

BOARD OF SELECTMEN MEETING
Kensington Town Hall - 95 Amesbury Road, Kensington, NH 03833
MONDAY, JANUARY 7, 2018 – 6:30pm
Minutes - DRAFT

In Attendance: Robert Long, Ben Cole, and Mike Schwotzer
Approximately 10 residents in attendance.

Mike opened the meeting at 6:31pm

Pledge of Allegiance

DEPARTMENT HEADS:

• **Police Department** – Chief Scott Sanders reports as follows:

- He is working to complete the statistics for the town report.
- As of today, all payroll for 2018 has been submitted and the department still has money remaining in their budget. There is likely a fuel bill remaining from 2018, but does not believe that should be a problem.
- The server project has been stalled at approximately 95% completion, and the department is waiting for the state to tell IP addresses to reset system. Realistically this should be done by the end of next week. Everything has been paid, but the system needs to be implemented fully.
- Chief Sanders recommends to the BOS that Sergeant Scott Cain be considered for the position of Police Chief upon his departure. Chief Sanders explained that he feels Sergeant Cain has done an excellent job in his current role and already has knowledge of community and has built relationships with the community and other surrounding departments.
- Ben said the BOS will need to determine what the selection process for the position will be. Ben stated that he would like to see each interested candidate submit a letter of interest, resume, and several letters of recommendation. Mike made the point that the BOS should move quickly on this and establish a process and post the position if that what will be done. Bob suggested posting the position this week and having the posting open for the next 2 weeks. The BOS and Chief Sanders will meet after the budget hearing on Wednesday 1/9 for further discussion that may go into nonpublic session. Mike asked Chief Sanders if he had any recommendations on how to move forward with this process. Chief Sanders sat on a committee for the Brentwood Police Chief selection process last year and stated that the committee, consisting of several other Chiefs from surrounding communities and a member of the public, spent about an hour with each candidate then made ranked recommendations. Chief Sanders brought up a concern that there are currently 6 open positions in Rockingham County for a police chief, and many of those are higher salary positions than what Kensington is able to offer and there should be a focus on finding someone committed to the community.
- Mike, Ben, and Chief Sanders went to the Seabrook BOS meeting in Seabrook today for a discussion on the reopening of the Seabrook Gun Range. Mike thanked Chief Sanders for the presentation he gave and for addressing questions. The Seabrook BOS have put together a review committee to make a recommendation to the Seabrook BOS on the reopening of the range. Mike let the attorney for the town know of the Kensington BOS and Chief's participation in the meeting. The town attorney recommended that the town prepare Kensington's Report for that committee and asked that the Chief helped Ben draft that report.
- The BOS gave Sergeant Cain the opportunity to address them. Sergeant Cain stated that he would appreciate the opportunity for the position of Kensington Police Chief if the town were to offer him that position, and stated that he plans to continue to the positive development and community relationships the department has built.

• **Fire Department** – Chief True was not present; Mike reported as follows:

- The Kensington Fire Department submitted an \$11,000 bid to the Kingston BOS to purchase a 2006 ambulance. Chief True is in Kingston tonight for the opening.
- Chief True has inspected the ambulance and reviewed maintenance records.

