

**TOWN OF KENSINGTON
BOARD OF SELECTMEN
PUBLIC MEETING MINUTES
October 5, 2015**

In attendance: Norman DeBoisbriand, Robert Wadleigh and Peter Merrill. Norman motioned to open the public meeting at 7:02pm. Bob seconded and all were in favor.

CITIZEN'S FORUM

DEPARTMENT HEADS

Road Manager- David Buxton:

David Buxton reported to the Board that he has contacted Morton Salt regarding delivery. He has contacted the sand company regarding delivery and Chris Batchelder regarding the mixing of sand and salt for road distribution this winter.

He reported that he and Bob had met at West School Road about a complaint of culverts that were not working and creating a hazard during heavy rains and freezing months. He does agree that the culverts are not diverting water because they are crushed and full of sediment. He is going to meet with Matrix for a quote to trench a ditch line and leaving a sediment pocket to prevent future obstruction. He suggested having the fire department flush the culverts to clear obstructions. He hopes to have a price from Matrix this week and will keep the Board informed.

David spoke to John Bell of Bell and Flynn regarding the resurfacing of Drinkwater Road. He is working with Chief Sanders as well. Road closures will begin as soon as Friday, October 9th. David informed the Board that Chief Sanders is securing a digital sign board warning drivers of impending closures. David noted the following closures: Friday, October 9 and Saturday, October 10 for culvert work and again on Saturday, October 17. Traffic coming from Wild Pasture Road will be diverted onto North Road and then onto route 150. He also noted there would be an officer detailing the project.

Police Department- Chief Sanders:

Chief Sanders reported that he has completed his budget and turned it in to Kathleen. He asked the Selectmen if they are prepared to have a work session regarding the detail fee schedule. Norman suggested they set a date for the near future.

Emergency Management- Robert Gustafson:

Bob informed the Board the LEOP is completed. A copy has been submitted to the state. He told the Selectmen that Kathleen will be receiving a copy and he will be able to make a more formal presentation at the next meeting. He noted the plan is reviewable and changeable yearly. He informed the meeting he is getting ready for emergency drills in November and February. He told the Selectmen that at the time of the meeting Seabrook Station was off-line for a refueling cycle.

Norman asked Bob about grant money for the Emergency Management office with regards to its potential new location at the Town Hall. Bob said he would investigate the possibility of grant money for that purpose and report back to the Board.

Building Inspector- Norman Giroux:

Norman was not in attendance but Kathleen presented several building permits on his behalf.

Maplevale Builders for a detached garage at 5 Rangley Drive.

A detached garage at 57 Osgood Road.

A woodstove installation at 5 Wild Pasture Road.

A re-roofing project at 4 Kady Lane.

A demolition of existing garage and replacement of structure with a 24' x 26' garage at 181 Drinkwater Road. (2 permits)

Peter made a motion to approve all permits as presented. Norman seconded the motion and all agreed.

Assessing Office- Kathleen Felch:

Kathleen presented a probationary appointment, to the Fire Department, to the Selectmen for approval. The appointment was for Anthony Previte. Chief LeBlanc had presented Mr. Previte's application at a prior meeting. Peter made a motion to approve the fire fighters appointment. Norman seconded and all were in favor.

Kathleen presented a permit for approval for the use of the park and pavilion on October 17. She noted that fees had been paid and all was in order. The permit was approved.

Tax Collector- Carlene Wiggin:

Carlene had nothing to report.

Fire Chief- Charles Le Blanc:

Chief LeBlanc arrived late and noted that Kathleen had presented Mr. Previte's appointment. Chief LeBlanc had nothing further to report.

Town Clerk- Dawn Frost:

Dawn presented a vital record invoice to the Selectmen. He noted the fee was incorrect and she would follow-up.

She presented a refund for an overcharge on a dog license. Bob motioned to approve the refund of \$12.00 to Daniel Rosencrantz. Norman seconded the motion and all were in favor.

Dawn presented a request for a reimbursement for her mileage to a spring workshop and the regional NHCTCA conference. The reimbursement of \$254.57 also included mileage for weekly deposits. She informed the Selectmen that the total reimbursement was large because it included mileage since March 2015. She noted she would like to start to submit for reimbursement on a monthly basis. Dawn also informed the selectmen she signed up for a computer course to help increase her job proficiency.

