

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
MONDAY, NOVEMBER 9, 2009**

6:45PM: Treasurer Kay Hankin

7:00PM: Solid Waste & Recycling Committee

7:15PM: Fire Dept. Captains Ed Warren and Matt Gallant

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

OTHERS ATTENDING: Kay Hankin, Duncan MacLeod, Ed Warren, Matt Gallant, & R. Scott Urwick.

Mr. Poelaert called this Selectmen's Public Meeting to order at 6:30PM, noting Chairman Dworman is stuck in traffic, and will arrive as soon as possible.

MINUTES: The Board reviewed the Selectmen's Public & Non-Public meeting minutes dated 10/26/09. Mr. Pendell **MOTIONED** to approve and sign the public meeting minutes as amended. Mr. Poelaert seconded. Motion carried 2-0.

Mr. Pendell **MOTIONED** to approve and sign the non-public meeting minutes as amended. Mr. Poelaert seconded. Motion carried 2-0.

REGISTER: The Board reviewed the check register. Mr. Pendell **MOTIONED** to approve and sign the check register dated 10/28/09 – 11/02/09 in the amount of \$547,402.62. Mr. Poelaert seconded. Motion carried 2-0.

EXEMPTION REPORT: The Board reviewed the exemption report for 2009 for DRA. Mr. Pendell **MOTIONED** to approve and sign the report as presented. Mr. Poelaert seconded. Motion carried 2-0.

ASSESSMENT SHEETS: The Board reviewed the equalization assessment data sheets. Mr. Pendell **MOTIONED** to approve and sign the certificate as required by DRA. Mr. Poelaert seconded. Motion carried 2-0.

EBC: The Board reviewed the EB & C Program for 1/1 – 12/31/2010, including the wages. Mr. Pendell **MOTIONED** to approve and sign the 2010 EB & C and wages, noting the holidays in 2010. Mr. Poelaert seconded. Motion carried 2-0.

REVALUATION: The Board acknowledged the last payment due to Avitar for the revaluation, and received a request to approve the withdrawal of \$4,350 from the capital reserve fund.

Mr. Pendell **MOTIONED** to approve the request for the Trustee of the Trust Funds to withdraw \$4,350 from the revaluation capital reserve fund to cover the cost of the final payment for the 2009 revaluation, totaling \$43,500. Mr. Poelaert seconded. Motion carried 2-0.

TOWN REPORT: The Board acknowledged receipt of a quote from Whittier Press to produce the Town Report, noting an increase of approximately \$300 from last year. Mr. Pendell **MOTIONED** to approve Whittier Press as the publisher of the Town Report. Mr. Poelaert seconded. Motion carried 2-0.

Mr. Pendell noted at the recently held East Kingston Fire Association meeting, they said they had not received a letter from the Board of Selectmen requesting the association deliver the Town Report. The Adm.

Asst. responded the letter was mailed about a month ago directly to Julie Urwick, President of the Association. Mr. Pendell asked that the letter be re-mailed to Julie Urwick and to Austin Carter. Ms. Gallant agreed to do so, and also offered to provide copies of the letter to Mr. Pendell and Mr. Ed Warren.

BUDGET: The Board acknowledged receipt of the expenditures as of 10/31/09, reflecting 74% expended.

TAX RATE: DRA has scheduled a date and time to set the Town's tax rate. Chairman Dworman will attend with the Adm. Asst.

Upon final approval of the tax rate from DRA, the warrant will be produced and the Board of Selectmen will sign the warrant. The TC/TC will then produce the second billing for property taxes for 2009, with the bills due 30 days later. The rate is being set late again this year, because the school did not have all their paperwork into DRA for the 9/1 deadline. The TC/TC has expressed she would like to get the bills out as soon as possible for cash flow purposes.

Mr. Pendell **MOTIONED** to authorize the Board members to sign the warrant upon completion, so the Town Clerk/Tax Collector can issue the bills with the payment due 30 days later. Mr. Poelaert seconded. Motion carried 2-0.

