

TOWN OF KENSINGTON  
BOARD OF SELECTMEN MEETING  
Kensington Town Hall  
95 Amesbury Road  
Kensington, NH 03833  
MONDAY  
July 23, 2018  
Meeting Minutes-Draft  
6:30pm

**In Attendance:** Norman DeBoisbriand, Robert Wadleigh, Linda Blood

**Others in Attendance: approximately 40 Residents**

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

Norman then asked if there was anyone that wanted to speak in citizen's forum.

**CITIZEN'S FORUM –**

Jason Bonnevie-

- Read the letter from the board sent to Ms. Bonnevie.
- He summarized that it was lack of policy and procedure knowledge and asked if it was the board or the town clerks fault with the policy and procedure error. Norman reiterated the process, and Ms. Bonnevie was hired by the town clerk, who did not have the authority to hire, that is the purview of the board of selectmen to hire employees of the town.
- He compared the policy and procedure errors of Ms. Carter and Mr. Macek to the boards. It was explained that all applicants are to be interviewed.
- He asked about classes that the board was to take, which were stated to be optional.
- He stated that Ms. Carter should be given an answer to her termination. He would like the board to take a closer look into how they terminate people in the future. Norman stated that the board should have reached out to Ms. Bonnevie and apologized for not doing so at the time. He stated that he thinks that the board has tarnished the towns trust in the board.

Lynne Bonitatibus-

- Asked what RSA states that the BOS has the authority to hire a deputy town clerk. There was not one given at the time. Norman stated that it is the board of selectmen's authority to hire a deputy town clerk.
- She stated that it was put out there that the board was hiring a town clerk and asked if that was because the deputy didn't want it. It was stated that it was a personnel matter.
- No one hired as town clerk yet.
- Minutes-discussing town clerk, why he stepped out. Norman has not been involved in the town clerk position for the last two years.
- Deputy tax collector- is there a process going on with that. Not one currently that is known by Norman.
- Minutes-was meeting held in non-public, why. It was due to information discussed.
- There was discussion on the impression that the board has been tarnished with 4 lawsuits. He took exception with that. There was a mistake pointed out by Lynne and the board thanked her for that. She did not post that on facebook. Non-public on individuals and the board is not able to discuss. The conversation had was not discussed.

Dan Sweet-

- Read a letter from KYAA to the board, in reference from previous minutes with discussion about the blocking of the fields. He expressed his experience with the town. Letter attached to minutes.

- Norman responded that KYAA does use the fields primarily, and the board was happy with what happened with the fields this year and commended him for adjusting his schedule to accommodate others, explaining that the fees that come in support the park. He apologized for the statement on blocking the field usage.
- Wanted to express his support for Ms. Carter and Mr. Macek.

Lili Spinosa-

- Emailed the board about the last meeting, and she read the letter to the public. Attached to minutes.

Peter Merrill-

- Concerns about assessments and abatement letters.
- Kathy explained that the assessing company was going to pick up all the solar, per RSA they have to. There is not enough time to get all the forms in, but this will be added for April of next year and not on the bills for December 2018.
- These forms are due April 15, 2019. Anyone that has solar will be getting a letter with the exemption form explaining the process.

Herman McGee-

- Expressed board was doing investigation, did the board seek counsel, and they have.
- Lawsuits, there is one in the file, what was the finding. It was discussed that it could be found in the town clerk's office if requested. Was this a win or lose for the town? And was asked to be factual. Norman expressed that he has been factual. This was a settlement and in the town clerks' office and can be requested by any citizen.
- Disregarding the people in attendance last meeting, Norman apologized for that statement in this meeting.
- Asked the board to seek legal before acting.

Wendy Osgood-

- Asked about recycling and if there have been any rejected loads.
- The recycling collection has been going better than in the past, plastic bags, are still an issue. There needs to be more education in the future.
- Asked the board to send out a mailing to all residents, Norman stated that the board could commit to sending out a mailing on recycling.

Gail LePage-

- Asked about a suit and settlement against the town, how does the board feel about that. Norman stated that the board goes on the advice of the insurance and attorneys.
- Asked if the board should reconsider the actions that they take. Norman explained that settlements and lawsuits are not out of the ordinary and they will happen. Surrounding towns have them as well.
- How do they feel about a lawsuit being settled? It was out of the boards hands, and if anyone wants it, it is available. Every board has had litigation. In the history of the town, there have been four or five litigations with prior boards.
- Is there a reason that they did not consult legal on the verbiage of the letter? There is no lawsuit filed on the town at this time. Anytime there is a lawsuit threatened on the town it is not unusual for the board to seek counsel. Board responded no they do not feel that they should have consulted legal.
- There were established policies and procedures and that is what the board looked at.
- Letter issued was based on facts and circumstances.
- Questioned minutes to audio and their differences.

Paul- Rose Petal Lane

- Asked when the meetings will be going online. There is a glitch with setting up computers and should be soon.
- Most likely a couple of meetings and asked those in attendance to be aware there could be glitches.
- Recycling- asked for more information on the website as it is vague.

