

TOWN OF EAST KINGSTON
First Session of the 2011 Annual Meeting
Deliberative Session – February 8, 2011

Selectmen

David R. Pendell, Jr., Chairman
Matthew B. Dworman
Kimberley I. Casey

Barton L. Mayer, Town Counsel
Keri J. Marshall, Moderator
Phillip Marshall, Official Timer
Barbara A. Clark, Town Clerk

The Moderator, Keri Marshall, called the meeting to order at 7:00PM with 98 residents in attendance.

2. Shall the Town of East Kingston raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$2,449,000. Should this article be defeated, the default budget shall be \$2,475,605, which is the same as last year, with certain adjustments required by previous action of the Town of East Kingston or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Motion made by: David Pendell

Seconded: Ronald Morales

Discussion: Robert Hohman asked if we vote for the default budget, would there be an increase in taxes to cover that extra amount. David Pendell confirmed that there would be an increase.

Cathy Belcher asked if this would be an appropriate time to discuss the MRI study that was completed. She said that based on last night's meeting, the Board of Selectmen had indicated that they were in favor of discussing that tonight. Cathy asked the Selectmen to discuss what the findings were and what the recommendations are.

David Pendell explained for those that didn't know that last year, at this time, the Board of Selectmen were asked to review salaries in town. They decided to review all of the positions in town, and they hired an independent consultant, MRI. He said that over several meetings and a couple of public sessions, that MRI put together their recommendations. David said the primary goal was to classify and set wage rates, standards of pay (entry level up to a maximum) for the positions that are in town. He

said that a couple of weeks ago, the Board of Selectmen met with employees, after the study was published and went through it with them. He said last night they had an opportunity to come back and talk to the Board in a nonpublic session. He said in that meeting, they were allowed to discuss their understanding of the report, to ask us any questions, and the Board of Selectmen expressed to them what their recommendations would be. He said they took motions and votes. He said after the nonpublic sessions, the Board of Selectmen, in a public session, offered a summary to anyone who was available.

David Pendell said that in summary, no employees in town had their wages increased based on this study. He said there were a couple of positions where the salaries were decreased. He said one position was decreased dramatically. He said that the Board decided that any salary adjustments would start on the 3rd quarter, July 1st of this year. He said for the dramatic salary that was impacted, they decided to split that into two so that half of it would take effect on July 1st and the second half would take effect on January 1, 2012. He said that part of this wage classification study is that there will be a standard review for all the employees on a yearly basis.

Cathy Belcher asked if there were any reclassifications. David Pendell said there was one title change, which didn't impact any of the tasks. He said that in the Selectmen's office, they had two positions with the same title and same job description. He said the Board of Selectmen instructed MRI to proceed based on a senior position and an administrative position. He said they have an Administrative Assistant and the senior position's title was voted on unanimously to change it to Town Business Administrator.

Steven Smith asked if the new levels are comparable to other towns. David Pendell said that each position was compared to a comparable demographic of towns and each position was given points, putting them in a grading system. David Pendell explained the pay grade criteria and that there were minimums and maximums. He said the Board was also advised that the employee should reach the maximum rate in about 8-10 years. He said a lot of our employees are at the maximum of their grade. He said, each year the Board of Selectmen will review the federal guidelines of the COLA, the cost of living adjustment. He said as an employee reaches his/her maximum, they would still get the standard of living adjustment.

Robert Hohman asked if the salaries adjusted were showing in the budget now. David Pendell said that the budgeting process was done several months ago and were based on budgets that the Board of Selectmen got from each department. He said that this report was done separately, but it paralleled with the budget process. He said the Board of Selectmen voted in September not to give any salary increases for the year 2011. He said this budget doesn't recognize what the Board decided on last night.

Robert Hohman asked if the expenses for 2011 would be lower than what is shown here and David Pendell said, "absolutely."

Robert Hohman referred to the department's budget worksheets, specifically Selectmen's office and financial adm/audit/treasurer/IT, and questioned the amount of hours the

Selectmen's office is open per week. He noted that the office is open 30 hours a week but paid for 35 hours per week. Mr. Hohman couldn't find the difference of 130 hours and asked where that was shown. David Pendell said it was under ACO/Health Welfare.

Matthew Dworman said they were trying to simplify the budgeting process and make the worksheets available to clarify. He said next year this process would be simplified even further. He said the administrative staff performs tasks that are for the Selectmen's office, welfare office, and for financial administration and that their salaries are broken up between these three budgets. He said that because the Board of Selectmen have now simplified the system with the new classifications, they would be able to make this not divided up amongst those departments. He said hopefully we could place one employee in one budget, and one employee in another budget.

Barbara Williams asked if MRI recommended that the two jobs be posted to the community. David Pendell said, "no". Barbara Williams asked if that was something that was being considered. David Pendell said that the Board of Selectmen did not discuss that last night.

Sarah Ayers read from a few pages out of the MRI study about the job requirements for the administrator and the educational requirements and skills needed. She asked if this was a recommendation or was it going to be adopted. David Pendell said that the MRI study was adopted. Sarah Ayers inquired if the staff has Bachelor degrees, computer skills, etc. David Pendell said he believed it has an education level or equivalent experience. He believes that this is the case for each position in town.

Ed Decatur questioned if the staff worked 35 hours a week as the office is only open 30 hours a week. He asked for clarification of where the other 5 hours a week are. David Pendell said there were other various duties that they do when the office is not open. He said for clarification purposes, the senior position in the office would be working 40 hours a week. He said the office will be open 30 hours but that allows her two hours a day to get tasks done without interruption. He said it is a salary exempt position so there is no more overtime. He said during the MRI study, there were three positions that fit the criteria as exempt, Police Chief's position, Senior Administrator's position, and the Library Director's position.

Joanne Capone asked a question with regard to the budget and how it is not broken down. She referenced the general government, executive department, showing a budget of \$101,000. She asked if that was inclusive of the salaries or was it an operating expense only.

David Pendell said that that would include some portion of the salaries because the welfare line item has a portion of their salaries. Mrs. Capone suggested that perhaps in the future you could show which are salaries and which are operating expenses. She said she worked for a municipality for 15 years and they had quite an extensive process that they went through before they ever got an increase or bonus. She also commented on the MRI study and how the Board said they planned on acting on it. She asked if they planned on acting on all if it and were going to go back and repair some of the

problems that they saw or were they just going forward with the use of reclassification. She asked what their plan was for this process in the future.

