseph Pace, Robert Solomon, Robert Gustafson

Public Comment-

Skip Heal of Osgood Road-S. Heal asked the board what the reason is for the Drinkwater Road being closed. Chief Cain explained that there was an accident where the transformer came down and there was a spill that needed to be cleaned up. With the clean up process and machinery in the road they closed the road to simplify the process of the cleanup.

Cindy Heal-Questioned why this area needs to be closed where there is an officer on site. Chief Cain explained that if they opened the road they would need two officers to direct traffic.

DEPARTMENT HEADS:

• **Recreation Committee- Sarah Turcott**

- S. Turcott explained that they are starting the planning for summer camp and that the Camp Director S. Quimby will be returning but they need to find a Camp Coordinator.
- She would like to post the positions and start the hiring for camp.
- The Recreation Committee also feels that it would be beneficial to add an Assistant Camp Director position, and they feel that there should be a second adult there all day with the children and there are enough funds to facilitate this addition.
- J. Pace asked if there would be changes to rates of pay and S. Turcott stated that if there are returning counselors there would be a slight increase in their rate.
- There is a bill for the DJ and the pizzas will be bought and a receipt returned to the town.
- **B. Solomon made a motion to approve K. Felch writing the check for the pizzas in the amount of \$240 and for the DJ in the amount of \$450, seconded by R. Gustafson, all in favor.**
B. Solomon made a motion to approve the Rec. Committee hiring an assistant director for Summer Camp, second by R. Gustafson, all in favor.

• **Police Department –Chief Scott Cain –**

• **Safety Grant-amended**

Chief Cain explained that the state amended the grant that the town was awarded from \$13,124 to \$20,420.96 for speed enforcement patrols and distracted drivers and they also awarded the department a new laptop and printer for one of the cruisers where they paid half of it.

B. Gustafson motion to accept the revised/amended grant amount of \$20,420.96 and to have the chairman sign on behalf of the board. B. Solomon seconded, all in favor.

- J. Pace addressed the road closures and details on the roads, he wanted the public to know that the board defers to the Chief on those matters and leaves it up to what the Chief thinks is appropriate. If anyone has any questions, he encourages them to stop in and talk to the chief or call the department with any question.

- **Fire Department – Chief Jon True**

- Engine three is still being refurbished. He will be going to the dealer to review the work before they accept the truck. It appears as of right now we are under budget, and completion is looking like the first or second week in February.
- Working to finish up final numbers for ambulance and get it ordered asap.
- Congrats to Josh Zani Conklin, he has passed his EMT and is now available to work on the ambulance.
- There was an MVA at North Road and Drinkwater Road this past storm, and two transformers were damaged when the pole snapped. Although electrical repairs were made, cleanup of the spilled oil is ongoing and Drinkwater Road to Oak Ridge may be closed until the cleanup is complete. He will obtain a report on the incident when they are done. NHDES is leading the cleanup on this spill.

- **Emergency Management - Chief Jon True –**

- He is in process of finalizing numbers for reimbursement of the Dec 22-25 storm. He has a meeting next week with FEMA to complete the paperwork and will have hard totals then.
- He suspects we may have an additional declaration for the recent storm as there was considerable tree damage. He reminds anyone to report road closures, damage to structures or property to the EMD as he will log all that information allowing us to get reimbursements when possible.
- Dangerous temperatures later this week, with windchills well below zero. With gusts predicted, please look out for tree limbs.

J. Pace asked if the Fire Chief and M. Armstrong have looked at any of the trees since the storm to determine if there are any other problem trees. M. Armstrong stated that they have driven around and the major concerns have been addressed.

- **Road Manager – Matthew Armstrong-**

- Road speed limit signs have been installed on Stumpfield Road and Muddy Pond Road. He also wanted to remind everyone that February 1, 2023, is the enforcement day for those new speed limits. Signs were put up on the sharp corner on Muddy Pond Road just before Beaver Dam Road.

NEW BUSINESS:

- **Proposed Town Energy Committee –**
Zeke Schmois addressed the board and explained that they have been meeting with other towns and they are looking to see if the town can lower their energy consumption. They are hoping to start this committee. There is no funding being requested, other than the \$500 yearly membership fee for joining Clean Energy NH.

He explained that one of the first small projects that they could start working on would be to get rid of as many incandescent light bulbs as possible. There are not many streetlights around town but this would help. Exeter has provided some of their data to him already. They are trying to help at the fire department as well, and they can help to do an energy study. They would eventually like the town to join the Community Power Coalition. He believes that this would help residents and help them to see how to lower their energy costs.