TREASURER: Treasurer Kay Hankin met with the Board at 6:45PM, to discuss the Town's investment policy. (It is an annual requirement by state statute, and the auditors review it).

Ms. Hankin stated the auditors review it every year, and noted there have been no changes to the investment policy. She is here tonight to fulfill the requirement.

The Board members thanked her for coming in, and she left the meeting.

FIRE DEPT: Captains Ed Warren and Matt Gallant met with the Board to discuss the fire department while the Fire Chief is out on leave.

Mr. Warren provided a letter to the Board listing items for discussion at tonight's meeting.

Mr. Warren also provided the wording for a warrant article to acquire a tanker written two different ways. The Board agreed to the warrant article written for a lease purchase for five years, along with a large deposit to be included on the warrant.

Mr. Warren explained they would like a letter on Town letterhead authorizing himself and Capt. Gallant to act on behalf of the Fire Chief while he is out.

Mr. Poelaert **MOTIONED** to issue a letter stating Captains Matt Gallant and Ed Warren are authorized to act on behalf of the Fire Chief in his absence until further notice. Mr. Pendell seconded. Motion carried 2-0.

In reviewing the list, it was agreed to continue on an as needed on call for staffing coverage of the fire station. Mr. Warren added between he & Matt (Gallant), they are handling everything and checking phone calls daily. Mr. Warren added he is fine with the way they are doing it. They check calls twice a day. Mr. Poelaert recommended not changing anything right now.

It was agreed to authorize them to purchase two new SCBA's, instead of the five as originally planned.

In discussing phasing out the old forestry truck, it was determined they would wait for resolution when the Fire Chief comes back. The Board members requested the Fire Dept. not put up any vehicles for sale at this time.

In response to an inquiry about bids for a new tanker, Mr. Warren informed the Board they received 3 bids. Mr. Poelaert informed them they need to provide the Selectmen's office with the original bids, and that they should have been opened by the Board of Selectmen.

Mr. Warren responded he would provide the bids to the office. Mr. Poelaert explained the bid process, and noted it must be done properly.

Mr. Warren stated only 3 responded with bids, and they met individually with each of them. He has all the documentation and will provide the information to the Selectmen's Office.

Mr. Warren stated they will be placing an order for needed supplies, and the Board of Selectmen approved.

Mr. Warren informed the Board of Selectmen the EKFA has agreed to cover the cost of approximately \$1,000 to purchase an air compressor for the fire department.

He further noted the kitchen is being renovated with EKFA funds and they, at this time, have decided not to cover the cost to upgrade the electric panel from 60-amp to 100-amp. Mr. Warren added he has received an estimate of \$1,800 from Thompson Electric, and another quote of \$2,800 to perform the work. He is asking if the Board would approve the expenditure to upgrade the panel, while the electrician is working on the kitchen area. It would solve a lot of issues. He is also recommending the manual switch be changed to an auto switch.

Mr. Pendell **MOTIONED** to expend up to \$2,800 to upgrade the emergency feed on the bay side of the fire station to increase to a 100-amp panel with an auto transfer switch, as recommended. Mr. Poelaert seconded. Motion carried 2-0.

Matthew Dworman joined the meeting.

Mr. Warren informed the Board they hope to become eligible to apply for grants. They think they are approximately 6 months away from becoming eligible.

Mr. Warren inquired about a request to withdraw funds from the newly created Ambulance Revolving Fund to repair the ambulance. He noted McFarland Ford has given an estimate of \$4,500 to fix the transmission. It was noted the ambulance has about 7,000 miles.

After discussion, Mr. Poelaert **MOTIONED** to release the funds to cover the cost of repairs to the ambulance by McFarland Ford up to \$4,500. Mr. Pendell seconded. Motion carried 3-0.

It was again noted, there is no need to make decisions on getting rid of any vehicles at this time.

Chairman Dworman stated his intention, as stated in an email, was for the two Captains to share in the responsibilities as they see fit. Mr. Warren responded things are running fine. They are aware of the economy, and are watching the budget closely.