Matthew Dworman answered Mrs. Capone's first part of her question and said that the budget worksheet that you have in front of you is called the MS-6. He said it was a standard form from the state, and the way that it is filled out is, unfortunately, it is what it is. He said that the Board couldn't add any more information. He said that the budget worksheets go into further detail and he said at the budget hearing, the Board went over them line item by line item, each worksheet, explaining every dollar spent. He said that all of that would be made available in the town report you will be receiving in a few weeks.

Joanne Capone said that her understanding is that the Board approved of all of the information in the MRI study. She asked if that was correct.

David Pendell said what they did last night was to vote to adopt the MRI wage classification study and they made adjustments to salaries within the pay rates that were established. He said that there were several recommendations that they made along the way in certain presentations but based on the timing and the process they had to go through to get to this night tonight, they ran out of time.

David Pendell said that they would like to put a committee together to evaluate whether the town would benefit from an E-Commerce system. He hopes the process will continue and keep moving forward to make how we do business in East Kingston better.

Ted Day noted that the current rate of the G-7 exceeds the maximum by more than 40%. He asked if there was enough work for two people in the Board of Selectmen's office.

David Pendell said that there was enough work for two people in the office. He said that there have been two people in that office for 12 years and the workload hasn't gone down. He said that the salary that Mr. Day was referring to is one of the salaries that were adjusted down to fit into the range of the pay rate. David Pendell said that the Administrative Assistant I title was changed to Town Business Administrator and the salary was voted on at \$64,804.18. Ted Day asked what it was before. David Pendell said it was \$72,000. Ted Day asked if that was with the \$6,000 bonus.

Matthew Dworman said that no single employee received a \$6,000 bonus. He said that the \$6,000 was all of the bonuses, divided up amongst 19 employees. He said that each fulltime employee this year and for as long as we have on record, received an annual bonus of 1.5% of their salary and part-time employees received 1%. He said the Board of Selectmen voted this year to seize bonuses so for 2011; there will be no bonuses.

David Pendell said the Administrative Assistant position that you are referring to was approved last night at \$23.41 an hour, a reduction of \$12.00 an hour and that is the decrease the Board was referring to which would be split up over two different time periods. Ted Day asked how many hours a week she was getting paid for. David Pendell said 35 hours and Ted Day said the office was only opened 30 hours.

Ted Day asked what the recommended salary was for the Administrative Assistant I. David Pendell said that the grade 10, which the person falls into, the minimum was \$35,557 and the maximum was \$64,804. He reiterated the reference made earlier about the recommendation that an employee should reach the maximum salary between 8-10 years.

Ronald Morales motioned to move the question.

Seconded: Gerald Hankin

Vote on Article 2 to be placed on ballot as written: **Passed**

The Moderator, Keri Marshall, said that with respect to Warrant Article 2 as written, she made a telephone call to the LGC to ask whether they had an opinion concerning whether we need to vote on each and every warrant article as written. She explained that the Governor on Friday endorsed a bill that had been previously signed by the Senate and the House indicating that we were no longer able to amend a warrant article to simply say, "to see."

Motion made to not reconsider Article 2: David Pendell

Seconded: Kimberley Casey

Voted: Passed

The Moderator explained that there has been a practice in the past, not necessarily in this town, where at the end of a meeting someone has moved to reconsider an article that had been decided on some time prior. She said that if after each warrant article, there is a motion to not reconsider and it is seconded and approved, that means that we cannot go back and amend a warrant article that has passed which would keep someone who was at a meeting later from potentially being able to change all the hard work that you have done earlier in the evening.

Ted Day asked about the discussion that there was going to be money that was going back into the budget. He asked what would happen to that money.

David Pendell said that the Board of Selectmen are not allowed to overspend the budget. He said that every year, they have had the fortune not to spend up to the budget. He said what happens to that money that is not spent is that next year it goes to offset the tax rate. He said the monies saved from the salaries would go to reduce the taxes for the next year.

3. To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be added to the existing Revaluation Capital Reserve Fund established at Town Meeting 1991 for the purpose of the next revaluation of the Town, as required every five years by NH RSA75:8-a.

Motion made by: Matthew Dworman

Seconded: David Pendell

Discussion: None

Vote on Article 3 to be placed on ballot as written: **Passed**

Motion made to not reconsider Article 3: David Pendell

Seconded: Kimberley Casey

Voted: Passed

4. To see if the Town will vote to raise and appropriate the sum of six thousand eight hundred dollars (\$6,800) to be added to the existing Library Building Maintenance expendable trust fund established at 2010 Town Meeting for the purpose of funding long-term maintenance for the library building.

Motion made by: Kimberley Casey

Seconded: David Pendell

Discussion: None

Vote on Article 4 to be placed on ballot as written: **Passed**

Motion made to not reconsider Article 4: David Pendell

Seconded: Kimberley Casey

Voted: Passed

5. To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be added to the existing Fire Apparatus Capital Reserve Fund established at the 1999 Town Meeting for the purpose of acquiring fire apparatus.

Motion made by: David Pendell

Seconded: Kimberley Casey

Discussion: Robert Hohman asked if there would be another \$50,000. He asked if we do this over a 3 or 4-year period of time until we get enough money to buy that equipment.

David Pendell confirmed that and said that each capital reserve fund is set up to put money into it gradually, so that when we need to replace a piece of apparatus that we don't get hit with the bill all at once. David Pendell said that the last piece of apparatus that the town bought was a tanker truck. He said it was \$395,000 and we had \$195,000 in the capital reserve fund. He said the rest of the money was raised by taxes.

Cathy Belcher said that at the public hearing they had requested what fire apparatus was due for replacement and what the long-term plan was.

Edward Warren, Fire Chief, said that the next thing to be replaced on the schedule is the ambulance and this is self-funding.

Cathy Belcher asked if \$50,000 was necessary.

David Pendell said that in the past, they had \$65,000 for this item. He said it was reduced to \$50,000, and it was less than what was appropriated for the last several years. He said the last piece of apparatus we bought was the tanker truck this past year. He said that we were going to skip over the ambulance because it was self-funding. He said the next one that would come to the block would be the engine. David Pendell said that he imagined the engine, which is the largest truck in our fleet and probably the most expensive, would be more than \$395,000. He said if we added \$50,000 to the capital

reserve fund for the next 7 years, we would have about \$350,000, which wasn't going to cover the cost of replacing the engine but it is going to be a great chunk of this.