- **Road Manager** – David Buxton reported as follows:
 - His team is ready for plowing and sanding when needed.
 - He has spoken with Chief Sanders with regard to Matrix, the company who plows for the town buildings. There are some concerns involving the response time and communications with Matrix. He feels that there needs to be a reminder to the company that certain town buildings are open 24/7 and need to be accessible at all hours.
 - Intent to cut on 152 Drinkwater Rd – David feels that before an intent to cut is signed, the landowner or representative of the landowner should come before the board to discuss truck routes and the plan for where the cut will take place ie: is it a clear cut? David suggested that the landowners may also need to contact the Planning Board. Brief discussion by the BOS on possible scenarios for truck routes. **At 6:59pm, Mike made a motion that they do not sign the request until there is additional information, such as truck routes, provided. Bob seconded, all voted in favor.**
 - Mike shared that the BOS had received from The Engineering Company (TEC) a Scope of Services for the crosswalk project. TEC has waived the costs for the Conceptual Plan & NHDOT Coordination. Ben expressed concern that this would cause confusion with regards to the sealed bid process the town will go through. David will communicate with TEC that they have not yet won the job, and they would still need to put in a bid.
 - David will contact TEC to find out what their exact intent is for communication with the state is and communication to the town. David will explain that they need to create a sealed proposal and present that to the town. Mike asked if it would be applicable if the BOS authorize David Buxton to review the proposal and if acceptable and fees are waived, he sign for the BOS. **At 7:03pm, Mike made a motion to authorize David Buxton to review the proposal and if all fees are waived, Selectman Cole is authorized to sign the proposal. Bob seconded, all voted in favor**
 - There was discussion on previous communications regarding sight lines and ideas to increase signage visibility in these areas.
 - Mike will continue to look into the Lambert Subdivision, with regard to the culvert and berm and an agreed dollar amount or implementation plan.
 - Resident Donna Carter asked for an update on the driveway by the schoolhouse. David Buxton has been communicating with the state regarding this issue, and there are additional permits needed and the town is waiting on the State. Ben will follow up with Mrs. Woodbury and let her know that this issue hasn't been forgotten.
- **Tax Collector** – Carlene Wiggin had nothing to report
- **Building Inspector** – Norman Giroux was not present
 - Ben reported that the property at 18 Cottage Rd has been sold and boarded up. The town's responsibility at the property is completed. There has been communication between Health Officer and new owners.
- **Treasurer** – Sara Belisle was not present
- **Town Clerk** – Carol Beers Witherell was not present
- **Recreation Committee** – Elaine Bodwell was not present
 - Donna Carter wanted to confirm that a deposit had been sent to Smileys Photo Booth. Kathy Felch confirmed that there was a contract signed, and the contract sent for music.
- **Conservation Commission** – Not present
- **Sawyer Kensington Trust** – Hez Mercadante reported as follows:
 - The Sawyer Kensington Trust and town attorney have been communicating with regard to elected positions and the current Bylaws of the Sawyer Kensington Trust. Currently, if positions were to be elected, the bylaws would need to be changed. Ben has discussed this with the Assistant Secretary of State. The BOS cannot make a decision on this, instead it would need to go to a Warrant Article for the town to vote on that would allow for positions to be elected the year following the Warrant Article. Instead, there could be 3 appointments who would serve out 1 year, which would expire on election day. Mike asked if the current seats would be Glen Greenwood, Donna Carter, and Hez Mercadante, all were present and all acknowledged yes. **At 7:14pm, Mike motioned to change the expiration dates of the 3 Trustees of the Sawyer Kensington Trust to April 1, 2019 to allow the next board to meet and interview based on election results. Bob seconded, all voted in favor**

- **Kensington School Board** – Jennifer Ramsey, Chair of the Kensington School Board reported as follows:
 - The Kensington School Board meeting on January 9 will be preceded by the budget meeting at 6pm. The school board will be presenting a 6.5% increase over last years budget. They will also be discussing 2 warrant articles for reserve funds, one for special education and one for building maintenance. The community is invited and encouraged to attend.
 - Jennifer asked the BOS what the School Board needs to prepare for the Annual Town Report. Mike directed Jennifer to Kathy Felch for that information. Mike stated that looking at the 2017 Annual Town Report, the School Board has included everything such as reports, budgets, and ballots in the back so they are combined. Kathy will need everything from the School Board by the 2nd week in February.
 - The School Board is looking to hire someone to take minutes for School Board meetings. If interested, contact jramsey@sau16.org.
 - Discussion on what School Board positions are open for this coming election.

NEW BUSINESS:

- **Review of Town Ordinance Process**

- The BOS discussed that they would begin a process of reviewing Town Ordinances, similar to the way the School Board does periodically with policies. Ben proposed choosing an ordinance to discuss during the next meeting, and continue with a new ordinance each meeting. Mike recommended looking at an Ordinance that would require a Warrant Article for a change, as the BOS still has the ability to get something that did not have any financial impact on the ballot for this year. Ben will look into this. Bob asked if there was a current prioritized list to work off of, and Ben replied that there was not but suggested dealing with the oldest since an amendment occurred first. Bob asked the department heads to bring up any ordinance they have encountered while going about their jobs that they would like reviewed.

- **Open Air Assembly**

- A Permit for Open Air Assembly at Eastman’s Corner has been requested for February 2, 2019 from 11am-3pm, with total facility use. Adequate parking has been established and a police detail has been confirmed. **At 7:24pm, Mike motioned to approve the Permit for Open Air Assembly for Eastman’s Corner on February 2, 2019 from 11am-3pm. Bob seconded, all voted in favor.**

Recreation Committee’s contract with Alnoba for their Father Daughter Dance was requested to be signed. **At 7:25pm, Bob motioned to approve to sign. Ben seconded, all voted in favor.**

Discussion of Warrant Articles held until after Other Business.

OTHER BUSINESS:

- Mike said at prior meeting discussed recording PC for this room, a quote of \$822.03 was provided by Lars Computers Critical Care. **At 7:26pm, Mike made a motion to approve the quote and proceed with installation. Ben seconded, all voted in favor.**

- **Employee Handbook**

- Ben has been working on creating a policy for benefit time for town employees. He has worked on this and had created a new policy and also a policy for employees hired prior to January 1, 2019 for existing employees. Existing employees will no longer be able to rollover time, but any time already rolled over they will be able to keep.

