

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2008**

ATTENDING: Selectmen Robert A. Caron, Richard S. Poelaert & David R. Pendell, Jr.

OTHERS ATTENDING: Monique Waldron, Matt Gallant, Ed Warren & Austin Carter.

Chairman Caron called this Selectmen's public meeting to order at 6:30PM.

MINUTES: The Board reviewed the Selectmen's public & non-public meeting minutes dated 8/18/08. Mr. Pendell **MOTIONED** to approve and sign the public meeting minutes as written. Mr. Poelaert seconded. Motion carried 3-0. Mr. Pendell **MOTIONED** to approve and sign the non-public meeting minutes A & B. Mr. Poelaert seconded. Motion carried 3-0.

REGISTER: The Board reviewed the check register. Mr. Pendell **MOTIONED** to approve and sign the register dated 8/20-8/29/2008 in the amount of \$51,949.41. Mr. Poelaert seconded. Motion carried 3-0.

APPRECIATION LETTER: The Board reviewed a letter of appreciation addressed to the NE Family YMCA day camp for cleaning up the Town beach area. Mr. Pendell **MOTIONED** to approve and sign the letter as presented. Mr. Poelaert seconded. Motion carried 3-0.

EMERGENCY MANAGEMENT: The Board acknowledged receipt of the upcoming drill and graded exercise for Seabrook. They will be held on 10/8/08 and 11/5/08, and Emergency Management Director Mark Cook is looking for staff to participate.

RED CROSS: The Office of Emergency Management, in conjunction with the Great Bay Chapter of the American Red Cross, will sponsor a disaster preparedness seminar at the Library on 9/24/08 at 6:30PM.

PLANNING BOARD: The Board acknowledged receipt of the Planning Board meeting minutes dated 8/21/2008 for their review.

CEMETERY TRUSTEES: The Board acknowledged receipt of a memo from the Cemetery Trustees, regarding an upcoming lot line adjustment to be presented to the Planning Board to increase the Union Cemetery parcel.

Chairman Caron **MOTIONED** to grant authority to the Trustees of the Cemetery to act on behalf of the Board of Selectmen to present an application to the Planning Board for a lot line adjustment for Union Cemetery with the adjacent property. Mr. Poelaert seconded. Motion carried 3-0.

Once the plan has been approved by the Planning Board and recorded with the Rockingham County Registry of Deeds, the Town will take ownership.

LIBRARY: The Board acknowledged receipt of the 6/17/08 Library Trustees meeting for their review. It was noted the office has not received the July meeting minutes, to date.

SAFETY COMMITTEE: The Board acknowledged receipt of the 8/26/08 Safety Committee meeting minutes for their review.

The Adm. Asst. informed the Board members during the meeting that it was mentioned the Library Trustees were interested in displaying a Christmas tree at the Library during the holiday season. She contacted the

Town's insurance carrier & reported it is against the regulations in the State of NH to have a fresh cut tree in any public building. She said a "live" tree in a bucket or an artificial tree would be acceptable. They prefer an artificial tree with miniature lights included, but if not included, they must use miniature lights and absolutely NO candles. Also, the tree must be unplugged when the building is unoccupied, & if it is a "live" tree in a bucket, it must be kept watered. If a "live" tree is used, it can be planted on the property afterwards.

The insurance company will approve a "live" tree in a bucket or an artificial tree, but NOT a cut tree.

It was further noted the next safety committee meeting will be held on 10/7, and they will inspect the Town Offices Building and the Police Station. Chairman Caron asked that the school also be inspected.

RECREATION: The Adm. Asst. reported the Recreation Committee is having a softball tournament on Sat. & Sun. 9/20 & 9/21 at the Kensington Ball fields to raise funds to conduct renovations at Foss Wasson Field. They would like 10 teams (including East Kingston, Kingston & Exeter of 12 players each) at a cost of \$35.00 per player. Everyone will be guaranteed two games, with a double elimination tournament. They are looking for interested players. The contact person is Todd Gibbons.

Mr. Poelaert inquired to Mr. Pendell what is it the Recreation Committee is planning to do at Foss Wasson Field? Mr. Pendell responded they plan to re-grade it, so it will drain properly. They have an engineer from Town who has volunteered to donate his time to draw up a plan. Mr. Poelaert inquired if he knows they must come before the Board of Selectmen and present any plans to them for approval before moving forward? Mr. Pendell responded the plans have not been finalized yet, but when they are, he will make sure they know they have to come before the Board of Selectmen. It was noted it is Town owned property, and must be approved by the Board of Selectmen.