In response to an inquiry about the new EOC Coordinator (Sarah Gallant), Matt Gallant informed the Board she has met with the former Coordinator Mark Cook and Julia Chase from the State level. She will have to

attend two classes. He added the drills will be early next year, in January and March, with the graded exercise in May.

Unitil is conducting a seminar in December, and Mr. Warren acknowledged that he and Matt would attend.

Mr. Warren further noted acknowledgement of a memo requesting a report from the fire department for the Town Report, and they agreed to provide the Selectmen's Office with a report.

Mr. Warren stated they have access to the computer and the medical closet in dispatch.

Mr. Warren added the operation of the department is running smoothly. They will continue to keep the Board members informed, but don't feel they need to report on the day-to-day operations. They will continue to keep the services up, perform inspections, and answer all medical calls. Ed being the Vice Chair of the Planning Board has asked Matt to attend the Planning Board meetings, and the Board members agreed. The Adm. Asst. was asked to let the Planning Board Secretary know, and she agreed to inform the Secretary.

ROAD AGENT: Mr. Poelaert inquired about the salt shed back curtain to Road Agent Matt Gallant. Mr. Gallant informed the Board the curtain failed last year. Mr. Poelaert asked if it was under warranty, and Mr. Gallant responded no, it was not covered.

Mr. Gallant noted the sand & salt were not covered for all those years when stored at Rossi's. He explained what happened to the back flap. He is looking into what can be done.

Matt Gallant left the meeting at 7:30PM.

SOLID WASTE: Solid Waste member Duncan MacLeod met with the Board to present the final recommendation of the Solid Waste Committee for a solid waste and recycling contract. The current contract with Waste Management expires 12/31/09.

It was noted several bids were received and reviewed, and it is the committee's recommendation to contract with Waste Management.

Mr. MacLeod reviewed the contract negotiated, and the committee's report dated 09/29/09 with the Board.

It was noted the committee got the answers to the questions raised by both the Board members and the public, and it is still recommended to have every other week recycling vs. weekly, along with weekly solid waste pick up.

It was noted the contract is based on 810 homes with twice a year bulk pick up, and includes all four elderly housing communities.

The committee is recommending 96-gallon barrels for recycling, and 64-gallon barrels for solid waste. It was noted every week recycling would be an additional cost of \$20,000 per year.

The current 96-gallon green barrel, effective 4/1/2010, will become the recycling, and a new 64-gallon will be delivered for solid waste.

Mr. MacLeod noted implementation of the program would begin one month from the date the contract is signed. If you sign it tonight, the reduced costs will begin with December 2009. He added it would be single stream recycling.

Mr. MacLeod further explained the week of 12/28/09 (Mon.), is an off week for recycling, but due to the Christmas Holiday; the committee has negotiated an additional pick up week at a cost of \$800. He is looking for the Board to approve the additional expenditure for the additional pick up. Mr. Poelaert noted that would be \$1.00 per household for the additional pick up for the Christmas holiday.

Mr. MacLeod noted it will stay the way it is until April 2010, and between now and then, they will educate the residents.

Mr. MacLeod again stated if they sign the contract tonight, the cost reduction would begin with 12/1st (instead of 1/1/2010).

He acknowledged the 64-gallon totes won't be in until April 2010, and he is fine with that, as they need the time to educate the residents. Mr. MacLeod stated the committee members would like to keep the committee "in force." They plan to meet once a week to work on educating the residents.

Discussion ensued regarding additional barrels. If someone needs an additional recycle barrel, it will cost \$70 for the barrel. If they need an additional trash barrel, it will cost \$200 per year. Mr. Pendell stated you are penalizing the people who can't put it all in the 64-gallon trash bucket if they have big families.

Mr. MacLeod stated the committee voted unanimously that the barrel fee only would be for solid waste, not for recycling.

Mr. Pendell noted he knows about an email going around with about 50 families that are upset about the change in the barrels from 96-gallon to 64 for solid waste.

