

**TOWN OF KENSINGTON  
BOARD OF SELECTMEN  
PUBLIC MEETING MINUTES  
October 19, 2015**

**In attendance:** Norman DeBoisbriand, Robert Wadleigh and Peter Merrell. Norman motioned to open the public meeting at 7:00pm. Bob seconded and all were in favor.

**CITIZEN'S FORUM**

**DEPARTMENT HEADS**

**Police Department-** Chief Scott Sanders reported:

Chief Sanders offered insight to Nixel based on a question from the last meeting by Linda Blood. Chief Sanders told Linda and the Selectmen that Nixel is a free service. There are approximately 800 people who have signed up in town to get Nixel alerts. The alerts are delivered via text message or email. Chief Sanders advised Linda to sign up for email as she can't get text messages. He informed everyone at the meeting that, should there be an emergency in which he would have to reach most of the Kensington citizens, he would use reverse 911.

Chief Sanders told the Selectmen that he has been answering emails from a company that filled an ammo order in December of 2013. The company is looking for payment. The Chief is asking for proof of delivery before paying the invoice in full. The Chief questioned the company as to why it would take two years to ask for payment on an open invoice. At the time of this meeting, Chief Sanders is confident that the Police Department did receive all of the ammo and will take the fund to close the open invoice from his equipment line from this years budget. He expressed frustration with the company and informed the Selectmen he uses a different company to supply ammo.

Chief Sanders told the Selectmen he is going to be attending the Chiefs of Police conference in Chicago, Saturday, October 24 through Tuesday, October 27, 2015. There are several workshops that he intends to attend. He is going to concentrate an effort on the implementation of the body and in-car cameras. He hopes to speak with many vendors and obtain a good quote for the cameras for his officers. He supported his argument for body and in-car cameras with a story of a traffic stop in Kensington a week before this meeting. He told the Selectmen that one of his officers made a routine traffic stop, the subject was African American. The subject was not cooperative during the stop, at one point he reached under the seat leaving his officer feeling vulnerable. The subject remained uncooperative and was eventually arrested. The subject is a relative of a Kensington resident and Chief Sanders is under the impression that there are rumors around town of a racially motivated event. He is feeling frustrated and noted that a body camera and/or an in-car camera would capture all the events during a police event as evidence of the actions of his officers. He reiterated the point that he would like to see his officers armed with body cameras and in-car cameras.

Chief Sanders informed the Selectmen that he had nominated Josh for recognition as a hero with regards to a life saving effort performed in the line of duty last August. His nomination was recognized and Josh will be honored on November 18 at The Ashworth by the Sea as part of the Chief Michael Maloney Memorial Fund- Night of Heros.

**Fire Department-** Chief Charles LeBlanc- not in attendance

**Building Inspector-** Norman Giroux- not in attendance

Norman was not able to be at the meeting but has three building permits that Kathleen presented to the Selectmen. They follow:

199 South Road- Pinnacle Center, the relocation of a circa 1848 barn.

18 Osgood Road- a dormer addition not to increase size. Sue and Rob Garneau were in attendance to support their permit request.

73 Amesbury Road- siding replacement, like in kind replacement.

Norman made a motion to approve all of the permits as presented. Peter seconded the motion and all were in favor.

**Road Manager-** David Buxton- not in attendance

Kathleen presented a sealed envelope bid from Matrix for 1 West School Road project. The Selectmen opened the bid, they would like clarification from Matrix as the written price was not consistent with the numerical price on the bid. They will revisit after clarification.

The Selectmen noted the Drinkwater Road re-surface is complete.

**Emergency Management-** Robert Gustafson reported:

His continues to finish LEOP paperwork for reimbursement from the state. On October 15 he took part in a drill with 150-200 people acting and discussing a scenario regarding an emergency at The Seabrook Plant. The drill outlined chain of command. He felt it was a beneficial drill.

He has given his budget to Kathleen.

**Tax Collector-** Carlene Wiggin reported:

She will be attending her annual convention Wednesday, October 21 through Friday, October 23, 2015.