Matthew Dworman explained how the tax rate is set and for every \$300,000 that we spend in the budget, that is equivalent to approximately \$1 on the tax rate. He said that \$50,000 is 16.6 cents on the tax rate. He said if we decided to reduce it from \$50,000 to \$40,000, it would only be a reduction on your tax rate of 16 cents down to 14 cents.

Vytautas Kasinskas said that with the interest rates being ludicrously low right now, putting money aside isn't good. He said if he is going to live in this town 5 or 10 more years, why shouldn't the people who are going to be here 10 years from now, when they buy the fire truck, pay for the fire truck. He said he could understand paying for schools because regardless of where you live, you benefit.

Vote on Article 5 to be placed on ballot as written: **Passed**

Motion made to not reconsider Article 5: David Pendell

Seconded: Kimberley Casey

Voted: Passed

6. To see if the Town will vote to establish a Fire Department/Emergency Operations Center Land &/or Building Capital Reserve Fund under the provision of RSA 35:1, for the purpose of the acquisition of land and/or building or construction of building for a Fire Station/Emergency Operations Center and to raise and appropriate the sum of one thousand dollars (\$1,000) to be placed in this fund, and to further vote to appoint the Board of Selectmen as agents to expend from this fund and no further approval is required by the legislative body to expend.

Motion made by: Matthew Dworman

Discussion: Matthew Dworman suggested amending Article 6, removing the last part, which appoints the Board of Selectmen as the agents. He said he believes that if we are going to create a capital reserve fund, it would end up being quite a large expenditure, and it should come to the legislative body.

David Pendell said that he and Matthew Dworman philosophically disagree on that. He said thinking a little bit beyond that, if you've been in town for a little while and you understand where our police station is, it is there because there isn't any land in the center of town. His understanding is that there was a piece of land that came up in the center of town and could of been bought by the town and could of been used for a new office complex, police station, and fire station. He said the only reason why he is in favor of this language is that if the fund is created and there is money in the fund and if a piece of land were to come up in April, we wouldn't have to wait until next March to be able to vote on it, and hopefully grab that piece of land which becomes so valuable because there isn't a lot of land in the center of town. It would at least give the Board of Selectmen an opportunity to at least get their hands on a piece of land in anticipation of a fire station.

Roby Day asked where we were on the discussion of this article. David Pendell said we were talking about the amendment to eliminate the wording that says to make the Selectmen agents of the fund. Roby Day was inclined to agree with David Pendell because we lost a wonderful opportunity with the Kennerly property, right smack in the middle of town, and that we are paying for it today. He asked Ed Warren, the Fire Chief, if this is intended for when the town's growth requires another facility, or are you talking about replacing the present one or are you talking about a second station. Ed Warren said it would be to replace the current station.

Vote on Article 6 to be placed on ballot as written: **Passed (45 YES/38 NO)**

Motion made to not reconsider Article 6: David Pendell

Seconded: Kimberley Casey

Voted: Passed

7. To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) for the purpose of performing repairs, including, but not limited to, replace existing culvert pipe with upgraded box culvert for York Brook to Giles Road, as specified by the Town Engineer.

Motion made by: David Pendell

Seconded: Kimberley Casey

Discussion: David Pendell explained that this is a box culvert that goes under Giles Road. He said that they had been dealing with this problem since two years ago, February. He said with all of the raining and flooding that we had, what happens is that the box culvert, because of the new construction on North Road, sends more water down that way then it has in the past. He said the culvert is too small to accommodate that water. He said the water rises and goes over Giles Road and then down by Bioteau's property. He said last year we spent a bunch of money just fixing our part of it because the road washes out. He said the Road Agent has talked with the Town Engineer and he has also received estimates on replacing that box culvert with an 8-foot diameter box culvert. He said it would handle the water that comes through that area so that Giles Road will not wash out. He said the Road Agent put together the estimate. He said it comes out to approximately \$89,000-\$99,000 so we are asking for the appropriation of \$100,000. He said the permit to disturb the wetlands area, with the State, is \$10,000 in itself. He said it was a huge undertaking. David Pendell said the Road Agent is concerned because the bottom of the culvert on Giles Road is actually rotted out and could collapse at anytime. He would have to at least replace the culvert that is there. His estimate for replacing the existing culvert, same size, is \$40,000-\$45,000. He said in order to get it done correctly so that our road doesn't wash away; we are looking at a difference of \$60,000. He said that the Bioteau Drive's bridge has washed away twice and that is the owner's issue. He said that the owner has come to the town so that we can coordinate our issues together, and we are hoping that if this passes, when he takes care of his problem and we take care of our problem, while separate contracts, hopefully all can achieve some savings.

Stacy Penna asked how much it costs the town each time this happens and on average how many times has this happened.

David Pendell said that Matthew Gallant, our Road Agent, said that this situation on Giles Road washing away has happened once when he wasn't the Road Agent and three times since he has become the Road agent. He said last year we spent upwards of \$10,000-\$12,000 to repair Giles Road and he said we have done that three times, so each time it cost the town around \$12,000.

Mark Cook said that he used to live on Giles Road for seven years and can vouch for the condition and deterioration. He asked how much town money has been spent to repair the private driveway, bridge, at Bioteau Drive. David Pendell said last year, when the bridge washed out in February, there was a pregnant lady on the other side. He said the road and the bridge washed away, and they had safety concerns and that the Fire Department would get called out in an emergency. He said the town spent \$3,200 in material to get a temporary road to the Bioteau Drive area. Mark Cook asked if the rear entrance, off of the North Road property, was blocked or had an inability to access. David Pendell said, “No there wasn't”.

Sarah Ayers asked if we had just gotten one bid for this job. David Pendell said that this is an estimate and if it gets approved at town vote, it will go out to town bid, and they will get several bids, and we will take the lowest, responsible bid to perform the work. She is concerned about the guarantee that the flooding isn't going to happen again even with the new culvert and wanted to make sure about the people that are hired and the engineering of the project.

Matthew Dworman said the town engineer has performed the studies and calculated the total water flow. He said this is based on his recommendation, the size of the culvert. It is a lot of money for road repair but when that culvert fails, we will have to spend the money, so we might as well be proactive.

Henry Lewandowski said he has lived in this town 62 years and he can't recall having a problem with Giles Road until the culverts were put in on Bioteau Drive. He asked if they were replacing the culvert to help the people on Bioteau Drive.

