

TOWN OF KENSINGTON
BOARD OF SELECTMEN MEETING
Kensington Town Hall
95 Amesbury Road
Kensington, NH 03833
MONDAY
July 9, 2018
Meeting Minutes-Draft
6:30pm

In Attendance: Norman DeBoisbriand, Bob Wadleigh, Linda Blood

Others in Attendance: residents numbering around 60, no formal count.

Norman called the meeting to order at 6:31pm, Bob seconded, all in favor.

Norman then opened the floor to citizen's forum. The public was asked to speak at the podium and to clearly state their names. Due to the length of the meeting these minutes are in summary form. Copies of the recording of the meeting are available upon request.

CITIZEN'S FORUM –

Jennifer Macek was first to speak and asked Norman if he would resign if the allegations of misappropriation were found to be false, he stated that he would.

Bill Catania-He asked for facts for why Mr. Macek was terminated from the trust for misappropriation of funds. Norman explained that the board never intended to have this turn into what it has, the board did not make this public and they gave David the option of a non-public or a public meeting. The board will be consulting the town attorney and with town counsel approval they will ask the Attorney General (corrected later in the meeting) to come in and do an investigation on the allegations made against Mr. Macek and Mrs. Carter, and whether the board was correct in the determination of removing them from the recreation committee and the trust. Discussion was had, no motions.

Dave Buxton- non-resident asked to speak, he was granted that ability. He continued that he created the Citizen's Forum section of the agenda, it was to bring information to the meeting without being on the agenda. The condition from the town's attorney was that there would be no decisions made in a citizen's forum. He does not believe that any answers should be given in citizen's forum. Norman respected his comments. No discussion, no motions.

Gail LePage- she asked if they thought that they made this a legal matter when they accused him of this. The board doesn't believe that they did.

Ms. LePage believes that the investigation is coming at the end and should have been at the beginning. Norman explained that this was noticed in the audit for 2017.

She was confused that the board was asked to share the information at the last meeting and they are now saying that they can't share it. She believes that the board in making the allegations made it a legal

matter. The intent should be taken into consideration. Norman answered that he understands her comments, but the decision of the board was not rash. No motions made.

Joe Casey- Why was he (Mr. Macek) removed when he was doing a fine job? There was a discussion and concluded that Mr. Macek was not removed from this as he still has the passcodes.

Joe asked why the permit for the grill was okay on Thursday and not on Wednesday.

There was discussion and it was concluded that the renter was not upset with the town for the decision because of the lateness in the request. No motions made.

Michael Lawson- Believes that the mistakes are trivial and you can't know the results of an investigation, wants Ms. Carter and Mr. Macek reinstated, believes in innocent until proven guilty. Discussion on possible investigations of a 3rd party, board did not make letter public, not everyone in town feels the same way. Shouting from the crowd.

Herman McGee- Lost faith in the board and would like them to resign.

Bob Scherpf- Questioned the board on engaging town counsel, wording was too strong that he feels would lead to litigation. Board explained that there are facts and circumstances and words have many meanings. See attachment #1 for attorney letter that was read to the entire attendees by Mr. Scherpf. He has read auditors draft report and there were no facts, just advisory statements. Mr. Macek refused to meet privately with the board and wanted the public meeting. Mr. Macek expressed loudly that he did not request the auditors when he met with her, Kathy confirmed. Mr. Wadleigh asked what else could they do. Mr. Scherpf expressed again wording too harsh.

Bob Long- Asked what the board was trying to accomplish and expressed working closely with Ms. Carter and Mr. Macek. Board represents the whole town, not groups within it.

Jeff Gleason- Asked all three selectmen to resign, called for a show of hands, no count. Linda expressed her service to the town in other capacities. He listed those who were no longer with the town. Norman stated that not all of them left due to this board. No personal agenda and don't want to leave things for other boards to have to handle. There is an election in March and the board encouraged those there to run. Mr. Rosencrantz questioned Norman about attending training, and he has not due to his background. Mr. Macek spoke that there are no procedures during his 9 years, upset Kathy forwarded the board his emails. Mr. Gleason asked the board their end game. Discussion on fees, and Mr. Gleason stated that Norman could end this right now if he resigned.

Jason Bonnevie- Asked why wife Nicole was removed from deputy clerk position, and why there was no follow up from the board, believes the board is micromanaging. Norman answered that the Town Clerk does not have the authority to hire employees, there was a process they had to do and if Nicole had applied she would not have been discounted. The board will issue a letter to Ms. Bonnevie explaining the situation.