Chairman Dworman noted he thinks it would be better to have weekly recycling vs. every other week.

Mr. Warren stated he appreciates all the work the committee has done, but gave an example of his folks (75 & 84) who refuse to participate in recycling. Would they have an option to buy an additional barrel? The response was yes, so he added he has no problem with the program.

Mr. MacLeod added there is an addendum page in the contract that addresses the option to switch to weekly recycling.

Chairman Dworman added he thinks you would eliminate a lot of the issues if you go to weekly recycling. Mr. MacLeod stated his research shows that he still recommends every other week recycling. It was noted they can switch it if need be, but encouraged them to try it first, and change it only if found to be necessary.

Mr. MacLeod stated the single stream recycling starts 12/1/09, if they sign the contract tonight.

It was again noted, effective 4/1/2010; the 64-gallon barrel will be used for trash, and the 96-gallon barrel for recycling. Waste Management will place the order for the 64-gallon barrels and deliver them to the residents.

R. Scott Urwick joined the meeting at 8:00PM.

The Board of Selectmen continued to review the contract and the addendum.

Chairman Dworman acknowledged receipt of bids from Waste Management, Best Way Disposal Services, and Northside Carting, along with Pinard Waste Services, Casella, Inc., & Concord Regional Co-op.

Chairman Dworman **MOTIONED** to award the bid to Waste Management, based on the recommendation of the Solid Waste & Recycling Committee. Mr. Poelaert seconded. Motion carried 3-0.

Chairman Dworman stated he wants to review the contract with Waste Management prior to signing it.

Mr. Pendell stated he has a problem with the fees. He thinks you are discriminating against large families. Mr. Poelaert stated if you make it too easy to get a second barrel, the cost would go up.

Mr. Urwick inquired about the cost. He was told \$75 for the barrel plus an additional monthly fee that totals about \$120.00 per year, for a grand total to be charged of \$200 per year. However, there would be no additional fee for additional recycling barrels.

Mr. Urwick stated he would expect that there would be weeks that he would need a second trash barrel, and other weeks that he would not. He questioned having to pay for the weeks that he would not use the 2nd barrel.

Mr. MacLeod stated they need to educate people to encourage them to recycle.

Again, it was noted the 96-gallon barrel will be used for recycling, there will be no additional cost for the 2nd barrel, and with the 64-gallon barrel for solid waste there would be an additional fee of \$70 for the barrel, and \$120 for the total monthly fee, rounded = \$200 per year to be billed to the homeowner.

The cost is for trash, not for recycling, so the point is to recycle more and reduce the tonnage of solid waste, to be cost effective.

Mr. Urwick stated he has no problem with paying for the weeks he would use it, but on the weeks he doesn't, he does. He felt it wasn't equitable.

Mr. Urwick and Mr. Warren left the meeting.

Mr. Poelaert **MOTIONED** to approve the expenditure of \$800 for the special additional recycle pick up on Mon., 12/28/09. Mr. Pendell seconded. Motion carried 3-0.

Mr. Poelaert suggested the information be placed on the website, put the lighted sign out at the firehouse and post it.

Mr. MacLeod added the contract includes twice a year bulk pick up (May & Oct.), and a white goods pick up with a \$35 sticker fee to be paid by the resident.

Chairman Dworman **MOTIONED** to review and sign the contract with Waste Management contingent upon a final review. It was noted the Board members would sign it by the end of the week.

Discussion ensued regarding the implementation of the 2nd barrel billing. It was noted the TC/TC office could bill the residents from the list Waste management can provide, when they issue the property tax bills, twice a year.

Mr. MacLeod acknowledged the original bids would be provided to the Selectmen's Office. Mr. MacLeod will be notified when the contract is signed. The Board members agreed to a blue 64-gallon barrel.

Chairman Dworman thanked Mr. MacLeod on behalf of the committee for all their time and effort, and Mr. MacLeod left the meeting at 8:30PM.

Chairman Dworman again stated he would recommend weekly recycling.