TAX COLLECTOR: The Adm. Asst. informed the Board members the Tax Collector has taken two properties by tax deed: MBL #2-1-1, 33 Rowell Road, (.5 acres) and MBL #10-05-12, 33 Burnt Swamp Road, (.243 acres). Upon recording with the Rockingham County Registry of Deeds, both properties are now owned by the Town of East Kingston. The Adm. Asst. presented copies of the tax maps to show the locations of the properties to the Board members.

FIRE DEPT.: The Board acknowledged receipt of a copy of a letter forwarded to Mr. Griggs regarding the demolition of a barn located on his property at 120 Depot Road from the Fire Chief, for their review.

CARMEN'S RESTAURANT: The Adm. Asst. informed the Board members the Selectmen's Office has received a copy of the State of NH Liquor License issued to Carmen's Diner, LLC, as requested.

TAX MAPS: The Adm. Asst. informed the Board members Don Dollard of Dollard Associates was in to pick up the information required to update the tax maps on Friday, 8/29. He updates them annually.

BUDGET: The Board members were provided with the expenditures, to date, for the departments.

WEBSITE: The Adm. Asst. asked the Board members to view eastkingstonnh.org for input and comments regarding the Town's new official website.

STATE OF NH: The Adm. Asst. informed the Board of Selectmen that, effective 9/1/08, the minimum wage has increased to \$7.25 per hour. It was noted the election workers are currently paid \$8.00 per hour; therefore, the Town is not affected at this time.

DRAGON MOSQUITO: It was noted a mosquito located in Kensington, NH has tested positive for the West Nile Virus. Everyone should be taking the necessary precautions by using bug spray and covering your arms

and legs, etc. Health Officer Matt Gallant was in attendance and offered that Dragon Mosquito has recommended spraying the school ball fields and Foss Wasson Field as they are finding mosquitoes that bite both humans and birds. They are available to do so this Thursday evening.

Mr. Pendell **MOTIONED** to authorize the spraying of Foss Wasson Field. Mr. Poelaert seconded. Motion carried 3-0. It was noted they would need approval from the School Board to have the school field sprayed. School Board member Ms. Penna was contacted by phone for approval. Health Officer Matt Gallant will contact Dragon Mosquito to spray this Thursday, and again in two weeks, as recommended by Dragon Mosquito.

WALDRON: Ms. Monique Waldron met with the BOS to discuss her opinion that the Town should get more involved with cell service for the Town of East Kingston.

Ms. Waldron stated she is involved with the Town with the lawsuit against the cell tower company. She stated she has spoken with her attorney and she expressed that she is worried it can happen again. She has done some research and has some ideas for adopting a more refined ordinance for the Town.

She stated the Town should take advantage of the suggestions the research has shown. She suggested they look into the information that has been provided and to look at what is out there. They should take advantage of this opportunity. She wants them not to be on the defense, but to be on the offense. She stated South Hampton, New York, has a more refined ordinance that they should follow.

Chairman Caron responded the Town's ordinance allows cell towers in the light industrial and industrial areas in Town. The Town has a cell tower on Haverhill Road located in the Industrial Area, which has Verizon on it for cell service.

The observation was made that no one is going onto any existing tower until the litigation is finalized. Ms. Waldron stated she wants the lawsuit to be resolved in court, and just wants it to go away. She expressed that she is afraid it will come back, and it will not be to our benefit to go along with them. She wants to tighten up the rules.

Chairman Caron suggested that she submit her ideas in writing to the Planning Board. It is the Planning Board that has the authority to review and revise the ordinances.

Chairman Caron noted that Mr. Pendell is the ex-officio from the Board of Selectmen to the Planning Board.

Mr. Poelaert offered that the Town is now SB-2, and she may want to consider a warrant article if she can find a resident to sponsor it, as she is not an East Kingston resident.

Ms. Waldron stated those are two good ideas and thanked the Board.

Chairman Caron suggested she give the changes to the Planning Board to get the ball rolling, and if they agree, they can put it on the ballot for the voters to approve or not.

Ms. Waldron responded the research has been paid for and thinks they should utilize the information. She added her thought is to put a tower on top of Town owned property and get the money.

She thanked the Board members for their time and left at 7:15PM.

FORESTRY TRUCK: The Board acknowledged funds have been transferred from the fire apparatus capital reserve fund to the general fund for the purchase of the forestry truck in the amount of \$94,450. The truck was delivered to the fire station today, and the office has a paid in full receipt.

CALENDAR: The following dates were noted: 9/8-Set up booths for Election Day, 9/9-Election Day at the EKES, and 9/15-Department Head Meeting.

