

**TOWN OF KENSINGTON  
BOARD OF SELECTMEN  
MEETING MINUTES  
January 19, 2015**

***Draft Minutes-Subject to Change Prior to Acceptance***

**In attendance:** Norman DeBoisbriand, Robert Wadleigh and Peter Merrill were in attendance. Norman called the meeting to order at 7:02pm.

***SECOND PUBLIC HEARING FOR 2015 BUDGET AND MONEY WARRANT ARTICLES***

Norman made a motion to enter public hearing at 7:02pm, seconded by Bob with all in favor.

Lynne advised she received one more petitioned warrant article with a funding request for \$1,500 from the Richie McFarland Center. Two other organizations did not have enough signatures for submission.

The town clerk submitted a revised decreased budget in response to the budget committee requesting more detailed cost estimates. Norman made a motion to accept the revised budget for the town clerk, seconded by Norman with all in favor.

Lynne updated the budget and report with these changes the new proposed budget amount is \$1,624,161. It did not affect the default budget. The proposed budget is now \$14,871 less than the default.

Peter made a motion to approve the finalized budgets as presented seconded by Norman with all in favor.

The public did not have any questions or comments.

Norman made a motion to leave the public hearing and return to regular session at 7:07pm seconded by Peter with all in favor.

***CITIZEN'S FORUM:***

***DEPARTMENT HEADS:***

**Police Department-**Chief Sanders arrived later in the evening and reported:

- In the past they've purchased ammunition from a company in New Jersey who had the state contract. Since the company doesn't stock the materials they have a long lead time. He found a company in Massachusetts with better customer service and they hand deliver it. He will use this vendor for future purchases.
- Hampton Falls changed calibers and have excess ammunition and offered to sell Kensington their surplus at \$100 discount per case which is a large savings.
- Chief presented a quote for \$2,589 for the keyless entry system from a security company. He will be able to manage it from his computer and it can be upgraded and transferred to

another location when needed. Peter made a motion to proceed with purchase for police department and installation of the secure door system seconded by Norman with all in favor.

- They relocated the evidence from the remote storage unit and canceled their contracts. We will receive a refund for the prepaid amount.
- He asked for permission to move the metal doors in the town hall from downstairs to upstairs for security purposes. He doesn't have an estimate for installation. He asked the Board if they had a contractor. The Board will review it.
- Chief displayed some of the new equipment that was purchased for their safety in a shooting event and passed it around for the public to see. They were quite happy with the purchases and feel prepared should the need arise to use it.

**Fire Department-** Chief Leblanc reported:

- Norman advised he spoke with legal counsel regarding the fire truck encumbrance and the attorney agreed that we can use the same warrant article description but it should remain the third year payment. He confirmed since there wasn't a legal obligation in 2012 we do not need to encumber those funds so they will return back to the general fund. The first year didn't require the appropriation of funds.
- At the Board's request, Norman reviewed the paperwork from the sale of the old fire truck in exchange for air packs. He's not disputing the transaction that Lakes reported to the Town; however, based on his research there is a flaw in the transaction and how it was handled by the Board of Selectmen. He read RSA 32:5-III *All appropriations recommended shall be stipulated on a "gross" basis, showing anticipated revenues from all sources, including grants, gifts, bequests, and bond issues, which shall be shown as offsetting revenues to appropriations affected.* The proceeds cannot be spent unless the amount has been included as an appropriation in the budget. It wasn't appropriated by the Board and the funds spent need to be included in the 2014 budget. This puts the fire department \$27k over their budget. He suggested to the other two selectmen to ask legal counsel how to clean up the transaction and determine if his analysis is correct as well as disclose it to the auditors and have them review it. Norman made a motion to have town counsel review the sale of the truck and air pack exchange and disclose this information to the auditors, seconded by Bob with all in favor. Charlie stated this has been the same process they've followed for prior truck exchanges. Norman replied that Russell signed a consignment agreement, not a bill of sale. The question is whether he could've signed it. There was a clause in the agreement that the transaction will need to be approved by the Town and it wasn't put forth as a warrant article. The purchase of the air packs, related commission expense, and repairs need to appear in the budget.

**Building Inspector-**Mark Sikorski was not in attendance.

**Road Manager-**Dave Buxton did not have anything to report.

**Emergency Management-** Robert Gustafson reported:

- He attended the Seabrook quarterly meeting and Homeland Security reported in the last thirty years this was the first time they didn't issue a corrective action. Robert presented certificates of appreciation from Homeland Security to the people who were involved in

the drill. Lynne presented a letter to the Board from Homeland Security reiterating this information.

- He spoke with the individuals involved in the transmitter receiver tower that was intended for the Rosencrantz property. For multiple reasons they decided not to continue with that tower and found one in East Kingston so it no longer involves Kensington.
- He requested permission from the Board to be paid his cell phone stipend now instead of in March after the budget passes since the funds are in both the proposed and default budgets. Bob and Norman both agreed this would be acceptable.
- Chief Sanders reported he submitted an application to sign up for the 1033 program which allows communities access to free federal surplus items. He now has access to the military database. In addition to police equipment there are many other items such as generators, portable lights, dump trucks, and loaders. Equipment would be owned by the police department and then after a year it would become the Town of Kensington's property.

