

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

February 16, 2015

Approved March 16, 2015

In attendance: Norman DeBoisbriand and Peter Merrill were in attendance. Norman called the meeting to order at 7:10pm. Bob Wadleigh joined at 8:37pm

CITIZEN'S FORUM:

DEPARTMENT HEADS:

Police Department-Chief Sanders reported:

- The new cruisers arrived at the dealership this morning. They will be retrofitted one at a time so they have enough cruisers available.
- The department was fully staffed during the storm and there weren't any significant issues.

Fire Department- Chief Leblanc reported:

- The Board tabled the review of the ambulance billing until Bob arrived later in the meeting.

Building Inspector-Mark Sikorski presented:

- **Smith, 9 Stumpfield Road**, complete home renovation. The footprint will remain intact. Mr. Smith reported there is currently an apartment in the house. Kathleen agreed it is an approved apartment. One bedroom upstairs is being converted to two bathrooms. He confirmed the bedroom count will remain the same but they are increasing one bathroom. Norman made a motion to approve the permit as presented, seconded by Peter with all in favor.
- **146 South Road** – Mark was contacted to do a well check because of concerns with snow on the roof. The homeowner hired a contractor.
- **Town Hall Review-** He asked if they were ready for an inspection and Norman replied not yet. The stairs are being installed tomorrow. Norman will obtain insurance certificates from Bob Fee and Chevalier for Lynne tomorrow.

Road Manager-Dave Buxton reported:

- The winter snow removal budget is almost depleted. The Board realizes they will need to find funds elsewhere in the budget for any additional bills incurred. Later in the evening Kathleen reported she received confirmation from Bob Gustafson that FEMA will be reimbursing the Town 75% of storm related expenses incurred January 26th through January 28th.
- The roads are in good shape. He applauded the snow removal done by B&S and his crew.

- Dave submitted the snow emergency and winter parking ban ordinances for the Board to review. There were several residents in violation which hindered snow removal. He would like permission to have vehicles towed if it happens again. Chief Sanders said the police department uses Al's. Dave asked if they have competitive pricing. Chief advised the ordinance requires a warning to the resident prior to towing and he was unaware this was an issue until today. Dave will speak with the offenders tomorrow. Peter suggested sending letters from the Board and Norman agreed. Dave will provide the information to Lynne tomorrow.
- Dave spoke with Charlie Zilch who is the surveyor for the Kimball Road culverts. The surveying is complete and has been reviewed by Rockingham County. There are seven culverts which are the worst the county has seen. The quote from the surveyor was for four. Dave asked him to provide the cost to do the remaining three and was told there wouldn't be any additional fees. Charlie then confirmed the engineer would not charge any additional fees either. He let them know if the permit is valid for an extended period the Town may do the additional culverts in a future year. Peter confirmed with Dave they are aware the Town does not want box culverts.
- Norman inquired whose responsibility it is to remove snow from fire hydrants. Chief LeBlanc responded the fire department has always done it but there isn't any type of agreement. Peter reported some are located on private property. Dave responded that Chris plows the ones he can find but suggested marking them next year so they are visible. Chief LeBlanc stated the Town is obligated to clear any that were required for a development. Chief Sanders sent out a Nixle alert for the fire department asking residents to help keep the 23 hydrants in Town clear. Dave offered to transfer funds from his summer budget to the fire department to cover the first \$75 for rebar and paint for this project. Peter made a motion to proceed with this project seconded by Norman with both in favor.

Emergency Management- Robert Gustafson was not in attendance.

Assessing- Kathleen Felch reported:

- Unitil will be attending the planning board hearing tomorrow night regarding pruning and tree removal on the following scenic roads: Stumpfield, Trundlebed, Muddy Pond, Highland and New Boston Road. Dave stated a public hearing isn't necessary if they fall below a minimum width.
- She asked the Board to sign the following:
 - Norman made a motion to approve the monthly Primex bill for the 2015 fiscal year seconded by Peter with both in favor.
 - Norman made a motion to approve the monthly library bill for the 2015 fiscal year seconded by Peter with both in favor.
 - Rate of Employee Pay. Peter and Norman signed both forms.
- Avitar submitted a letter regarding removing the commercial status on the gravel pit. The Board decided to table this until Bob arrived later in the meeting.

