

**TOWN OF EAST KINGSTON, NH  
SELECTMEN'S PUBLIC MEETING MINUTES  
MONDAY, OCTOBER 26, 2009**

**6:45pm – 2010 Proposed Budget-Fire Dept.  
7:00pm – 2010 Proposed Budget-Library  
7:30PM - Conservation Commission Chairman Dennis Quintal**

**Attending: Selectmen Matthew B. Dworman, Richard S. Poelaert & David R. Pendell, Jr.**

**Others Attending: Ed Warren, Matt Gallant, Sarah Gallant, Ted Lloyd, Amy Robbins, Conrad Moses, Tracy Waldron, Carol Freeman, Jack Cashins, and Dennis Quintal.**

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

**MINUTES:** The Board reviewed the Selectmen's Public & Nonpublic meeting minutes dated 10/13/09, and the amended Nonpublic A meeting minutes dated 9/28/2009.

Mr. Poelaert **MOTIONED** to approve and sign the 10/13/09 Public Meeting Minutes as written. Mr. Pendell seconded. Motion carried 3-0.

Mr. Pendell **MOTIONED** to approve and sign the Nonpublic meeting minutes A & B dated 10/13/09, and the amended Nonpublic A meeting minutes dated 9/28. Mr. Poelaert seconded. Motion carried 3-0.

**REGISTER:** The Board reviewed the check register dated 10/15-10/16/2009 in the amount of \$20,814.20. Mr. Pendell **MOTIONED** to approve and sign the check register as presented. Mr. Poelaert seconded. Motion carried 3-0.

**DRA:** The Board reviewed the completed 2009 parcel count to be submitted to DRA. Chairman Dworman **MOTIONED** to approve and sign the form as presented. Mr. Poelaert seconded. Motion carried 3-0.

**LGC:** The Board acknowledged receipt of the renewal contract with LGC for the medical benefits for 2010.

Mr. Pendell **MOTIONED** to approve and authorize the Chairman to sign the renewal contract for 2010 (1/1-12/31) with LGC. Mr. Poelaert seconded. Motion carried 3-0.

**PRIMEX:** The Board acknowledged receipt of the multi-year renewal contract with Primex for Workers' Compensation through 2013, noting a 5% discount.

Mr. Pendell **MOTIONED** to approve and authorize the Chairman to sign the contract as presented. Mr. Poelaert seconded. Motion carried 3-0.

**BUDGETS:** The Board reviewed 2010 proposed budgets.

**FIRE DEPT.:** The Board noted the 2009 fire & ambulance default budget was set at \$171,500 and the 2010 proposed budget is at \$171,500, reflecting no change in the bottom line.

Fire Dept. Captains Ed Warren and Matt Gallant were present from the Fire Dept. to answer any questions regarding the budget in the absence of the Fire Chief.

Mr. Warren noted they have planned to order up to five more SCBA's out of the 2009 budget, which will be the total they need to be replaced.

Mr. Warren noted the part time payroll is less for 2010 because fewer people are responding, but assured the Board of Selectmen they are still handling all the calls.

Chairman Dworman suggested changing the figures of part-time and full-time with keeping the payroll at \$90,000. The Board of Selectmen determined the full-time payroll would be set at \$51,500, and the part time at \$38,500, totaling \$90,000.

Mr. Poelaert **MOTIONED** to approve the fire department budget at \$162,000, and the ambulance budget at \$9,500, for a total of \$171,500. Mr. Pendell seconded. Motion carried 3-0.

Mr. Warren added, in looking at the 2009 budget, they may not need to order 5 SCBA's, they may need only 3 to outfit the vehicles properly. They are looking at streamlining the department to save money in-house. The goal is to become more efficient and get rid of vehicles.

It was noted everyone is still under the assumption that the Fire Chief will be back to work.

**LIBRARY:** It was noted the 2009 Library default budget was set at \$82,700, and the 2010 proposed budget is \$89,100.

Library Trustees Ted Lloyd, Amy Robbins, Conrad Moses, and Library Director Tracy Waldron were present to review the budget with the Board of Selectmen.

Mr. Lloyd presented background information and comparisons with Hampton Falls and Kensington Libraries. (See attached)

Mr. Lloyd noted the demand for services are up, and the building will be 2 years old in January 2010. They are requesting double coverage for security and safety reasons.

Chairman Dworman noted he is impressed with what they are doing with what they got. He approved of the 3% wage increases, but questioned the additional hours for double coverage. He asked what number could you live with? What number of hours can you live with vs. what you would like to have? He added in order to get the budget passed they are striving to keep the budgets low.