**Assessing-** Kathleen Felch reported:

- She finished the pole license agreement and added the information Avitar wanted included. She asked for permission to send to legal counsel for review. This document is to bill the people who use the poles. This process will involve the town clerk and may have a fee involved. Norman made a motion to send the pole licensing agreement to town counsel for review seconded by Bob with all in favor.
- She asked the Board's permission to schedule the Comstar meeting for the first meeting in March at 7pm. The Board agreed and will see them first on the agenda.

**Tax Collector-** Carlene Wiggin presented a document for the Board to sign later in the evening during non-public session.

**Town Clerk-** Pamela Kehoe was not in attendance.

**Recreation Department-**Members were not present.

**Conservation Commission-** Members were not present.

**Sawyer Kensington Trust-** Members were not in attendance.

**Building Committee Update-**

- Norman made a motion to have Peter discuss the open house with Chief Sanders for the police department and town hall seconded by Bob with all in favor.
- Chief reported the trailers have settled and need to be adjusted.
- He also asked for permission to have the exterior lights repaired. Bob made a motion to allow Norman to discuss these issues as well as the bill for the damage from the returned trailer with William Scotsmen seconded by Norman with all in favor.

***NEW BUSINESS:***

**Open Air Assembly-**The Farm at Eastman's Corner submitted a permit for an open air assembly scheduled for February 7<sup>th</sup> from 11:30am -3:30pm. Chief Sanders confirmed they are scheduled for a police detail. Bob asked if they need a permit from the State for the alcohol tasting. Kathie Felch asked if there will be a beer tent serving samples. She was concerned because she was aware of one individual who should not have driven home at the last event. Chief Sanders advised he's been at every event and they offer little cups. They have a license to sell it and can do wine tastings. Chief LeBlanc reported he needed to approve paperwork with the State. Chief Sanders said they can't sell it for consumption on the property.

Linda Blood inquired about the new signage offering soups, salads and sandwiches and asked if it's a restaurant now. Dawn Frost said it's premade so they aren't making things to order. Linda wondered if they charge meals tax then. Peter replied it bears looking into and checking what levels of permitting come under the farm stand. Pursuant to this specific permit Peter made a motion to approve the permit with understanding they are required to confirm what needs to be done to allow the alcohol samples seconded by Bob with all in favor.

### ***OLD BUSINESS***

**135 South Road-** Mr. Rizzo was in attendance at the Board's request. Peter read legal counsel's response after they reviewed the documentation. Legal counsel determined that the combining of the two lots was a condition of approval of the subdivision plan back in 1986. We are correct in taking the position that it is one lot. The transfer of the land under deed Book 4582 page 2155, was in effect an illegal subdivision of the combined lot into two. Mr. Rizzo's recourse at this point is to go back to the planning board and seek to have the condition referenced on the plan removed. Kathleen will add him to tomorrow night's agenda for the planning board. Mr. Rizzo asked for copies of the information discussed. The Board approved the request and Lynne will send him the information tomorrow.

#### **Administrative Assistant:**

- **Safety Committee Meeting-** Lynne reminded Norman of the upcoming meeting on January 22<sup>nd</sup> at the library at 7pm.
- **Rock Wall Damage-**The vendor submitted an estimate to repair the wall for \$1340. Dave Buxton was already contacting the vendor for the repair. Peter said there isn't any rush to repair now and it can wait until Spring.
- **Waste Delivery Site-** B&S Disposal determined they would like to haul the trash to the North Andover facility. Lynne has advised Waste Management and it will take a month to set up.
- **Daytime Ambulance Coverage-** NOT DISCUSSED.

**Non Public Session RSA91A:3,II(a,c):** Norman made a motion to enter non-public session at 8:12pm, seconded by Bob with all in favor. Employee, welfare and a tax matter were discussed. Norman made a motion to leave non-public session and seal the minutes at 10:42pm, seconded by Bob with all in favor.

**149 South Road-** Norman asked Lynne to send a letter to the restaurant and remind them of their obligation to contact the building inspector when inspections are necessary and to ask for an update on the light issue.

**Bills & Mail-** Bills were approved and signed.

**Meeting Minutes-** Peter made a motion to approve the minutes from January 5, 2015 seconded by Norman with all in favor.

**Next Meeting Date-** January 26, 2015 6:00 pm in the Kensington Town Offices to finalize the warrant and budget for posting. The next regular meeting is February 2, 2015 at 7:00pm at the Kensington Elementary School Library.

Bob made a motion to adjourn at 11:05pm, seconded by Peter with all in favor.

Respectfully submitted,

Lynne Bonitatibus  
Administrative Assistant