Norman informed Dawn the reimbursement amount may show on her W-2 for this tax year. Peter then made a motion to approve the reimbursements as presented by Dawn. Bob seconded the motion and all agreed.

Dawn told the Selectmen she would prepare the ballots for the election on November 3, 2015 through Staples as in the past. The Selectmen agreed to have dawn prepare 500 ballots and 100 absentee ballots. When asked dawn informed the Board absentee ballots can be requested via fax or email and need to be post marked on the date of the election, November 3. She noted the election times on November 3 will be 8:00am through 7:00pm and will take place in the multi-purpose room at Kensington Elementary School.

Recreation Department- no members in attendance

Conservation Committee- nothing to report

Sawyer Kensington Trust- nothing to report

Building Committee- Norman DeBoisbriand reported:

The warrant article passed at the special town meeting. The special meeting had been well attended with approximately 85 residents. He noted there is an informational packet at the town library, the town offices and on-line.

Mr. Peter Kuegel was invited to attend the Board meeting to discuss the current status of the reclamation of his pit located off of Osgood Road. Before Mr. Kuegel spoke Peter informed the Board that he walked the pit location with Eben Lewis, the compliance specialist from the DOE. Peter shared that there remains concern for the steep slope which does not appear to have met the criteria outlined in the reclamation plan. Mr. Kuegel presented a letter from the Department of Environmental Services. The letter was dated May 2, 2013. Mr. Kuegel explained to the Selectmen that he feels he has met the criteria to the best of his ability but told the Selectmen that his operation had been stymied by his inability to excavate the slope, leaving 250,000 yards that he was not able to take out. Mr. Kuegel contend that the Board of selectmen refused to sign an excavation permit in 2013 and he is no longer able to get commercial vehicle access to the site. Mr. Kuegel further noted paragraph number 3 in the letter from the DES. The paragraph/ statement is a special condition outlined by the state. Mr. Kuegel informed the Selectmen that he is not able to disturb the slope in question due to the fact that it is a breeding ground for the endangered spotted turtle. Mr. Kuegel noted that he is unable, because of the spotted turtle, to disturb the earth within 25 feet from the base of the slope. He noted that reclaiming the slope could further endanger the spotted turtle if rocks or debris were to fall on the area inhabited by the turtles. Mr. Kuegel and the Selectmen discussed the letter from the DES, and its intent which could be interpreted many ways. Peter suggested that the Board talk to someone at the DES and find out if there is a window during the year that the turtles would not be in danger if the land were to be disturbed. After much discussion from both Mr. Kuegel and members of the Board there seemed to be no definitive answer. Peter suggested the Board approach the DES for clarification of intent regarding the paragraph number 3. The Selectmen noted there needs to be further discussions to be had with Mr. Kuegel but they should occur when there is a more clear intent on the part of the state with regard to the reclamation plan for Mr. Kuegel's pit. There was no definitive outcome from this meeting. The Selectmen intend to seek Kim Tuttle at the DES for her help and interpretation.

Attorney Craig Salmon attended the meeting with his client, Greg Chlopowski who is the owner of Caren's Caravan. Mr. Chlopowski's business is located at the junction of route 108 and 150 in Kensington.

Mr. Salmon noted that his client would like to purchase the entire parcel of land which is approximately 1.85 acres. He noted his purpose for approaching the Selectmen was to find out if any non conformities with the proposed expansion of current use existed which would prevent his client from expanding the current use on the property. Mr. Chlopowski intends to increase current parking with gravel. He would like to replace the existing mobile home (46' x 10') currently existing with another mobile structure that has a larger foot print (48' x 14'). Mr. Salmon presented a blue print of the parcel for the Selectmen to examine. Peter noted that an expansion of non-conformity would need to go before the Zoning Board. He also noted that an increase in parking would need to be presented to the the Zoning Board as well. Mr. Salmon asked Peter if he needed to apply for a special exception or a variance with regard to the non-conforming use. Peter told him in this case a special exception not a variance would suffice. Mr. Salmon confirmed with the Selectmen that they could see no issues with purchasing the property as is with its current use. The Selectmen agreed they saw no issue but again suggested Mr. Salmon and Mr. Chlopowski go before the town Zoning Board for further clarification. Mr. Salmon thanked the Selectmen for their time.