J. Pace explained that he is not familiar with Clean Energy NH, but knows it is a nonprofit. From his perspective he doesn't see a downside to this committee and them providing recommendations to the board. He would like to see what other towns experience has been with the Clean Energy NH group.

Z. Schmois explained that they were debating if they should have the municipality join, they currently are individual members with the Clean Energy NH Group. They give you access to the energy conference where you get a lot of information. R. Solomon wanted to know the relationship that the Energy Committee would have with the town. He believes that they would be endorsing this group as the experts in town, that is not something that he is ready to do. J. Pace explained that they would be more like the trails committee where there is no statutory language around an energy committee. This would be a town committee that would report back to the board, if that is the case then there needs to be a charge given to the committee to include what their goals are and what they are trying to do. He asked if the neighboring towns have a boiler plate that the board could look at, or are you just looking to set this up as a community group with no oversight of the board?

S. Varn stated that the other towns are town committees, and they want to open it up for other people to help out. J. Pace explained that If this was to be formed as a town committee, they would at minimum appoint a steering committee to conduct official town business. There can be other participants beyond those official members but the appointed ones would be the ones making motions and reporting back to the board. R. Gustafson wants to know what worked for other communities and what didn't, and how they worked with the utility companies.

Clean Energy NH has some start up guidance that Z. Schmois will forward to the board.

J. Pace does not want this committee to mandate anything to the community or town, but for informational purposes only. The scope and charge should be advisory in nature, and the committee can bring their suggestions forward to the board.

The board would like to see the following:

- would it be a private citizen's group or would it be a municipal committee.
- Scope and charge of this committee, how it will work, members, outline of scope.
- some examples from other towns and see what worked for them and what didn't.
- are members appointed by the board, how many?
- how it was established in other towns, minutes, and charge approvals

J. Pace stated that they would have them on the agenda for February 20th and if they can have the information requested into K. Felch to distribute to the board members before the meeting that would be appreciated. J. Pace will check in with Exeter on how their committee works.

- **Letter from the State on Closed Town Dump-no further information**
- **Culvert Replacement on Route 150-** the state got back to K. Felch and they are still in the planning stages of this project and will let the town know if they will need the road closed down, or partially closed for the replacement of the culvert just past 195 Amesbury Road on Route 150. Chief True wants to know if they are planning to repair the culvert by the fire pond by Town Hall.
- **Open Air Assembly Permit- Eastman's Corner**
 - The board reviewed the permit for Eastman's Corner to be held on 2/15/2023.
 - **B. Solomon made a motion to approve the Open Air permit for Eastman's Corner for February 15, 2023, for their Winter Fest, R. Gustafson seconded all in favor.**
- **KES Crown Classic Road Race**
 - The group has reviewed the route with Chief Cain. They will start the Park and go down Trundle Bed Lane to Stumpfield Road and turn around and come back, close to 1 mile. They will apply to the park trustees for use of the park. R. Solomon suggested that she get ahold of the trustees to be sure that there is not anything happening at the town park that day. J. Pace stated that they can approve pending the approval of the park trustees.
 - This will be held on June 4th, 2023, Sunday at 10 am.
 - **R. Gustafson made a motion to tentatively approve the permit for roads pending the approval by the Kensington Sawyer Trust, seconded by B. Solomon, all in favor.**
- **NHDES Large Groundwater Withdrawal application from the Town of Exeter-**
 - The board discussed the application and questioned what the drawdown is going to be from this well, and what is the towns understanding is of the capacity of the aquifer?
 - This proposed well will be on the Academy land off Drinkwater Road.
 - R. Gustafson is concerned with the amount of draw proposed, due to the withdrawal from Seabrook already. He is concerned with the water supply for Kensington, and believes that there needs to be more detailed engineering done.
 - R. Solomon asked if they are asking for our approval, and no they are not asking for our approval, they are just asking if there are comments from the town.
 - J. Pace explained that these are existing wells that were test wells in the 1980's.
 - J. Skewes of Drinkwater Road asked at what point is the town able to ask Exeter for water consumption measures. She wants to know what Exeter is doing to control water measures in Exeter. J. Skewes stated that there are residents in Kensington Farms who have had water issues already and will Exeter do drawdown testing in a drought?
 - J. Pace stated that Exeter can sell water to area towns if there is a surplus.
 - The board asked K. Felch to reach out to NHDES and request a public hearing for Kensington so that the residents can voice questions and concerns.
 - K. Felch will reach out to an area hydrologist and ask for a review of the application and see what questions the town should be asking.

- **Warrant Article 12 on Warrant:**

- The board reviewed the legal guidance given to the town on making this article non-lapsing. This process must be done before posting the warrant if the board wants the article to be non-lapsing. This change can not be made at the deliberative session.