Matthew Dworman said the water flow goes from the south side to the north side. He said if you are going down Giles Road from North Road, the water flows from the left to the right side, under the road. He said there are essentially two streams that meet right at Bioteau Drive so this deals with the stream that goes from the left side to the right side. He said one of the reasons the water flow has increased so much is that there used to be a beaver dam and that has washed out.

David Pendell said the culverts on Bioteau Drive are impacted by our problem and that we are not impacted by his problem.

Vote on Article 7 to be placed on ballot as written: **Passed**

Motion made to not reconsider Article 7: David Pendell

Seconded: Kimberley Casey

Voted: Passed

8. To see if the Town will vote to establish an Agricultural Commission, pursuant to RSA 674:44-e in accordance with RSA 673. The Board of Selectmen shall appoint not less than three (3) and no more than seven (7) regular members and not more than (5) alternate members. Whenever possible, the majority of both regular and alternate members shall be/shall have been actively engaged in agricultural pursuits. Upon passage of the warrant article, current regular and alternate members of the Agricultural Steering Committee shall automatically be nominated to the Agricultural Commission to serve the remainder of their existing terms. Subsequently, all new members shall be selected from a list of nominees provided to the governing body by the existing Agricultural Commission.

Motion made by: Kimberley Casey

Seconded: David Pendell

Discussion: Ronald Morales asked to modify the warrant article, to take out the portion that really talks about the process and procedure that the Board of Selectmen would basically be carrying out under the RSA.

Kim Casey suggested amending the second sentence to read, "the Board of Selectmen shall appoint 5 regular members and 3 alternate members."

Ron Morales said they took this out of the RSA's. He said DRA came back and gave them this language. He said basically what we were trying to do is not tie the hands of the Board. He said the problem with five members is what if we don't have five members. He said the fact that you can form it with three in accordance with the RSA and have no more than seven, gives us the flexibility that we can actually act as a board with three members.

Barton Maher, Town Counsel, said he wasn't advocating the number, just fix the number.

Gisela Lloyd said that they had tried for five members for the Friends of the Library, and it didn't work so they went back to three.

Ronald Morales made a motion to amend warrant Article 8 to read, "to see if the town will vote to establish an Agricultural Commission pursuant to RSA 674:44-e in accordance with RSA 673. The Board of Selectmen shall appoint three regular members and three alternate members.

Second on amendment of Article 8: David Pendell

Vote on Article 8 as amended: **Passed**

Motion made to not reconsider Article 8: David Pendell

Seconded: Kimberley Casey

Voted: Passed

9. To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) for the purpose of improving Foss Wasson Field's safety and usability for the children and adults of East Kingston.

Motion made by: Matthew Dworman

Seconded: David Pendell

Discussion: Daniel Guilmette said that this has been the first year, for a while, that he hasn't seen any reference to EEE. He asked how this ties in with this particular warrant article.

David Pendell said this warrant article has nothing to do with the EEE issue. He said several years ago, we voted on appropriating money to EEE separately, but after doing that for a couple of years, that now this money is rolled into the budget.

Robert Hohman said that you mentioned in 2009 Phase I went into effect and during Phase II they did some backstop work and fencing. He said that this \$25,000 will complete Phase III but that there is no description of what will be done with the \$25,000.

Todd Gibbons, Commissioner of the Recreation Department said in Phase I we did the infield of the baseball field (redesigned the whole infield). In Phase II, he said they worked on the backstop and the dugouts. He said Phase III is now the largest and final completion of the project, doing the entire outfield and working on the drainage. He said they can't use the field pretty much half way through the season. He said by the time the snow thaws, the fields are unusable because of the drainage. He said they are going to fix that drainage problem and complete the entire outfield and then will have a baseball field, softball field, adult field, and soccer field. He said usability will increase dramatically over the next 10, 15, 20 years. He said right now it couldn't be used in its current condition. He said they are trying to finish and complete the project.

David Pendell said that Phase I was done completely with fund raising by the Recreation Department. He said there were no town funds involved in that.

For Phase II, Todd Gibbons said that they applied for a grant from the Sargent Fund and they got \$10,000 and then the Timberland Company in Stratham have a program called the Servapalooza and we had 60-70 volunteers this past spring to do some renovations and to get the overgrown brush back. They built a snack shack/storage facility there. He said they have hundreds of volunteers that volunteer their time and services for these projects. He said we are asking the town to help us out for this final phase.

Vote on Article 9 to be placed on ballot as written: **Passed**

Motion made to not reconsider Article 9: David Pendell

Seconded: Kimberley Casey

Voted: Passed

10. On the petition of Martha Cashins and 34 other registered voters in East Kingston, shall the Town of East Kingston vote to raise and appropriate \$6,750 to be joined with \$3,000 from the Conservation Committee's budget to treat the

Milfoil on the Powwow Pond. Permit fees of \$2,500 and re-notification fee of \$1,150 to be paid for by the Powwow Pond Council, Inc. The Town of Kingston will pay for their portion of the pond.

Motion made by: Kimberley Casey

Discussion: Scott Urwick said that Powwow Pond is in Kingston and East Kingston - 2/3 in Kingston and 1/3 in East Kingston. He said that Kingston is going through the warrant article process also, trying to achieve funding for the treatment of this exotic weed in the Powwow Pond. He said there is a private organization, Powwow Pond Council that has raised the funds to pay for all of the permitting. He said that this weed is an exotic species much like zebra mussels or purple blue loosestrife and they tend to take over very rapidly in the area where they grow. Scott referenced a handout that had a picture of a 9 ft. piece of this exotic weed that was pulled out of the Powwow Pond. He referenced another picture, which showed the problem areas, and on the recommendation of the NH DES exotic species coordinator, Amy Smagula, we need to do something about this.

Scott Urwick said that Ron Morales worked with the Board of Selectmen to establish an additional amount of \$3,000 from the Conservation Commission to handle weed control. He said since then it was determined that it was much wider spread than it appeared to be and, therefore, it is actually going to take about \$5,750 to do the East Kingston portion of the treatment of the pond. He said what we are asking for is an additional \$6,750 to go with the \$3,000 that was placed as a line item of the Conservation Commission for weed control on Powwow Pond. He said the cost of this warrant article is about 2.2 cents on the tax rate. He said it would cost the owner of a \$300,000 average property about \$6.60.

Steven Smith asked how long lasting this treatment would be and if it is an annual requirement.