Mr. Jack Herney approached the Selectmen to ask for financial support for a footpath from the Kensington Elementary School parking lot to the Kensington Public Library. Mr. Herney noted that several parties including representatives of the Library Public Trustees, the Library Social Trustees, The Kensington Elementary School and its School Board, the Fire department and the Library Director have met on several occasions to discuss the need for improved parking and access to the Library. Mr. Herney noted that access directly to the Library from the school parking lot would resolve several current issues and concerns of the community. He also noted the need for Library access in the event of an emergency, which would require the evacuation of the Kensington Elementary School. Mr. Herney also noted statements from the 2011 Community Vision Forum and the 2011 Community Master Plan survey which all support the need for the footpath installation. Mr. Herney gave the Selectmen a proposal totaling \$4335.00 for the complete installation of the footpath. Norman DeBoisbriand, citing the Community Master Plan, suggested he was confident the town could find money to allocate for the installation of the footpath to the Library. The other Selectmen agreed and Norman told Mr. Herney and the other representatives that he would be willing to check the budget and make recommendations in a timely manner. Norman made a motion to approve the walkway installation pending seeking funding. Bob seconded the motion and all were in favor upon vote. Mr. Herney, Becky Ruel (KES Principal) and Denny Roffman (KES School Board Chairperson) all thanked the Board.

There was a question regarding keeping the concession stand at the park open through the fall season. It was determined upon discussion there is no need to keep the stand open. Kathleen told the Selectmen she would inform Terri Steeves that she can clean out the stand for the season.

Kathleen presented the Board with a septic plan waiver for 30 Lamprey Road.

Norman DeBoisbriand made a motion to leave public session and enter into a Board of Health Session at 8:08pm. Peter seconded and all agreed.

The Selectmen reviewed the waiver request. There will exist a portion of the new septic system that meets state requirements but will not meet town requirements for septic replacement. Bob Wadleigh informed the other Selectmen that he looked at the property and feels the waiver is warranted due to the sloping nature of the property.

Norman made a motion at 8:11pm to approve the waiver. Bob seconded and all were in favor.

Peter made a motion to leave the Board of Health session and enter back into public session at 8:12pm. Norman seconded and all were in favor.

The following issues were discussed briefly during the balance of the public meeting:

Norman again mentioned the special deliberative session meeting, hosting approximately 85 residents. The warrant to raise funds for the purpose of completing the Town Hall renovation passed with only 4 votes against.

The Board discussed ways to get information out to town residents about the vote on November 3rd. They decided to use the marquee and place signs at approved sites throughout town.

The board will have a work session on Monday, October 12 to discuss the fee structure associated with building permits and police details. They will meet at 6:00pm in the KES Library.

Norman will meet on Wednesday, October 7 with the insurance adjuster regarding the repair of the Grange Hall roof. He will have more information at the next meeting.

The Selectmen informed the meeting they were prepared to appoint a new electrical inspector for the town. Two very qualified residents submitted letters of interest. The two candidates were Paul Bannister and Robert Fee, Jr.

Norman made a motion to appoint Robert Fee, Jr. as the new electrical inspector. Bob seconded the motion and all were in favor.

Linda Blood asked about Nixel and why she could not get notifications by giving her home phone number, as she does not usually use her cell phone, particularly now that NH is "hands free". Norman explained that Nixel sends alerts via text message so her home phone is not an option. She asked if there would be any consideration during the budget session for new messaging capabilities. Norman noted that he was uncertain at this time.

Kathleen noted she needs to order new trash stickers. Peter suggested she order a new color in the event of a price change.

The town offices will be closed on October 12, in observance of Columbus Day.

The dues for Rockingham Planning Commission are due. The dues are \$2050 per year. Norman expressed concern for the large expense.

Kathleen told the Selectmen that the Seacoast Regional Refuge would like to move to just one hazardous waste day a year. Peter suggested the fall to be a better time for the hazardous waste day.

Kathleen presented bills for signatures.

Norman wanted to note that the Selectmen need to consider putting a building advisory committee together with regards to the Town Hall should the warrant pass at the November election. The others agreed.

Norman made a motion to enter into non-public session RSA91A:3II(e) at 9:04 pm. Peter seconded and all were in favor. Three legal matters were discussed.

Norman made a motion to leave public session at 9:43pm. Bob seconded and all were in favor.

Norman adjourned the meeting at 9:45pm. The next meeting will be on October 19 at 7:00pm in the KES Library.

Respectfully submitted,

Michelle Aiken