Mr. Lloyd noted to decrease hours; they would have to trim back the hours of operation. He added we hope that we have done our due diligence.

Ms. Robbins stated it is a safety issue with young women working at the library. They are not comfortable with them working by themselves with more people coming in. They feel they need the double coverage to handle the extra people using the facility.

It was noted the increase from \$82,700 to \$89,100 is almost 8%. Mr. Poelaert inquired if they could single up some hours and double up during the busy hours. Ms. Waldron responded they have single coverage during the day, and the nights they have double coverage.

Mr. Lloyd noted the Friends of the Library have been doing a great job with fundraising and helping out the Library. He further noted the Friends of the Library are a separate nonprofit organization founded to support and benefit the Library. They have the used bookstore at the Pound School, and the funds raised are used to offset the Library costs for programs and equipment. The Library Trustees indicate to the Friends of the Library what they need.

Ms. Robbins noted the Friends in 2009 have given \$5,000 to the Library, ¼ of their operating budget, and they don't want to rely on them too much. They don't know what they will be able to raise in 2010.

They are not comfortable with asking the Friends for more money than they are already getting. They don't know what they will get in 2010. They will be in a mess if the Friends of the Library go away.

Library Trustee Conrad Moses stated they need the double coverage, as it is also a liability issue.

Chairman Dworman stated he thinks they have done their homework and thanked them.

Chairman Dworman **MOTIONED** to approve the 2010 budget for the Library at \$89,100. Mr. Poelaert seconded. Motion carried 3-0.

The Trustees & Library Director thanked the Board and left the meeting at 7:13PM.

**DOT:** The Board acknowledged receipt of a letter dated 10/19/09 from the DOT (Department of Transportation) stating they will increase the size of the stop signs at the intersection of Route 108 and Route 107A at this time, but will not be adding a flashing beacon, any traffic signal control, nor multi-way stop control as we had recommended to them in a letter dated 04/03/09.

**PLANNING BOARD:** The Board acknowledged receipt of the Planning Board meeting minutes dated 10/15/09 for their review.

**DRAGON MOSQUITO:** The Board acknowledged receipt of the September report from Dragon Mosquito, reflecting a mosquito on 8/20 and 9/15 tested positive for EEE in the same vicinity.

**RECREATION:** It was noted of the \$21,041.00 fundraised and earmarked for the Foss Wasson project, the Recreation Committee has expended \$21,669.08, reflecting an overexpenditure of \$628.08 from the Recreation Special Revolving Fund. It was noted the remaining funds are for recreational programs.

Chairman Dworman asked (Rec. Comm. Member) David Pendell about meeting minutes. Chairman Dworman noted the Rec. Committee has not provided any meeting minutes (all year). He asked Mr. Pendell to get them and to firmly plant they must provide the minutes to the Selectmen's Office.

Mr. Pendell responded former Chairman Rick Bourque was supposed to type them up, but has since moved to Florida and is not responding to any requests. He will let them know they are to provide minutes in the future.

**EOC:** The Board acknowledged receipt of correspondence from the State of NH, Dept. of Emergency Management stating the grant approved for July 1, 2009 – June 30, 2010 is in the amount of \$19,450.

**H1N1:** It was noted the Police Chief and the Chairman (M. Dworman) recently attended H1N1 vaccine training. They have been asked to participate in a 5 town wide POD (Point of Distribution) to conduct a flu clinic. It will be held in 2 stages. The emergency workers will receive a shot on 11/5, and the second

phase will be held between Dec. 2009 & Mar. 2010. Mr. Ed Warren added East Kingston has been asked to help with the injections.

Chairman Dworman **MOTIONED** to approve the reimbursement of the cost of the shot to emergency workers employed by the Town. Mr. Pendell seconded. Motion carried 3-0.

**CASHINS:** At 7:30PM, Mr. Cashins stated he was here tonight to represent the Powwow Pond Council and noted they are in the permitting process for another weed treatment of the Powwow Pond.

He is inquiring about funds for the treatment. Mr. Pendell noted he thought the Conservation Commission was asked about funds. Mr. Dennis Quintal responded the conservation fund money has been earmarked to acquire land, and not for this kind of treatment.

Mr. Cashins stated the Council is very satisfied with the treatments, to date.

In response to an inquiry, Mr. Cashins stated the Town of Kingston is not doing anything, and will not be providing any funds for this project.

Mr. Quintal offered to bring it up again at the next Conservation Commission meeting. He added it is not for the benefit of everyone's use, only for a selected area (Powwow Pond).