Bob Long-

- This has been a very divisive issue for the town. Stated that the emotion is still there. Asked all three board members what they have done outside of the meetings to resolve the issue. Asked Linda what they have done outside of the meetings to resolve this situation, Ms. Blood commented that they can only work as a board. Mr. Wadleigh explained that the board is waiting to hear back from the attorney.

Norman closed citizen's forum.

**NEW BUSINESS:**

Donna Carter-request to speak to the board

- Gave information to the board for them to follow along. Stating RSA's and that in non-public the individual can be in attendance. Why was she not asked to be in a nonpublic meeting? Norman explained that in the letter that was issued, she could come to the next meeting to discuss the letter. Believes that she should have been asked and feels that they did not go by the RSA. Stated that she believes that the minutes were not sealed. The board listened to the discussion. She stated that the board needed to vote before coming out of nonpublic due to the recent law change. She presented a form to the board on non-public. Then read the letter that the board sent stating that they were working on the letter, but she does not understand. Donna provided a letter to the board on the minutes that she feels should be released within 72 hours. Donna would like to have them and stated that they were mostly done right when Peter Merrill was on the board. Norman stated that they will check with counsel, if that is correct then there is no right to keep them. There was never a change in process. Norman explained that there are other issues in the minutes and town counsel would have to review them before they could be released, due to issues that are discussed.

**DEPARTMENT HEADS:**

- Road Manager – David Buxton-there will be a vendor turning in a quote for across the street parking lot.

**Ricci Bond partial release request-** Kathy explained that the planning board had discussed this and there was correspondence from the engineer on the release of the funds. Bob explained that the planning board reviewed what the town engineer had authorized, he contacted the fire chief and Dave Buxton and they alerted him to the fact that the cistern was not tested yet. Kathy stated that the planning board voted to release the \$154,360 to Mr. Ricci, which was his request minus the cistern. Bob made a motion to release the funds of \$154,360.00, Norman seconded, all in favor.

**Rockingham Planning Commission Contract renewal-** Bob reported that the planning board had reviewed this and voted to approve the contract. Bob made a motion to sign the Rockingham Planning Commission Contract. No second. John Valvanis approached the board and explained that he is a member of the planning board and asked that the circuit rider provide an accounting of the hours worked. The reason behind this is to see if the following year the town might want to change this. The current contract is worth 144 hours per year, and it would be helpful information going forward. Mr. Valvanis would like to add this as a provision to the contract. Norman stated that the board will have a dialog with the Rockingham Planning Commission to see if that can be done. The board will hold off on the signing of the contract.

Grange Permit-

- Kathy explained that the summer camp will be using the grange when the school is not available. The board would like them to submit a permit to use the grange when needed.

Park permit-

- This is for a family that uses the park yearly for a family reunion and usually needs to have the gate opened for them for access to the pavilion. Linda made a motion for the Grover's to use the Pavilion at the park on August 11, Bob seconded, all in favor.
- Library- for the 14<sup>th</sup> of August for the pavilion- not explained what it activity it was for. The board reviewed the application. Bob made a motion for the Library to use the park on August 14, from 5-7:30, rain date 8/16, Norman seconded, all in favor.

**OTHER BUSINESS:**

- Assessing Office – Kathleen Felch-
  - Solar will be starting to be taxed, exemptions will be given for those in town who have solar.
  - MD&A draft was presented for the board's review.
  - Eversource will be using ATV's to assess the work to be done on the lines.
  - Stickers for the trash- a quote was presented to the board for the stickers needed for the November release of stickers. The board reviewed. Bob made a motion to purchase 32,000 trash stickers, Norman seconded, all in favor.
- Bills – the board reviewed and signed off on the bills presented.

Norman made a motion to enter into non-public session there was question from attendee. The reason for non-public was legal.

Glenn Greenwood thanked the board for posting the agreement for the park, and the future updates will be posted to that page.

- Non Public Session- RSA91A:3, II (b,c,l)

Norman made a motion to go into non-public at 7:50pm for a legal, reputation, and hiring matter. Bob seconded, all in favor. Norman made a motion to leave non-public session at 8:16pm, Bob seconded, all in favor.

Norman made a motion to seal permanently the non-public sessions, Bob seconded, all in favor.

Festival- Linda relayed to the board that at the Bel-Airs concert on Friday night there will be volunteers needed. Norman thought that the summer camp employees would be helping out with that. The fire department will be getting back to her on if there are enough fire department members to grill on Saturday. The board had sent a letter to Mr. Lewis asking about the contribution for the fireworks this year and has not heard anything back.

Basketball- Linda stated that Stephen McDonough was at a recent meeting of the board and asked about having the recreation adult basketball league under the Parks and Recreation Committee, they are in need of getting the times into the school to reserve the multipurpose room. The board stated that they would need to all sign waivers and charge a nominal fee of \$5.00 to cover the costs of the basketballs or other things that the program might need. Linda will relay the information.

- Next Meeting Date –August 6, 2018 6:30pm

Norman made a motion to adjourn at 8:22pm, Bob seconded, all in favor.

Respectfully submitted,  
Kathleen T Felch