**Town Clerk –**Dawn Frost- not in attendance

Peter noted the absentee ballots are in for the special election on November 3, 2015

**Recreation Department-** no members in attendance

Kathleen informed the Selectmen that Donna Carter requested \$120.00 from the revolver account for the prizes at the Town Halloween Party.

Peter motioned to approve the funds, Bob seconded and all were in favor.

**Conservation Committee-** Sydnee Goddard was in attendance, but had nothing to report.

**Sawyer Kensington Trust-** No members in attendance

Kathleen informed the Selectmen that the bathrooms at Field C have been closed however, the bathrooms at the main fields remain open. She noted they generally close on December 1 when the park closes for the season.

At this point Peter asked when the Recreation Committee meets as he would like to ask if there is a reason the bathrooms can't be closed earlier to avoid the vandalism which occurred last year. Peter suggested a Board member attend the Recreation meeting the second Wednesday in November and raise the potential of an earlier bathroom closure. While on the subject of the Recreation Committee, Norman asked Kathleen if they submit a budget to her. Norman suggested they should have a budget for the revolver account to open discussions about expenses, which may fall under the revolver.

**Building Committee-**

The Board noted the special election on November 3, 2015 at the Kensington Elementary School from 8am until polls close at 7pm. The Board also wanted it noted in the minutes that they invite any tradesmen or contractors to attend the next Board of Selectmen meeting, to be held on November 2 in the KES Library, to discuss the potential for work concerning the Town Hall addition should the warrant article pass at the vote.

### ***NEW BUSINESS***

The Board started the discussion updating the meeting of progress made concerning the Kuegel Pit. At the last meeting Mr. Kuegel addressed the Board offering information from the DES about the endangered spotted turtle which was prohibiting him from any further reclamation of his pit.

Norman informed those at the meeting that a conference call was to take place on Tuesday, October 20, 2015 at 3:30 pm at the town office. The call would be with the Selectmen and Kim Tuttle from NH Fish and Game. The Selectmen will be asking for clarification of the intent of the letter sent to Mr. Kuegel in May of 2013. They are seeking an accurate depiction of NH Fish and Games position on the Kuegel pit regarding the spotted turtle and Mr. Kuegel's ability to further meet the standard of the original pit reclamation plan.

Sydnee Goddard offered information stating that at the time of the town master plan the NRI clearly marked a map where there were known spotted turtle nesting grounds and the map can be found on the town website. Peter agreed this had been done and added the Board is trying to come to an understanding of the turtle nesting period with regards specifically to Mr. Kuegel's ability to reclaim outside of that window. He also noted confusion for all parties as Fish and Game seemingly noted no disturbance of the hill in their letter to Mr. Kuegel.

Dick Welch, whose property abuts that of the Kuegel pit, was agitated when he asked the Selectmen about the turtles during the time Mr. Kuegel was putting in an access road to the pit. He asked when the spotted turtle started to become an issue. He explained his frustration with Mr. Kuegel as he feels Mr. Kuegel is using the spotted turtle argument to leave the pit without completing the stipulations outlined in the original reclamation plan.

Discussion continued with frustration from both Mr. Welch and the Selectmen. The Selectmen asked that they have the time to talk with Kim Tuttle to determine the position of NH Fish and Game so they can properly address further reclamation of the Kuegel Pit. Other residents expressed confusion about the Kuegel Pit. Sue Garneau noted the entrance to the pit has been blocked since the summer of 2013. When asked by Peter, Dennis Quintal told those in attendance there are many ways to prevent erosion of the steep slope including rocks, fill, fabric mesh that will accept seeding.

The Board moved from the subject by letting those in attendance know the conference call in their estimation should shed light on the issue of the spotted turtle as well as any further reclamation of the Kuegel Pit and they will be better informed after the call to discuss and address concerns regarding this matter.

Dennis Quintal addressed the Board regarding a septic waiver for 17 Cottage Road.

***Norman motioned to go into a Board of Health session at 8:01pm. Peter seconded and all were in favor.***

Mr. Quintal went on to address the Board and present the proposal to tear out and rebuild the septic system at 17 Cottage Road. The request asked Kensington Zoning Chapter V article 3.8D.3a.6 to allow the bottom of the disposal area to be constructed 41 inches above the estimated seasonal high water table, where 48 inches is otherwise required. The applicant proposes the disposal area be 24 feet to the property line where chapter V. article 3.8D.3.b requires 35 feet. The proposal was prepared by Civil Construction Management.