Mr. Quintal stated there would be a lot of unanswered questions, i.e. will it grow back if the treatment stops? How successful is the treatment plan?

Mr. Cashins noted the cost for East Kingston would be approximately \$12,000, and the amount may decrease with the follow up treatments.

Mr. Cashins agreed to attend the next Conservation Commission meeting to discuss the matter with them.

Mr. Cashins further noted even if they placed a warrant article to raise the funds, it probably wouldn't pass with the economy.

Chairman Dworman suggested the matter be tabled until after the Conservation Commission meets, and everyone agreed.

The Board of Selectmen thanked Mr. Cashins, and he left the meeting at 7:35PM.

**D. QUINTAL:** Conservation Commission Chairman Dennis Quintal met with the Board to discuss a grant that has been awarded to the Town. The grant is with the Piscataqua Region Estuaries Partnership through CTAP for the development and assistance in implementing an outreach program to Town residents on the importance of buffer maintenance and protection. Julie LaBranche, RPC Consultant to the Planning Board was chosen as the consultant for the project by the Planning Board.

Mr. Quintal stated he is seeking the Board of Selectmen's permission to utilize a Town owned parcel, MBL #06-01-36, 16 Pheasant Run, a 5-acre parcel for a study area. He is looking to have 10-50 people look at the property for educational purposes and to use as a study area.

He added they would like to install a little sign signifying the study area. He is asking for the Board of Selectmen's approval to utilize the lot as a study. They would identify vegetation, plants, trees, wetlands, etc. In the future, they may be able to conduct a one day event for the Town's residents to do a study.

Mr. Poelaert **MOTIONED** to grant permission to use MBL #06-01-36, 16 Pheasant Run for the Piscataqua Region Estuaries Partnership program with grant money awarded to the Town. Mr. Pendell seconded. Motion carried 2-0. Chairman Dworman abstained as he lives near the lot.

It was further noted, if they decide to have a sign, they will come back before the Board of Selectmen and present size and wording for a sign and ask for permission and approval.

Mr. Quintal thanked the Board and left the meeting at 7:45PM.

**E-MAIL ADDRESSES:** Mr. Pendell stated he is in charge of the PTO Directory for the Elementary School. He stated it contains the names of the students, parents, phone numbers, and e-mail addresses.

Mr. Pendell added when the information went out to the parents at the beginning of the school year, he added on the form would you allow the information to expand the data base to the Friends of the Library, Recreation Committee, and the Town Offices? They were to check the box if ok with it.

He thought it would be a way to e-mail information to residents. He was hoping to have the addresses inputted by 11/7 for the NH Plan Charette, but knows that is not feasible.

It was also noted maybe at the time of registrations, the TC/TC could collect e-mail addresses.

Mr. Pendell stated the school form was sent home with the students, and they were asked to check off the box on the bottom of the page if they were willing to share the information with the Friends of the Library, Recreation Committee, and Town Offices. He further noted Andrea gave him the list for the Town.

He noted it is a start. He also suggested a way to expand on it would be to include a postcard with the delivery of the EKFA Calendar and Town Report and have them fill it out and return it to the Town Offices. Mr. Pendell further added he thinks it is a good idea, but it can die right here.

Mr. Ed Warren questioned the idea for security reasons. He said the Town has a website and people can get the information there. He was not in favor of giving out e-mail addresses to everyone. He added accidents could happen, even if you have the best intentions.

Mr. Warren encouraged people to access the website, and not send out e-mails to individuals.

Mr. Matthew Gallant stated he received an automated phone call from the Newton Fire Dept., and Mr. Pendell asked him to provide him with the information on what program they use. He agreed to.

**PLANNING BOARD:** The Board acknowledged receipt of a letter dated 10/16/09 from the Planning Board requesting the current ex-officio to the Planning Board be replaced with another Selectman. It was noted Matthew Dworman has already been appointed as an ex-officio.

After Chairman Dworman read the letter, he asked if David Pendell had a response. Mr. Pendell stated the situation arose over trash. He attended a library function at Ted Lloyd's home and Barbara Williams was there. He spoke with Cricket Hill people, then he arrived late to a Planning Board meeting after attending a softball game, and he (Mr. Sullivan) had an issue with him speaking with Barbara Williams as a citizen. He (Mr. Sullivan) then sent a copy of the ethics code to all of the Planning Board members. He wants me not to talk to people.