Scott Urwick said that unfortunately there are no guarantees there. He said that they are told that maintenance will be likely and that the cost of the maintenance will likely be less than the original cost of the treatment. He said it was something that had to be watched year to year. He said it was not something they could predict but that it is a very rapidly spreading weed.

Norman Brandt said that the only thing that he is concerned about is if Kingston does not come through on their end. He said is there anyway we could amend it to say the money would be held until Kingston could follow through on their end.

Judy Lewis said that Kingston approved \$18,000 two years ago to help control any invasive species. She said they still have \$15,000. She said they spent \$3,000 of that doing hand pulling this summer. She said it was during the hand pulling time that they found out how pervasive this milfoil was. She said Kingston is definitely going forward and that they have the money. She said one of the warrant articles they have for this year is a capital reserve fund for the continued protection of the waterways.

Vote on Article 10 to be placed on ballot as written: **Passed**

Seconded: David Pendell

Motion made to not reconsider Article 10: David Pendell

Seconded: Kimberley Casey

Voted: Passed

11. On the petition of Bonnie Terrill and 34 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote that warrant articles must be written so that voting "NO" means the article fails, and voting "YES" means the article passes. It cannot be confusing to the voters, it has to be clear, so that when you vote "No" it doesn't mean that you're voting something new in.

Article 11 presented by: David Pendell

Discussion: Cathy Belcher asked how this would affect a citizen's petition if you don't have the right to change a citizen's petition. She asked would this just apply to how we sponsor articles.

Barton Mayer, Town Council, said that this is advisory only because town meeting can't bind future town meeting procedures but at least it gives guidance to future Boards.

Ted Lloyd found it very unfortunate that the legislature chose this year to limit our ability to delete a warrant article proposal.

Ted Lloyd made a motion to amend Article 11, adding to the final sentence to read, "passage of this article will be advisory only."

Second on amendment of Article 11: David Pendell

Vote on amendment of Article 11: **Passed**

Motion made to not reconsider Article 11: David Pendell

Seconded: Kimberley Casey

Voted: Passed

12. On the petition of Joseph F. Conroy and 32 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to close the town offices on Mondays, which happens to be the day that most Federal Holidays fall upon.

Article 12 presented by: Matthew Dworman

Discussion: Ted Lloyd proposed the same amendment to this one and to add to the final sentence, "passage of this article will be advisory only."

Seconded: David Pendell

Kimberly Casey said that the LGC, Local Government Center, always recommends that the governing body, Selectmen, perform as indicated even if a warrant article is advisory.

Ted Lloyd withdrew his amendment.

Scott Urwick asked a procedural question of these citizen petitions and the Moderator said it has to appear on the ballot as written, unless we amend it. She said we could no longer strike all of the language.

David Pendell made a motion to amend Article 12 to read "to see if the town will vote to vest in the Board of Selectmen to determine which days the town offices will be open.

Second on amendment of Article 12: Kimberly Casey

Vote on Article 12 as amended: **Passed**

Motion made to not reconsider Article 12: David Pendell

Seconded: Kimberly Casey

Voted: Passed

13. On the petition of Joseph F. Conroy and 32 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to make sure that the hours of the office staff work matches the hours that the town hall is open to the public. (presently we are open 30 hrs but the employees are paid for 35 hrs) At no time during working hours, is the public to be locked out of the town offices.

Article 13 presented by: Kimberley Casey

Discussion: David Pendell made a motion to amend Article 13 to read, "to see if the town will vote to vest in the Board of Selectmen, the authority to determine what hours the staff will work.

Second on amendment of Article 13: Kimberly Casey

Discussion on amendment: Dennis Quintal asked what happens if it is voted no. Barton Mayer said the Board of Selectmen still have the authority.

Vote on Article 13 as amended: **Passed**

Motion made to not reconsider Article 13: David Pendell

Seconded: Kimberly Casey

Voted: Passed

14. On the petition of Joseph F. Conroy and 30 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to change the format of the town report to 8 1/2x11 to cut the costs and hours of preparation needed to publish the town reports.

Article 14 presented by: David Pendell

Discussion: David Pendell said that they have tossed around the idea of what to do with the town report for a couple of months and there are several suggestions on the table. He said that these are items that will be investigated by the E-Commerce Committee. He said one of the suggestions that has been brought up would be to PDF it and put it on the town website and let everyone review it there and then you could print the pieces that you want. He said we would be saving printing and distribution costs. He said not that there wouldn't be any printed and that you could certainly come into the town offices and sign up and we could print that number of copies. It would be a huge savings. We have estimated that we spend \$15,000-\$18,000 on town reports each year.

Cathy Belcher said she works for a very large school district and the voters voted to do this and it saved \$11,000 a year. She said there hasn't been a single negative aspect about it. She said it is a cost savings that allows you to include more information and different links on it.

David Pendell said that he was fully in favor of amending this. He said if you could word the article to advise the Board of Selectmen to investigate different methods. David Pendell said he was asking for the opportunity to keep it open in case providing it on the website wasn't the best means.

Roby Day said he would be concerned about how we archive an electronic town report.

David Pendell said it would just be a matter of printing what we produce off of the website and binding it and putting copies at the library and copies at the town offices.

David Pendell made a motion to amend Article 14 to read, "to see if the town will vote to authorize the Board of Selectmen to explore options for producing a town report, including, but not limited to, electronically."

Second on Article 14 as amended: Kimberly Casey

Vote on Article 14 as amended: **Passed**

Motion made to not reconsider Article 14: David Pendell

Seconded: Kimberly Casey

Voted: Passed

15. On the petition of Joseph F. Conroy and 48 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters in East Kingston, NH will vote to mandate that notice of all public meetings are to published in a local newspaper, on the town website, and posted at the town offices for a minimum of 5 days in advance.

Article 15 presented by: Matthew Dworman

Discussion: David Pendell made a motion to amend Article 15 to read, "to see if the town will vote to require notice of all public meetings to be posted and published in accordance with the law."

Second on Article 15 as amended: Matthew Dworman

David Pendell said the law is 24 hours notice.

Barton Mayer, Town Council said that there are different requirements for different Boards. He used the example of public hearing for zoning and how that requires a ten day notice, not five days. He said you have to comply with the law.

Vote on Article 15 as amended: **Passed**

Motion to not reconsider Article 15: David Pendell

Seconded: Kimberly Casey

Voted: Passed

16. On the petition of Joseph F. Conroy and 45 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters in East Kingston, NH will vote to require all of the towns check disbursements for the year to be printed in the annual town report. The information published shall include the date, check number, amount, purpose of the check, and either the dept, or vendor, or job title associated with the disbursed amount.