- **Health Insurance**

- Ben suggested going forward that an established match for health insurance plans should be put into the employee handbook as it has come up as a question. Currently the town pays 100% for an individual, 90% for an individual plus one, and 80% for a family. Mike asked the cost to the town for a single plan and it was determined that for a single plan the town pays \$12,000. There was discussion on the number of hours for benefits to start, and it was decided that Ben and Bob will research this.

• Status of 2019 Budget and Warrant Articles

- **Article 01 – Elect Officials:** No comments from the BOS
- **Article 02 – Zoning Article on Accessory Dwelling Units:** An article put forward by the Planning Board which would modify the Ordinance to match the Warrant Article voted on in 2018
- **Article 03 – Zoning Article on Wetland Setbacks:** No comments from BOS
- **Article 04 – Operating Budget:** There will be a Public Hearing on the budget 1/9/19 at 7pm. The proposed budget is \$1,788,415, should that be defeated, the default budget will be \$1,751,150. Most of the increases are contractual. The budget will be further discussed on Wednesday. Mike said over the last 10 years there have been 9 budgets that have been lower than the default budget. Over time costs have increased and this year the proposed budget is an increase. **At 7:44pm, Mike made a motion to recommend this warrant article. Ben seconded, all voted in favor.**
- **Article 05 – Adopt Park Agreement:** Bob reported that this article is still going through the town counsel, however feedback on both sides has been positive
- **Article XX – Fire Pond Maintenance:** **At 7:46pm, Mike made a motion to recommend this warrant article. Bob seconded, all voted in favor.**
- **Article XX – Lease Payment #7 (Final) for Fire Truck:** Ben read the article aloud. Bob asked if the last sentence can be highlighted to voters. Ben suggested a voter guide be created, and said he will work on that. **At 7:48pm, Ben made a motion to recommend this warrant article. Mike seconded, all voted in favor.**
- **Article XX – Road Reconstruction:** **At 7:49pm, Mike made a motion to recommend this warrant article. Bob seconded, all voted in favor.**
- **Article XX – Town Clerk Salary Increase:** Ben read the article aloud. **At 7:50pm, Ben made a motion to recommend this warrant article. Mike seconded, all voted in favor.**
- **Article XX – Increase Deputy Town Clerk Hours:** Ben the article read aloud. Ben explained that after conducting reviews for employees, it was clear that there is a need for additional administrative assistance and the townspeople are requesting additional town clerk hours. Ben explained that this article is not asking for additional pay, that was approved by warrant article several years ago, but to address the hours and bring the pay up to what was previously voted on by the town. Resident Glen Greenwood expressed that he felt the current hours are very limited and for most residents do not work. Mr. Greenwood said that the increase is great, but feels there is still room for improvement and wanted to ensure the BOS is aware and addressing the fact that this increase still may not be enough. **At 7:58pm, Ben made a motion to recommend this warrant article. Bob seconded, all voted in favor.**
- **Article XX – Tax Collector Salary Increase:** Ben read the article aloud. He emphasized that this is coming from the BOS in an effort to keep the salary for this position in line with the salary for Town Clerk. **At 7:59pm, Ben made a motion to recommend this warrant article. Bob seconded, all voted in favor.**
- **Article XX – Add to Revaluation Capital Reserve Fund:** Bob read the article aloud. Mike explained this is a result of meeting with and recommendation from Avitar, the company the town uses for assessments. **At 8:02pm, Mike made a motion to recommend this warrant article. Ben seconded, all voted in favor.**
- **Article XX – Discontinue Old Ambulance Fund:** Mike explained that last year there were two warrant articles that were interdependent of one another. He explained that one of the articles did not have a hearing and the language was not what it should have been. Mike read the article aloud. **At 8:05pm, Mike made a motion to recommend this warrant article. Ben seconded, all voted in favor.** Resident John Andrews explained the importance to the BOS that the townspeople understand the verbiage. Ben suggested that if members of the Fire Department can be available during the deliberative session to address comments, that could be helpful.
- **Article XX – Establish or Amend Funds:** Bob read the article aloud. Mike explained that previously the BOS voted to establish fees for Right to Know requests, however it was later determined that the BOS do not have the right to do that under the law. This article asks for permission to set up fees after there has been a public hearing. **At 8:10pm, Ben made a motion to recommend this warrant article. Bob seconded, all voted in favor.**