ROAD AGENT: The Board members were provided with a draft “Town of East Kingston Agreement” for snow plowing for their review. Road Agent Matt Gallant also reviewed the contract with the Board members and informed the BOS he is looking at hiring possibly 3 people with equipment to plow during the winter months. He would like them to sign an agreement to be available to the Town.

The Adm. Asst. asked for any changes, additions, or deletions from the draft copy. They agreed to add “a copy of a valid NH drivers license to be provided” vs. “possessing a valid drivers license.” No other changes were mentioned.

Mr. Poelaert **MOTIONED** to approve the Agreement for snow plowing for subcontractors as discussed and amended. Mr. Pendell seconded. Motion carried 3-0.

SALT SHED: Road Agent Matt Gallant met with the Board to discuss the use of the former recycling area for salt storage. The Road Agent upon approval by DES, Conservation Commission Chair and the Board of Selectmen, has marked out an area and paved it. He has ordered blocks that will be delivered this week (2’ x 2’ x 6’ stackable) at half price. He added the pavement will cure for one week and then they will stack the blocks. He has researched estimates for a canopy to cover the sand/salt mix. He stated the coverall estimate is at \$21,000, and did not include the installation. He provided a copy of his recommendation from Tek Supply at \$7998.70. This company was the least expensive, and includes an end wall and 4 ft. trusses.

The Board reviewed the proposal. Discussion ensued. The Board of Selectmen agreed to include the end wall. The cost of installation was \$6,700, so they determined the Road Agent would install it, along with the assistance of Mr. Masone.

It was noted the warranty is for 3 years on the frame, and 15 years on the materials.

Mr. Gallant stated the area is flat and they will store 200 yards or so at a time.

It was noted there is a capital reserve fund with funds that can be used in the future to improve the site.

Mr. Gallant noted the Town uses a mix of sand and salt, not just straight salt.

Mr. Poelaert suggested pressure washing the inside of the building during the off-season to help it last longer. Mr. Warren added that was a good idea.

It was also suggested to take the back door off to let it air out during the off-season, and everyone agreed that was also a good idea.

Mr. Gallant stated it is his recommendation to approve TEK Supply’s proposal. It was suggested adding 3 ft. trusses instead of the proposed 4 ft. trusses for a small additional cost.

Mr. Gallant asked the Adm. Asst. to report what town counsel has offered. Ms. Gallant stated town counsel strongly recommends that they do an excellent job sealing, do a good job the first time, spend the extra money now, and avoid problems later on.

It was noted the proposal includes shipping & handling, and the delivery time is 2 – 2 1/2 weeks out.

It was noted as of 12/31/07, the CRF has \$25,000 plus interest.

Mr. Warren suggested lighting the area a little better. Mr. Gallant responded he and Mr. Rossi have already discussed that matter.

Mr. Carter inquired what are you going to do about groundwater complaints? He suggested a test well to get a baseline to be tested for future complaints.

Mr. Poelaert offered to contact Prescott Pump for their suggestions to protect the Town.

Everyone agreed to yearly samples of the well to serve as a dual purpose, and to add 3 ft. rafters vs. 4 ft., so that it will last a long time.

Mr. Gallant stated Mr. Rossi, who has been helping set up the salt storage area, thinks the location is very good. There are no wires to interfere, trucks can get in and out, and the driveway is already graveled.

Chairman Caron **MOTIONED** to accept the proposal from Tek Supply with the modification from 4 ft. to 3 ft. trusses. Mr. Pendell seconded. Motion carried 3-0.

EOC: It was noted EOC Director M. Cook has some funds remaining from a grant and is offering to expend the funds to install the air conditioning unit into the wall at the EOC/Fire Dept. offices.

It was noted the hole in the ceiling of the upstairs conference room at the fire station would be fixed soon.

Mr. Gallant discussed the option of leasing snow removal equipment with the Board of Selectmen. The contractor will consider selling his equipment, if the Town is not interested in leasing/renting the equipment. The Board of Selectmen agreed it is an option they would like to consider and, upon researching more detailed information, will address the matter.

It was noted the Town would need to have trucks, a backhoe, a loader & sanders available to clear the roads this winter.

It was noted with renting/leasing equipment, the owner of the equipment is insured and maintains the equipment. The Board of Selectmen agreed they liked the suggestion.

Mr. Pendell **MOTIONED** to adjourn this Selectmen's Public Meeting at 8:15PM. Mr. Poelaert seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant,
Administrative Assistant

Robert A. Caron

Richard S. Poelaert

David R. Pendell, Jr.