John Andresse- Expressed that the town is full of amateurs, and they do the best that they can. The job of the board is to lead, and all it would take is a retraction and apology. Would like the board to consider taking back their decision. Does not believe that there is leadership right now. Norman believes that the board did not make a mistake.

Someone stated it would be getting personal and the board took exception to that comment. It was also asked if there was anyone else who did the investigation, no comments. In the meeting all three selectmen were asked to resign if the allegations were false and they all agreed.

David Macek- expressed loudly that he wanted all the facts, he is taking this seriously. It was explained that they were not allowed to express facts at this time due to the legal letter received. Donna asked for her facts as well.

Herman McGee- believes that this is going to cost the town, and the board has no facts.

Lauren Curtis- Believes board turned it into a legal matter with the letter and language in it, and no facts. Norman stated that it goes back to the rules and regulations.

Russell Perry- swore about conduct of Norman while he was on the board and said town should not be run this way.

Linda commented that for 8 years she was the only outsider at the meetings. Mr. Elwell was upset with how the earlier board make Norman chairman first year.

Mr. Scherpf asked if there were two ex-IRS agents involved in the investigation. Norman stated that he was retired and never hid his credentials.

Bill Catania- Concerned with a number of things, program with no checks or policies and procedures. Norman explained that there were not policies, but an email was sent to Mr. Macek in 2014 outlining a process to be followed. Feels that the wording was strong and will mislead the tax payers. Norman answered that this could have been handled in non-public. Wondered why board was focused on this.

Herman McGee- Asked how many people it would take at the next meeting for the board to understand how many people are upset by this action. Not sure that the board took the time to work with the individuals.

Peter Graves- Made comments mocking Mr. Wadleigh. Expressed that they will get them (Mr. Macek and Ms. Carter) back.

Kelsey Plourde- approached to thank Ms. Carter and Mr. Macek for all their years on the boards.

Norman closed citizen's forum at 8:41pm. He moved the agenda around for Ms. Carter to be next.

Regular Meeting:

Donna Carter-She expressed that she does not have anything in writing from the board on the facts of her termination and has not made this a legal matter so would like the information. Linda apologized for misspeaking in reference to Donna just not being reappointed when she was removed. She was unsure what she could say as conversation were nonpublic. Ms. Carter listed how the board was aware of the Adult Basketball and stated that the recreation committee voted to waive the fees for it. Feels that the board is upset with her over bartering for services with Adult Softball Fall Ball. Norman expressed that bartering is not allowed, and that he had conversations with individuals that would not deal with the recreation committee through Ms. Carter. Mr. Perry asked when her letter would be issued. Ms. Carter asked about individuals knowing she was terminated before the meeting, and Linda was there and didn't say anything to her. The board will talk to legal counsel about releasing the letter. Expressed no individual has a right to waive fees, only the board of selectmen. It was stated that the bylaws for the recreation were done in the fall of 2017.

Mr. Macek- stated that Donna stuck up for adult softball and defend him. Sternly questioned Mr. Wadleigh on his knowledge of the tournament vs. playoffs. Mr. Wadleigh explained that he was there to watch the games not as a board member. Mr. Adam Wadleigh took exception to the harsh questioning.

Ms. Carter- asked about her letter and why she did not have it yet. Norman stated that there were circumstances beyond the boards control recently, but it will be issued. Dawn Perry asked the board about the lives that they have disrupted. Ms. Carter continued and asked for some sort of time frame. The board is unable to give a time frame at this time. Mr. Andreasse liked that the selectmen were able to go and enjoy a game and just be a spectator but concerned that they will be costing the town more money. Ms. Carter asked who would call the attorney tomorrow. **Bob made a motion for Kathy to call the attorney tomorrow morning to set up an appointment for Wednesday is possible, Norman seconded, all in favor.**

Mr. McGee-Concerned that board did not deal with individuals personally, not treating them fairly, evasive answers. Mr. Catania interjected that the board could still take a different path. Norman explained they are careful in what they say due to not being able to release the information yet.

Brianna Grieco- She is neutral in the situation, has respect for those who sit on the boards, as well as volunteers. Asked for the volunteers to be put back on their boards. Asked all those present to take a moment to reflect and breath.