- **Article XX – Noise Ordinance:** Ben read the article aloud. Mike recommended removing the existing language of the tax impact and replacing with “This article has no tax impact.” **At 8:12pm, Bob made a motion to recommend this warrant article. Mike seconded, all voted in favor.**
- **Article XX - Expand Veteran’s Tax Credit:** Mike read the article aloud. He explained that a law was recently passed eliminating the requirement of military service at specific times in order to be eligible for the tax credit. In the past, Kensington Veterans applying for the credit have been turned away because they were not active duty during the specified times. With the new law, the specific times of service are eliminated, opening the credit to all veterans. The BOS explained that there is no way of calculating a tax impact because the town does not know how many veterans will apply for this credit. Resident Glen Greenwood asked how many veterans in town had met the qualifications under the previous law. Kathy responded that over the years there were likely approximately 60. Bob asked how many veterans had been turned away over the years to which Kathy responded at least 10, but she will get exact numbers. Mr. Greenwood suggested adding those details to the voter materials Ben will be preparing. **At 8:17pm, Bob motioned to recommend this warrant article. Ben seconded, all voted in favor.**
 - **Article XX - Social Services Rockingham Community Action:** Mike read the article aloud.
 - **Article XX – Social Services Richie McFarland Program**

At 8:18, Ben moved to support both social services articles. Bob seconded, all voted in favor.

Ben read aloud a draft of the warrant article appointing 3 officers to serve the Kensington Town Trust. At 8:20pm, Mike moved to recommend the article and that there was no tax impact. Bob seconded, all voted in favor.

Resident John Andrews asked the BOS what roads were to be included in the Road Reconstruction for this year. Ben explained that David Buxton, Road Manager, will be putting a 5 year plan into writing. Ben explained that David had previously expressed to the BOS concern with making that document public and fear of lack of support if voter’s roads were not included on the plan for the year, the support would go down. The BOS will determine whether the plan becomes a public document. Ben stated that he is of the opinion that this view is too pessimistic of the townspeople.

Resident Donna Carter asked about the warrant article on the \$30,000 contract for the town park. Bob explained that yes, it would be a warrant article, but that it is still with the legal team. All of the recommendations the committee made and discussion were given to town counsel. Mrs. Carter asked what the timeframe for completion was and Bob replied that they hope to have a rough draft discussed on Wednesday.

Resident Hez Mercadante asked had concerns with the current language of the article. She felt that even if there is an affirmative vote by the townspeople, the way it is written, does not hold the BOS to moving forward even if the vote was affirmative. Mike read the draft aloud. It was explained that this article is authorizing the town to enter into the agreement, through the BOS. Bob will discuss with town counsel to be sure that these concerns are heard and there is as little wiggle room as possible. Resident Glen Greenwood said he is glad that the current BOS have been leaders for the town during their time acting a BOS.

The BOS shared the possibility of a citizen’s petition for a Town Administrator to come before the BOS. Resident John Andresse had originally brought this idea forward, the BOS suggested some formats, gave feedback, but has yet to receive a citizens petition. Ben said that the deadline is Wednesday. Brief discussion on history of a Town Manager in Kensington.

At 8:46pm, Mike made a motioned to approve the minutes from the December 17 and December 21 BOS meetings. Ben seconded, all voted in favor.

Ben suggested making sure that it is clear in the minutes from this afternoon’s meeting with the Seabrook BOS that the Seabrook BOS is clearly identified. The BOS will hold off on approval of those minutes.

Board reviewed bills and mail.

There will be a meeting Wednesday 1/9/19 at 6:30 pm hosted by the Rockingham County Planning Commission, however, the BOS cannot attend due to the scheduled public hearing. The BOS reviewed a letter from Unitil regarding company specific emergency response and preparedness.

At 6pm on January 21st, the BOS will meet with Town Moderator Harold Bragg for an election discussion.

Bob was asked to look at forming a Trail Committee in town. Bob wants to find out where trails exist, even if the public does not currently have permission to use them. Mike asked Mrs. Carter if she would be interested in being a part of the trail committee, which Mrs. Carter confirmed. Kathy added that she has a list of residents interested in a Trail Committee and she will email that list to Bob.

Ben suggested the BOS host a Meet the Candidates night for individuals interested in running for the BOS.

There was a discussion on the ways that the town could have additional office help. Ben proposed offering Deputy Town Clerk additional hours to assist. Bob asked if the additional hours would trigger benefits due to the employee. It was decided that this could be established as a temporary increase. Ben proposed authorizing an additional 10 hours per week for Deputy Town Clerk. Mike suggested using a number different than 10 that would give the opportunity for flexibility if needed. **At 9:20pm, Ben made a motion to authorize additional part time help for the Deputy Town Clerk of up to 20 hours per week now through the town meeting. Bob seconded, all voted in favor.**

At 9:23pm, Ben made a motion to adjourn. Bob seconded, all voted in favor.

Respectfully submitted,

Chelsea Lalime