BUDGET: The Board acknowledged receipt of the 2010 proposed budget in the amount of \$2,575,000, and the default budget at \$2,557,000.

It was noted the 2009 default budget was \$2,496,800, reflecting an increase of \$78,200 for the 2010 budget, or 3%. It was further noted the \$78,200 increase includes \$40,000 for additional bond payments, and \$38,200 for contractual items.

After review, Chairman Dworman **MOTIONED** to approve the 2010 budget at \$2,575,000, and the default budget at \$2,557,000. Mr. Poelaert seconded. Motion carried 3-0.

Mr. Pendell stated at the recent School Board meeting, he was asked if the Selectmen would be interested in marketing the budget, along with the school board budget. Chairman Dworman responded he was not in favor of doing it. The people will vote in March 2010.

Mr. Poelaert and Mr. Dworman agreed if Mr. Pendell wanted to do so, he could go.

POLICE DEPT.: The Adm. Asst. informed the Board the Police Chief will be taking some vacation time, and Sgt. Ray Marquis will be in charge during his absence.

The Board acknowledged a letter dated 11/03/09 from the Police Chief requesting approval to expend \$3,000 from the police department budget to purchase a generator for the police station. The letter noted he may be receiving a donation of \$5,000 to cover the total cost of \$7,900. It was noted the police station should have a generator. During the ice storm of Dec. 2008, the station had no power.

Mr. Pendell **MOTIONED** to approve the expenditure of up to \$3,500 from the police department budget to purchase a generator for the police station, contingent upon receiving the donation of \$5,000. Chairman Dworman seconded. Motion carried 3-0.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 8:45PM under RSA 91-A-3, II: para. (b) The hiring of any person as a public employee. The Board was polled & 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 8:46PM. Mr. Pendell seconded. Motion carried 3-0.

MINUTES: The Adm. Asst. informed the Board members the Police Chief asked that it be noted on page 3 of the 10/13/2009 Selectmen’s meeting minutes, it stated he had recommended the increase from \$8.00 to \$10.00 for the administration fee and vehicle fee for police special details, and that it was Chairman Dworman who recommended the increase, not him. The Board members agreed it was Chairman Dworman and not the Police Chief who recommended the increase.

RESIGNATION: The Board acknowledged receipt of a letter of resignation dated 10/23/09 from Sue St. Martin from the Historical Committee effective 1/1/2010. The Board accepted it with regret.

MEMO: It was noted a memo has been forwarded to all Town committees to remind them that they are to provide the Board of Selectmen with minutes of their meetings upon approval of them. It was noted that some committees have been providing them on a regular basis, and others have not.

WARRANT: The Board was provided with the first draft of the warrant for their review. They reviewed the warrant articles, making changes, additions, and deletions.

It was noted when the Police Chief discussed a warrant article for 2010 for an additional full time officer, the cost would be \$57,000. The Adm. Asst. noted with the 2010 rates, an adjustment would reflect the warrant article to be \$60,250. After discussion, the Board of Selectmen agreed to remove it from the 2010 warrant, based on the current economy.

Mr. Pendell suggested buying a tanker for the Fire Dept. at the end of 2010 with surplus money not spent, if all the departments scrimped and saved.

The Admin. Asst. interjected that the Town is currently operating on a default budget, and there isn't any extra money to cover costs like that.

Mr. Pendell informed the Board members the Friends of the Library have taken down the sign at the library, which will be replaced with a new sign. The Friends would like to revamp the old sign. Peter Datillo has offered to re-letter it Pound School Meeting House, and add a message board to it.

Mr. Pendell **MOTIONED** for the Board of Selectmen to accept the donation of the sign from the Friends of the Library for the Pound School. Mr. Poelaert seconded. Motion carried 3-0.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 9:15PM 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 November 09, 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 9:30PM. Mr. Pendell seconded. Motion carried 3-0.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's public meeting at 9:30PM. Mr. Pendell seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant
Administrative Assistant

Matthew B. Dworman

Richard S. Poelaert

David R. Pendell, Jr.