Mr. Pendell stated he was disappointed with the wording of the warrant article for the elderly housing developments trash pick up (by the Town). He disagreed with the wording. He added Mr. Sullivan doesn't want him to talk to people. At the last Planning Board meeting, he (Mr. Sullivan) threatened him. Mr. Sullivan as Planning Board Chair asked him not to speak outside of the meetings and Mr. Pendell responded he didn't have the power to ask him that. Mr. Pendell stated that Mr. Sullivan said come at me like a man with all your friends. Mr. Pendell then stated he filed a report with the Police Dept. that he threatened him.

It was noted that if Mr. Pendell does not attend Planning Board meetings, Matt Dworman would have to go, as Mr. Poelaert has refused to go in the past. Mr. Pendell further stated he (Mr. Sullivan) doesn't like me, and I don't like him. He further stated he is surprised that Ron Morales and Doc Marston signed it.

Mr. Poelaert stated he will go if Matt can't, if David steps down.

Mr. Ed Warren as Vice Chair of the Planning Board interjected that he did not know anything about it (the letter). He added he doesn't understand why everyone has to be talking after the meeting.

Mr. Warren added that this is the first he has heard of it, and thinks it has been blown out of proportion.

Mr. Pendell responded he is disappointed. He is involved in all the groups because we need all the departments to work together. He signed up (to be Selectman) to get people to work together.

He said it sounds like the good ol' boy network, and they don't want you to talk to anybody.

Mr. Poelaert gave the example of Mr. Pendell speaking with (Planning Board applicant) Diana Whitmore's Attorney. Mr. Pendell stated because of the reputation the Town has, Atty. Ratigan contacted him to find out if he should bring her to the Board of Selectmen, that's why he called me.

Mr. Matt Gallant, stated as a taxpayer, he thinks it would be undermining the Board of Selectmen to remove (Selectman) David Pendell from the Planning Board as ex-officio, as the Board of Selectmen appoint the Planning Board.

Mr. Warren stated he has attended seminars for Planning Board members, and it is clear that Planning Board members are not to talk to each other outside meetings (amended @ 11/09/09 meeting adding:) but all paperwork does not say that you can not talk to residents.

It was noted all members of the Planning Board did not see the letter when they decided to write it, as Ed Warren and David Pendell were not aware of it (the letter).

Chairman Dworman suggested let's not do anything. He suggested that it is a personal matter between Mr. Sullivan and Mr. Pendell. He stated directly to Mr. Pendell that he would ask that he refrain from speaking to the public, and have as little contact as possible with Mr. Sullivan.

Mr. Pendell responded he would take what he said under advisement. He noted he does not act alone, and thanked Mr. Dworman for his support. Chairman Dworman responded it is not support, he just thinks it is personal stuff going on, and Mr. Poelaert added to Mr. Pendell, just stay away from David Sullivan. Mr. Pendell added he only sees him the 3<sup>rd</sup> Thursday of the month at the Planning Board meetings.

**BUDGET:** Mr. David Pendell informed the Board of Selectmen members that School Board members Bob Nigrello and Stacy Penna have offered the Board of Selectmen to participate in a joint effort to meet with groups to inform residents of the upcoming budgets to be voted on in March 2010.

Chairman Dworman responded he would need to know the total budget number, and what the increase percentage will be.

**EOC COORDINATOR:** Chairman Dworman noted they have received two applications for the vacant position of EOC Coordinator. Chairman Dworman **MOTIONED** to appoint Sarah Gallant as EOC Coordinator. Mr. Poelaert noted Sarah doesn't get along with the Fire Chief (Sam), if he comes back. Mr. Pendell seconded. Motion carried 2-1. The appointment is effective through 12/31/2009.

Chairman Dworman added in the future, he would like to see the Fire Chief also be the EOC Coordinator.

**NONPUBLIC SESSION:** Chairman Dworman **MOTIONED** to go into a nonpublic session at 8:25PM under RSA 91-A-3, II: para (c.) Matters, which if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. The Board was polled and the results of the poll were: Matthew B. Dworman – Yes, Richard S. Poelaert – Yes, & David R. Pendell, Jr. – Yes.

The Board was polled & determined the divulgence of the information would render the proposed action ineffective & the information will be withheld from the public during the public meeting Minutes of October 26, 2009. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert–Yes, & David R. Pendell, Jr. - Yes.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's non-public meeting at 8:50PM. Mr. Pendell seconded. Motion carried 3-0.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's public meeting at 8:50PM. Mr. Pendell seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant  
Administrative Assistant

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Matthew B. Dworman

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Richard S. Poelaert

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David R. Pendell, Jr.