R. Gustafson made a motion to amend the language of article 12 to reflect the recommendation to make the warrant article non-lapsing per RSA 32:3VI(d), seconded by R. Solomon, all in favor. Wording of article is below.

- **Article 12 Evaluation of parcels for town acquisition**

To see if the town will vote to raise and appropriate up to \$75,000 (seventy five thousand dollars) for the purpose of evaluating parcels for potential town acquisition related to needed new facilities for Public Safety and Emergency Services. **This will be a non-lapsing appropriation as per RSA 32.7, VI and will not lapse until December 31, 2024. The Board of Selectmen unanimously recommend this article.**

The tax impact of this article is \$.185 per \$1,000 valuation. (eighteen point five cents per thousand dollars of valuation)

- The board signed the Warrant, MS 636 (Budget) and MS DTB (Default Budget).
 - J. Pace explained that any increases to the budget from contracts that are not approved by the voters can not be included in the default. So annual increases to the town's current contracts like Assessing, Health and Trash cannot be included in the default.

Other Departments:

Kathleen Felch:

- **Health Officers Annual Dues-** R. Gustafson will be put onto the form for Deputy Health Officer for the Town of Kensington.
- Water at the town hall has been turning brown. K. Felch reached out to Comac Pump and Well who installed the current salt system and they talked her through changing the time that the system regenerates to a time period when there is no one in the building. That was just last week so the employees are watching the water color to see if that worked. If that did not, they can get a second filter installed for the cost of over \$5,000. She will keep the board informed.
- P. Holland submitted a letter to the board requesting them to look further into the NHDES Large Groundwater Withdrawal application from the Town of Exeter. K. Felch will get back to her letting her know what the board has decided.
- There was a diseased tree taken down on the corner of Osgood Road and Wild Pasture Road, a resident had inquired about why and M. Armstrong responded to that inquiry that it was dead and diseased in the middle of the tree.
- **Cottage Road Tree**
 - Resident is requesting that the town clean up the damage from a tree that fell down in the December 22 storm. K. Felch reached out to NHMA and they indicated that if the town owns the road with a deed, like Tannery Way then the town would have some responsibility. If there is no deed for the road the town is not able to go onto private property to remove tree damage.

- J. Pace explained that the town does not own the land, if the landowner can demonstrate that the land owner does not own the property then the board will look at it. The board wants to stipulate that they are not trying to be difficult, but this would set a precedent for all other tree work within the town. The landowner stated that they owned to the rock walls of their property, but the tree is on an abutters land.
 - if the tree is within the right of way the underlying land still belongs to the landowner. M. Armstrong clarified that the town only has viatic use of the roads, the ability to travel over and maintain the road.
- **Cameras for the Building**
 - To have them qualify for the ARPA funds the cameras must meet the “US Made” order. K. Felch will contact the vendor and ask for this proof. The board had previously approved the bill for the vendor, but K. Felch asked the board to sign the actual bill for the cameras of \$12,174.00 to be kept with the ARPA funds file.
- The board will retain the same Pest Control Company for Mosquito monitoring.
- **Selectmen’s Report-** J. Pace wrote the selectmen’s report for the town report and the board reviewed the draft. J. Pace asked if the board wanted to include the reports to the town from the Department of Justice on the election. The board will add a line that states that copies of the reports are available at the town hall upon request.
- **Request for documents to be included in the Town Report**
 - The board discussed a request to have documents in the town report.
 - The board felt that it was sufficient that the reports are referenced in the Selectmen’s Report in the town report stating that they are available upon request for public review. The board did not feel that the town report was the appropriate location to post the letters but that they included a statement in the selectmen’s report that the letters are at the town hall and available upon request.
- **Town Report Dedication**
 - The board will not be doing a dedication in the town report.
- Approval of Board Minutes
 - **R. Gustafson motioned to approve the minutes from January 9, 2023, R. Solomon seconded all in favor.**
- Bills and payroll were signed.
- **Next Meeting Date – February 6, 2023/ Deliberative Session February 8th at KES 6:45pm.**

- Non-Public Session- RSA91A:3, II (d)-

- R. Gustafson made a motion to enter nonpublic session at 8:14pm, seconded by R. Solomon.

Roll Call vote to enter nonpublic session: Joe Pace _X_

Bob Solomon _X_

Bob Gustafson _X_

Motion to exit nonpublic session made by R. Solomon at 8:55pm, seconded by R. Gustafson all in favor.

Roll Call vote to enter nonpublic session: Joe Pace _X_

Bob Solomon _X_

Bob Gustafson _X_

Motion to adjourn was made by R. Solomon at 8:55pm, seconded by R. Gustafson, all in favor.

Respectfully submitted,

Kathleen T Felch