Article 16 presented by: Kimberley Casey

Discussion: Peter Gilligan asked if Joseph Conroy was in the room and if he was that he would appreciate if he would at least read one of the articles that he had put into this town. He said what it is, as he sees it, is an attempt to micromanage our Board of Selectmen.

Cathy Belcher said that for clarification that Mr. Conroy agreed to sign the petitions, and it happened that he had the first signature on page 1 of the petitions, and the warrant article procedure is that the first signer of page 1 shall be the petitioner. She said in his defense, he is not responsible for the drafting of these and David Pendell confirmed that. David Pendell said he was receiving undo credit for these petitions. David Pendell said Mr. Conroy did not realize that he was going to be credited with all of this.

Cathy Belcher made a motion to amend Article 16 to read, "to request that the Board of Selectmen include the end of year vendor report in the annual report."

Second on Article 16 as amended: David Pendell

Vote on Article 16 as amended: **Passed**

Motion to not reconsider Article 16: David Pendell

Seconded: Kimberly Casey

Voted: Passed

17. On the petition of Joseph F. Conroy and 49 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters in East Kingston, NH will vote to require detailed MS-7 budget worksheets to be printed in the annual town reports like Kensington does, and to have extra copies made and distributed at the town deliberative sessions so that voters can make informed decisions.

Article 17 presented by: David Pendell

Discussion: David Pendell said the issue he has with this article is that it references another town. He said if we vote this in and if Kensington changes the way they do business, are we going to have to adhere to what Kensington does. He said he was not opposed to doing what people want to see. He said he certainly does not want to mimic what another town does.

Kimberly Casey suggested amending the article to read, "shall the voters of East Kingston vote to not require detailed MS-7 budget worksheets to be printed in the annual town report."

Cathy Belcher was afraid of that amendment because only the people in this room know what the MS-7 is and every other voter that goes to the polls are going to think that they are not required to divulge budget worksheets.

David Pendell said that the pages that you got in your report tonight are called the MS-6. He said there is a page called the MS-7, which certain towns use, because they are under a certain criteria. He said we use a MS-6 because we don't have a town municipal budget committee.

Kimberly Casey made a motion to amend Article 17 to read, "shall the voters of East Kingston vote to provide budget worksheets be printed in the annual report."

Second on amendment of Article 17: David Pendell

Vote on amendment of Article 17: **Passed**

Motion to not reconsider Article 17: David Pendell

Seconded: Kimberly Casey

Voted: Passed

18. On the petition of Joseph F. Conroy and 43 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters in East Kingston, NH will vote to adopt the provisions of the Municipal Budget Act (RSA 32) and to establish an elected Municipal Budget Committee to assist it's voters in the prudent appropriation of public funds.

Article 18 presented by: Matthew Dworman

Discussion: The Moderator said she spoke to LGC, the Local Government Center, about this article and was informed that she would have the responsibility to appoint the budget committee for the first year. She said that there is no direction in this warrant article or how many people would be appointed.

David Pendell said if we adopt this warrant article, the budget committee will have the designation to create a budget for everything in town, the school system, the library, and the town. He said we also have to find people to serve on the committee. He said that they are trying to put together a committee to investigate whether an E-Commerce system would work for the town. He said they had two people that applied. He said if we are going to put together a budget committee, to create three separate budgets, we need to think about who is going to step up to the plate to put their name on a ballot for this.

Kimberley Casey spoke of a budget committee as being another level of more government, and a level of more government that wasn't accountable to anything. She said a budget committee essentially takes away all your rights. She said that if you walk into this room and have a budget that you don't like, you could amend it up or down. She said the default budget does have certain requirements that you can't go below. With a budget committee, they have so much power. For example, they have no constraints to the default budget. She said it takes your power away; it doesn't give you power.

Stacy Penna said she has been a School Board member for the last six years. She said that they found out about this last week. She said they didn't realize that it would control the budget of the school also. She said as a School Board member, she has a problem with it because there is a lot of thought that goes into their budget but also what is a good education for our students. She said that they really try to find out a lot of information before they set policy, curriculum, and the budget. She said the budget dictates a lot of their curriculum. She said, "to me, there is a disconnect". She said if you have a budget committee that just comes up with a number, they are not looking at the big picture of what is important.

Roby Day said he didn't know where this warrant article originated or what the reason was behind it, but he said he couldn't help but think that it was a consequence of being dissatisfied with how the Board of Selectmen were executing the budget. He said this is not going to help. He said it creates another layer of government, and we don't need more government.

Daniel Guilmette suggested the following amendment to this article as follows, "to see if the voters of East Kingston will authorize the Board of Selectmen to continue developing municipal budgets, except for the library."

Ted Lloyd asked if that amendment would have the affect of putting the Selectmen in charge of the library, which by statute the library trustees are responsible for.

Kimberley Casey suggested the following amendment to this article as follows, "to see if the town would vote not to adopt a municipal budget act and continue to present the budgeting process."

Ted Lloyd said he would be much more comfortable with something that said, "shall we empower the Board of Selectmen to continue administering the budget process as they do today."

David Pendell made a motion to amend article 18 to read, "to vote to see if the town of East Kingston will allow the Board of Selectmen to manage the existing budgeting process."

Second on amendment of Article 18: Matthew Dworman

Vote on Article 18 as amended: **Passed**

Motion to not reconsider Article 18: David Pendell

Seconded: Kimberly Casey

Voted: Passed

19. On the petition of Joseph F. Conroy and 49 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters in East Kingston, NH will vote to direct the selectmen to hire a bookkeeper (a part-time contractor) that has a degree in accounting to do the town bookkeeping and accounting, and to cut back the hours of the Administrative staff in the town offices in order to pay for the bookkeeper.

Article 19 presented by: Kimberley Casey

Discussion: Peter Gilligan said if you, as the people of this town, are dissatisfied with the things that they are doing, it is your job to call each one of these people and give them your reasons why you oppose them. He said something like this is ridiculous.

Katherine Hankin said that she was the Treasurer of East Kingston, and that she does get a report every year from the auditors. She said she has had no problems in her years of service and that she doesn't charge a bookkeeper's fee. She said she is elected on a two-year basis and she has a set fee.