Tax Collector- Carlene Wiggin reported information later in the evening during non-public session.

Town Clerk- Pamela Kehoe was not in attendance.

Recreation Department-Members were not present.

Conservation Commission- Sydnee Goddard submitted a five year haying agreement renewal with Dennis Perkins. Peter is happy with this work and he takes great care of the field so he's in favor of it. Norman tabled this until Bob arrived.

Sawyer Kensington Trust- Members were not in attendance.

Building Committee Update- Peter reported there weren't any updates but they need to establish if the heating system is fully operational. Richard Elwell asked if the police department roof was shoveled and they confirmed it was and will be done again soon. He then asked why they are meeting with William Scotsmen tomorrow. Peter responded they are going to discuss settling issues and a punch list for the trailers. Norman reported the stairs are being reinstalled tomorrow and the electricity will be dropped back down and once it's complete they will have Mark inspect it. The next step is to schedule the insulation and then await the results of the town warrant article.

NEW BUSINESS:

Plowing Issues- Dave Buxton asked department heads to attend to discuss the difficulty in removing snow this winter. Out of a good gesture the highway department took on the responsibility of providing shoveling and plowing services to some town buildings a few years ago. When he was on the Board they didn't plow the church or town hall, just the school. His budget has now taken on these extra costs. He reported the roads, police department and fire department are their first priority. The library is difficult to clear because of their brick walkway and the parking is in the state's right of way. He suggested using the Grange as overflow parking. Currently the designated overflow parking is the back of the school lot. Dave reported years ago someone received quotes to build a path from the lot to the library and he was told it was \$10k. Susie Gilbert our town librarian said with the current situation, they only have room for 1 ½ cars and she's concerned for the safety of their patrons especially the ones with young children. Last year she signed a waiver allowing the Town to plow onto the grass area. Several years ago Dave met with Carl Rezendes and they looked at the possibility of building a parking lot to the right side of library but that's where the drainage is located so it's not feasible. Dave wasn't sure if we use the Grange as overflow parking if it opens up liability since there isn't a crosswalk. They discussed the possibility of using different areas of the fire department lot but Charlie was concerned about liability and people would be blocked in if there was a call. Norman would like to find a temporary solution for the time being. There are several school and fire department spaces where the librarian currently parks. Peter suggested attending a school board meeting to see if the school would allow those spaces to be designated for the library. Charlie was in agreement as long as the patrons use the proper school exit. Rich Powers attended on behalf of the church. Dave said they do what they can for the church. Rich Powers reported the school uses the church as the designated emergency shelter. Chief Sanders responded the entire SAU16 is now planning to use the high school as the shelter so the children will be taken to the library and then bused out of the area. It is more secure with parent pickup and they can lock down the building. Rich, Lynne and Susie weren't aware the situation

changed and the library would be used again. Dave asked if they are allowed to plow the church. Lynne stated since they are no longer using the church for the emergency shelter or for the police department bathroom use, she didn't think so because church and state shouldn't be intermingled. Dave will continue clearing the parking lot until he hears confirmation. Norman asked if the school has a budgeted line item for plowing and if not, should the Town be billing them. Dave said a while back a selectman decided the school would plow themselves but Dave didn't think it was practical since they would only increase their budget to cover the costs. Chris was approached by the school recently about removing snow from the parking lot. Dave advised we can't afford to move snow. Rich asked to be informed when there is a response regarding the church plowing and if it would begin this year or next. The Board responded they would review the information and then make a decision.

OLD BUSINESS

Administrative Assistant:

- **149 South Road-** Norman did not have any updates.
- **243 Amesbury Road Unit 6 Heat-** Lynne reported one of the heating units at the town office is not working. The repair company is awaiting a new part. Kathleen is using a portable heater in the interim.
- **Annual Report-** The Report is at the printer and will be uploaded to the website soon.
- **Locksmith-** The locksmith is scheduled to change the town hall locks tomorrow. Charlie suggested installing a Knox box for the fire department. They cost approximately \$225.
- **Department of Labor-** They scheduled an inspection for March 16th at 9am. Lynne confirmed she will be able to attend and asked if any Board members will be available. Norman stated they have not addressed the issue with Carlene's office because they don't know if the lease will be renewed.
- **Park Plowing-** Lynne checked with Dave, Bruce and Harold and none have plowed the park in the last couple of years. Bruce advised they only did it the first year. The Board will review this for next year.
- **Agricultural Webinar-** Lynne provided the Board of Selectmen and Planning Board the media and documentation for a webinar she attended last week. It addressed many of the recent issues the Board has dealt with and was very informative. Norman disagreed the offering of catering and hosting weddings at the Farm Stand would fall under agricultural. Peter would like to look for guidance from the State. Lynne read the description of agritourism which these may fall under.
- **County Budget-** The County Commissioner has requested to meet with a selectman or the Board during a meeting to discuss the county budget. The Board suggested he attend the March 16th meeting.
- **Lawsuit-** Town Counsel is working on a new lawsuit in conjunction with another Town named in the suit.
- **Recycle Bins-** We have depleted our inventory of recycle bins and have been telling residents they can buy them on their own. Lynne presented several price quotes if the Board wants us to supply them again. They didn't think it was necessary especially given our limited space.
- **Fire Truck Paperwork** – Norman wanted to discuss the fire truck. He wasn't satisfied with the response from town counsel who addressed the issue as more of an accounting

issue. He would like clarification if the Board should sign the paperwork as a result of the transaction and see if the Town is protected in regards to liability for the truck. Norman would like to put together a list of questions to send Town Counsel and Peter agreed. Charlie wondered if there is a statute of limitations from the date the truck is sold.

Pending Issues from earlier in the evening:

- **Haying Agreement-** Bob made a motion to approve the agreement to have Dennis Perkins hay the fields seconded by Peter with all in favor.
- **Comstar Billing Change of Rate Form-** Kathleen suggested waiting until the next meeting to sign since Comstar will be in attendance. Bob agreed.
- **Kuegel Documentation-** Lynne provided the Board with the Kuegel agreement. Kathleen presented a letter from Avitar with their recommendation. She said this is urgent because if he is due an abatement, the deadline to file is March 2nd. Peter Kuegel has been in touch with her numerous times and requested to have his pit taxed as residential instead of commercial and put back into current use. Bob said looking at the letter they would like the Board to approve it. Peter isn't sure Avitar is qualified to report on the reclamation. Kathleen explained the letter indicates the reclamation shouldn't have jurisdiction over it. Peter said the reclamation is a separate issue. Norman is concerned because the property is for sale and if they transfer from commercial to residential they may not be able to enforce reclamation with a new homeowner. Peter suggested placing a lien on the property for the reclamation. Norman asked why the town engineer reported it was 90% reclaimed if it wasn't. Peter said it's the applicant's responsibility to prove they reclaimed it. Peter would like to have Town Counsel confirm if the two issues can be separated, if the grandfather status is expired and if it is, that doesn't free him of his responsibilities of the reclamation agreement. If the reclamation is not met, there needs some type of lien. Norman reviewed the past couple of years when Mr. Kuegel didn't file an excavation permit and he doesn't feel Mr. Kuegel lost anything the first year. Norman would like to know when the commercial status is lost by not filing. The Board will create a list of questions for Town Counsel.

Non Public Session RSA91A:3,II(a&c): Peter made a motion to enter non-public session at 9:21pm, seconded by Norman with all in favor. Two employee issues and one tax issue were discussed. Peter made a motion to leave non-public session and seal the minutes at 10:49pm, seconded by Norman with all in favor.

Norman reported the sheetrock needs to be installed before the stairs in the town hall, but it reduces the width of the stairs to 35" as opposed to 36" which is code. Since they are temporary and a safety issue, there isn't anything they can do now. Norman expects Bob Fee's invoice to exceed what was approved. Peter agreed since he did extra work he would approve it. Peter made a motion to approve up to \$500 additional for the electrical work, seconded by Norman with all in favor.

Bills & Mail- Bills were approved and signed.

Meeting Minutes- Norman made a motion to approve the minutes from February 3, 2015 seconded by Peter with all in favor.

Next Meeting Date-March 2, 2015 at 7:00pm at the Kensington Elementary School Library.

Peter made a motion to adjourn at 11:18pm, seconded by Bob with all in favor.

Respectfully submitted,

Lynne Bonitatibus
Administrative Assistant