DEPARTMENT HEADS: 9:25pm

- Police Department –Chief Scott Sanders- Both cruisers are her in full service and the transition is complete.
- Fire Department – Chief Jon True
 - Engine 2 and 3 were pump tested and passed
 - There was an emergency repair on Ambulance 1- steering issue, has been corrected
 - Testing hydrants and will formulate report of any issue
 - Emergency Management - Chief Jon True

- No requests for heat checks during heat wave, cautioned residents to stay cool and hydrated.
- Working on presidential declaration for the second storm earlier this year, attending meeting in next two weeks.
- He will be working with Seabrook station and Emergency Management to get radios moved from fire department to town hall before fall.
- Road Manager – David Buxton-
 - Road side mowing is all set
 - He measured the culvert on Lot 6 and it is to specs on the plan.
 - Fire Pond should be completed in July or August.
 - Mr. Ricci asked for the board to be released and Dave was asked his opinion, and he is fine with it if the fire chief has reviewed it, and Christian from Beals and Associates has signed off on it. This will be on the agenda for the planning board next week.
- Tax Collector- Carlene Wiggin- reported that 94% of the tax money has been paid as of today.
- Town Clerk – Kathy reported that the town clerks’ office will be closed the next two weeks. East Kingston has agreed to help the town out again. They will take residents Monday, Tuesday and Thursday from 9am-2pm. Please respect these hours to allow East Kingston residents time to register as well.
- Recreation Committee- Linda reported for the recreation department- The number of campers has increase so the Director has requested to hire on another swing counselor. They will be picked from the applications already submitted. There is a volunteer interested as well, they will undergo the background check as well as signing a volunteer sheet.
- Conservation Commission – not in attendance
- Sawyer Kensington Trust- Mr. Greenwood asked about the agreement being posted online, Kathy had not done that yet but will get it out on the website hopefully tomorrow. The board was asked about the posting procedure for the three town trustees. Mr. DelSesto is concerned because the trust cannot function as it is stands. He asked who is overseeing the park and the current contractor, and the board is doing that at this time. Mr. Wood stated that the park should be taken care of. Ms. Perry asked the board what the delay was in posting the trustee positions. The board is in negotiations.

NEW BUSINESS:

- Field Rentals-
KYAA- request to rent the multipurpose field from September 4, 2018- October 27, 2018 Tuesday, Wednesday and Thursday from 5:00-8:00pm and Saturdays from 8am-12pm.
Bob made a motion to approve the rental for KYAA Fall Soccer, Norman seconded, all in favor.

The Walsh family requested to rent the pavilion-
Bob motioned to approve the Walsh Family rental from 1pm to 3pm on Saturday July 14, 2018, Norman seconded, all in favor.

Library- request to rent the multipurpose field on July 17, 2018 5:00-7:00 for Rock Painting.
Linda made a motion to approve the Library rental of the multipurpose field, Bob seconded, all in favor.

•Grange Hall Permits

Library request to use the Grange on July 10, 2018 for Karaoke Night.

Bob made a motion to approve the rental of the Grange for July 10, 2018, Linda seconded, all in favor.

Summer Camp- use of grange in the afternoons when the school is unavailable for programs.

Norman made a motion to approve the use of the Grange for Summer Camp, Bob seconded, all in favor.

OTHER BUSINESS:

• Assessing Office – Kathleen Felch-

- PA-28 Yearly inventory form. This is for yearly inventory form sent through the state. Norman motioned to approve the PA-28, Bob seconded, all in favor. This indicated that they will not be sent again this year.
- Gravel Tax- the board reviewed the gravel tax warrant
Norman made a motion to approve the Gravel Tax warrant, Bob seconded, all in favor.
- Yearly Fire Chief Appointment- this is due to be renewed yearly on July 1. Linda motioned to appoint Jonathan True for fire chief on the annual appointment, Bob seconded, all in favor.
- There was a question on the recent letters sent from Avitar on the reassessment. Kathy explained that this is to be done every 5 years by statute. The values will increase, but not all at the same percentage. There are times allotted to call in and make appointments with Avitar to discuss your changed valuations, but you can only call during those times. Ms. Wood expressed that she looked hers up and Map 16 does not appear to be online yet. Kathy will contact Avitar.

• Bills were reviewed and signed.

Norman motioned to close the public meeting at 10:09pm, Bob seconded, all in favor.

Respectfully submitted,

Kathleen T Felch