Daniel Guilmette made a motion to amend Article 19 to read, "to see if the voters of East Kingston will authorize the Board of Selectmen to continue correct accounting practices."

Second on amendment of Article 19: Gerald Hankin

Vote on Article 19 as amended: **Passed**

Motion to not reconsider Article 19: David Pendell

Seconded: Kimberley Casey

Voted: Passed

20. On the petition of Joseph F. Conroy and 43 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote that permanent full or part-time employees cannot be hired without a public hearing and the approval of voters.

Article 20 presented: David Pendell

Discussion: David Pendell said they are opposed to this because it makes every position in town an elected position.

Kimberley Casey made a motion to amend Article 20 to read, "to see if the town will vote to continue to follow the current process for hiring full-time and part-time employees.

Second on amendment of Article 20: Richard Pothier

Vote on Article 20 as amended: **Passed**

Motion to not reconsider Article 20: David Pendell

Seconded: Kimberley Casey

Voted: Passed

David Pendell thanked the voters in attendance for their time and cooperation. He said the Board of Selectmen spent hours looking at the implications that this would bring to our town. He said that the Board understands that in the last year they have gone through some very slow processes that have made people frustrated. He said that they were heard and they tried to do the process that they thought was equitable for the taxpayers and equitable to the employees.

Kimberley Casey said that one of the warrant articles we might consider next year is going back to the town meeting. She said this is a flawed process.

21. On the petition of Joseph F. Conroy and 46 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to require a public hearing before any funds in expendable trusts, trust funds, or capital reserve funds, can be expenditures. Notice of the hearing shall be in a local newspaper and posted on the town website for a minimum of 7 days in advance.

Article 21 presented by: Matthew Dworman

Discussion: David Pendell said the reason they are not standing up to this article is because this is what the Board of Selectmen already follows. He said every year they put together capital reserve funds and they put them forth to the voters to vote on, as in buying fire engines or to build buildings. He said this warrant article is one of the processes that they do. He said they do have a public hearing.

Ted Lloyd motioned to amend Article 21 to read, "to see if the voters of East Kingston will vote to continue holding public hearings as is required by law.

Second on amendment of Article 21: Kimberley Casey

Vote on Article 21 as amended: **Passed**

Motion to not reconsider Article 21: David Pendell

Seconded: Kimberley Casey

Voted: Passed

22. On the petition of Joseph F. Conroy and 45 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to pay off 80% of the towns outstanding debt (specifically conservation easements, library building, and police station totaling close to 5 million dollars) before incurring similar debt obligations for the town. (e.g. such as buying land and building a new fire station).

Article 22 presented by: Kimberley Casey

Discussion: David Pendell wanted to make everyone aware that if this article was amended or not amended, as our Town Counsel stated in the paragraph below, town meeting cannot pass rules of future town meetings. He said he was open to an amendment to clarify things.

Daniel Guilmette motioned to amend Article 22 to read "to see if the voters of East Kingston continue to pay off the town's outstanding debt.

Second on amendment of Article 22: Kimberley Casey

Vote on Article 22 as amended: **Passed**

Motion to not reconsider Article 22: David Pendell

Seconded: Kimberley Casey

Voted: Passed

23. On the petition of Joseph F. Conroy and 48 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to change the retirement plans of all town employees and elected

officials to 401K plans. This will benefit employees by giving them more liquidity and access to their funds while saving the town the costs of future entitlements.

Article 23 presented by: David Pendell

Discussion: David Pendell said that they checked with town council and the LGC and once you are in this program, you are in the program. He said even if this passes, we couldn't get out of the program. He said this was an illegal article.

Nancy Reiss asked if there was a way that you could segway over to a 401K plan on new hires.

Barton Mayer, Town Council, said that he believes so but that there are statutory provisions that are expensive where you may be able to establish a separate system, but you have to get an actuary and determine, that in fact, the plan you are offering will provide the same benefits at a minimum to what the employees are currently provided. He said that this article is illegal and void.

Keri Marshall said that the town would also have to pay for a plan administrator.

David Pendell made a motion to amend Article 23 to read, "to see if the town will vote to continue current retirement practices".

Second on amendment of Article 23: Edward Warren

Vote on Article 23 as amended: **Passed**

Motion to not reconsider Article 23: David Pendell

Seconded: Kimberley Casey

Voted: Passed

24. On the petition of Joseph F. Conroy and 42 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to freeze all wage increases for 2011 and going forward for non-elected town employees.

Article 24 presented by: Matthew Dworman

Discussion: Daniel Guilmette said this year has been a painful year for everyone in this town. He said that we were just getting over the Fire Chief fiasco from a couple of years ago and then we ran into this wage thing. He said he wasn't blaming the current Board of Selectmen, but over the last five or six years, it was a situation that was overlooked.

Daniel Guilmette made a motion to amend Article 24 to read, "to see if the voters of East Kingston will authorize the Board of Selectmen to continue reviewing all wage increases."

Second on amendment of Article 24: Kimberley Casey

Vote on Article 24 as amended: **Passed**

Motion to not reconsider Article 24: David Pendell

Seconded: Kimberley Casey

Voted: Passed

25. On the petition of Joseph F. Conroy and 46 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to adjust the hourly wage rates of all non-elected full and part-time employees. To rescind the wages of each employee to their 2006 hourly wage rate and adjust it upward by 3% annually as wage increases for the years 2007, 2008, 2009, and 2010 to determine their new hourly wage rate as of 2010. This is an across the board solution that will correct the pay inequities in East Kingston. It is also a very generous solution considering that employees in surrounding towns have had their wages frozen indefinitely or have been receiving 1% to 1.5% wage increases during this recession, especially in an economy where taxpayers are losing their jobs, struggling to feed their families, keep their homes out of foreclosure or afloat on a fixed income.

Article 25 presented by: Kimberley Casey

Discussion: David Pendell said that back in 2006, the town had a full-time Fire Chief and last year we voted to go to a part-time Fire Chief, with a stipend of \$10,000. He said if we reverted back to the 2006 salary, it would be \$55,000 for a part-time job. He said the research on this warrant article wasn't done. He said it didn't address any of the part-time or full-time wages across the board. He said he went back to 2006 and figured out all of the salaries and that we would save \$65,000 for all the other employees. He said we would have to give the Fire Chief \$55,000 so it would be a net savings of \$10,000. David Pendell said that this article needs to be amended to follow the guidelines of the MRI report.