Mr. Quintal went on to explain they will be replacing the system with a gravity system that meets all state requirements. Mr. Quintal told the Board it was a system he felt was an excellent replacement for the current system which has failed. The Board reviewed all paperwork presented including blue prints and photographs.

***Norman made a motion to approve the design, Peter seconded and all were in favor.***

***Peter then motioned to approve the waiver for setback, Norman seconded and all agreed.***

***Norman motioned to leave Board of Health session and return to public session, Bob seconded and all were in favor.***

### ***OLD BUSINESS***

The Board spoke about an email from Harold Bragg regarding the Special Town Election on November 3. The email outlined the election process. It noted that a Board member needs to be at the election site during the election. Peter will call Mr. Bragg to get clarification as to whether all Selectmen need to be on site or only one. Peter has made himself available for the entire day of the election. Bob noted he is available during the evening unless it is determined he needs to be present for the day. Norman will be out of town but will designate an alternate if Mr. Bragg deems it necessary. Peter will seek clarification and make arrangements with the other Selectmen.

The election is only for one warrant article, it will be a paper ballot which will be hand counted the night of the election. Absentee ballots are available at the town offices. Absentee ballots can be requested by going through the Town Clerk, Dawn Frost.

Linda Blood asked if residents could register the day of the election with the Town Clerk. Kathleen said she believed yes they could.

Kathleen presented the template for the new town trash stickers. They will be blue in color with white lettering. The green stickers will continue to work and be "forever" stickers. The blue sticker will be available at an increased cost if deemed necessary. Norman suggested Kathleen wait to order to have a better idea of the number needed. She agreed to do so and they will revisit later in the year.

Kathleen presented a soft letter for building permits to the Selectmen for town residents who appear to be making renovations outside the permit process. Norman made a motion to sign the letter, Peter seconded and all were in favor.

Kathleen presented an invitation to the Selectmen from the Southeast Land Trust for their annual fund- raiser on November 7.

Kathleen told the Selectmen she was going to seek other towns for information regarding welfare guidelines looking specifically for exclusions. She will report back to the Board at a later date.

Kathleen presented the Board with a Hertz Rental brochure. Hertz now offers special rates to municipalities. Kathleen told the Selectmen that most budgets are now in.

Kathleen informed the Selectmen there are \$5146.00 in social services requests due in December. There are two ways to approve payment. First is to have the selectmen put the social services in the budget. The second means is a warrant article from those seeking funding, they would need a resident to get signatures from town residents currently on the checklist. Kathleen noted the requirement for petition is 25, but recommends 30 signatures. Norman suggested a warrant article would be preferred.

Norman informed the meeting an email had been received from the architect asking about flooring for the Town Hall. He noted in his email that he expected to have hard flooring down stairs (basement), rugs in the office spaces on the second floor and hard surface in the public meeting area. Norman noted they should discuss their ideas in response.

Kathleen told the Selectmen there has been a fee change from Occupational Health, this is the company the Police Department uses for their physicals.

X-Finity has supplied the town with a phone number for municipalities to use in the event of an emergency to ensure faster service.

Primex Insurance, which covers the municipal vehicles, may not be able to provide coverage after June of 2016. Kathleen informed the Selectmen that she can get rates from other companies in the event Primex will no longer provide coverage.

The Selectman asked Michelle if the town election could be noted on the marquee in front of the elementary school. She will ask Becky Ruel the building principal.

Kathleen presented the bills for signatures.

Norman made a motion to leave public session and enter into non-public session RSA91A:3, II(c, e) at 8:59pm, Bob seconded all in favor. Two legal issues were discussed and two welfare issues were discussed. Norman made a motion to close and seal non public session at 9:32pm. Bob seconded and all were in favor.

Norman adjourned the meeting at 9:32 pm, Peter seconded all in favor.  
The next meeting will be held on November 2, 2015 at 7:00pm in the KES Library.

Respectfully Submitted,

Michelle Aiken