Daniel Guilmette made a motion to amend Article 25 to read, "to see if the voters of East Kingston will authorize the Board of Selectmen to continue reviewing all salaries."

Second on amendment of Article 25: Kimberley Casey

Vote on Article 25 as amended: **Passed**

Motion to not reconsider Article 25: David Pendell

Seconded: Kimberley Casey

Voted: Passed

26. On the petition of Joseph F. Conroy and 47 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to authorize the Tax Collector to allow a 1.5% deduction from Property Tax when payment is made within 30 days of billing.

Article 26 presented by: David Pendell

Discussion: David Pendell said that the problem they have with this is in order to give back money, they have to raise more money. He said they would have to raise your property taxes in order to give it back to you. He said approximately 85% of the taxpayers, at year-end, paid their taxes within 30 days. He said it is the 15% of the people that are unable to do this, and they are already paying 1% per month on the interest because they are late on their taxes. He said that the town does not have the revenue stream of a lot of businesses in town to raise additional revenue to offset what we would be getting back.

Nancy Reiss said that she was concerned for those voters not in attendance of this meeting. She said they are going to look at all these amendments and disregard them.

The Moderator, Keri Marshall, said unfortunately we no longer have the option to simply say, "to see," which we had in other years. She said that we could no longer eviscerate an article. She said we have to have the spirit and intent of the warrant article.

Peter Gilligan compared town meetings in another state and said the petitioner of the article that they wanted to come before the body, had to sign. He said the person who thought of, developed, got the people together to sign, was the sponsor of that article and you would know who was responsible for this.

Matthew Dworman said that the author of these warrant articles attended almost all of the Board of Selectmen meetings over the last six months. He said she was very outspoken, but legally a citizen's petition has to be read by us and presented.

Ted Lloyd said that he appreciated the work that went into handling this massive influx of frivolous warrant articles. He said that Peter Gilligan mentioned tonight that he thought the person who wrote these was trying to micromanage. He said that he thought this person was trying to disrupt the town meeting process.

David Pendell said that these 18 warrant articles were dropped off at the town offices 20 minutes before the close of business on the last day to submit petitions. He said in order to get it ready for our Monday meeting, the girls in the office had to spend 2 1/2 hours trying to type these up and get them ready. He said he wasn't speaking out against the process but he would hope in the future that this gets around.

Matthew Dworman said that one or two people wrote all of these articles but as you can see each one was signed by 40, 42, or 45 people. He asked that people read things before you sign them.

Kimberley Casey made a motion to amend Article 26 to read, "to see if the town will vote to allow a 0% deduction from property tax when payment is made within 30 days of billing.

Second on amendment of Article 26: David Pendell

Vote on amendment of Article 26: **Passed**

Motion to not reconsider Article 26: David Pendell

Seconded: Kimberley Casey

Voted: Passed

27. On the petition of Joseph F. Conroy and 48 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to direct the selectmen to stop using public funds in any way, shape, or form to give bonuses to town employees. Any money that has been budgeted in

2011 for this purpose is to be returned to the general fund and to be reimbursed to the taxpayers. Other towns don't give bonuses, and neither should we.

Article 27 presented by: Matthew Dworman

Discussion: David Pendell said that in the past, every year, the town has given a Christmas bonus to its employees. He said the subject came up this year as it has been a hard year and the Board of Selectmen debated for a couple of hours and they voted to do it for this past Christmas and not to do it in the future. He said there were 19 employees and the total amount issued to 19 employees was \$6,000.

David Pendell said that the Board of Selectmen have decided not to do the bonuses for this year but in March there are two seats up. He said that when Christmas comes around this year, the Board could vote to give the bonuses. He said that they control the budget. He said that this article was advisory and not matter what we vote to do, the Selectmen have the ultimate decision.

Winifred Jarvis said that this has caused a lot of distention here and she would like to suggest leaving the article as it is.

Nancy Reiss said she would take out the part that said, "other towns don't give bonuses."

David Pendell made a motion to amend Article 27 to read, "to see if the Town will vote to advise the Board of Selectmen to discontinue the practice of providing bonuses to town employees in the year 2011."

Second on amendment of Article 27: Kimberley Casey

Vote on amendment of Article 27: **Passed**

Motion to not reconsider Article 27: David Pendell

Seconded: Kimberley Casey

Voted: Passed

28. On the petition of Joseph F. Conroy and 34 other registered voters in East Kingston, shall the Town of East Kingston vote to see if the voters of East Kingston, NH will vote to raise and appropriate the sum of \$6,000 and disburse it in a timely manner in one lump-sum to Barbara Clark who for the last 15 yrs has been our Tax Collector and Town Clerk. The purpose of this one-time appropriation is to give the voters of East Kingston, an opportunity to help make right an injustice we can only imagine she has endured for many years. While ALL the other full-time and some part-time employees, including her assistant, received annual bonuses with notes of appreciation, she received nothing. (The Selectmen can't fix this because only the voters can give an elected official more money.)

Article 28 presented by: Kimberley Casey

Discussion: David Pendell said that Barbara Clark had nothing to do with this warrant article.

Kimberley Casey suggested the following amendment, "to see if the town will vote not to provide a bonus to the tax collector/town clerk or any other employee."

David Pendell suggested the following amendment, "to see if the town will vote to provide Barbara Clark, the Tax collector/Town clerk with an appreciation of thanks in a form other than a bonus."

Amy Robbins asked why she couldn't get the 1.5% that everyone else got.

David Pendell said that none of the elected officials got bonuses. He said that Barbara has the distinction of being the highest paid elected official in town.

Barbara Cote said that this doesn't sound like it is legal. David Pendell said that 34 voters supported it. David Pendell said that it would be binding because they did put raise and appropriate.

Mark Cook suggested the following amendment, "to see if the town will vote to raise and appropriate the sum of \$0.00 and disburse it in a timely manner in one lump-sum to Barbara Clark."

Ted Day said the intent of this is obviously to give Barbara a \$6,000 increase to her salary, a one-time increase. He said that she has always been there and there has been 15 years of no bonuses. He said that it seems to him that she is worth every dime in this town.

Barbara Williams asked why we can't give her the 1.5% that we gave the other employees.

Ted Day said that it is already in the budget since you were cutting people's salaries because they are over and above what other towns are.

David Pendell said we aren't in charge of Barbara's salary. He said she is an elected official and the Salary Review Committee sets her salary.

Richard Pother made a motion to amend Article 28 to read, "to see if the voters of East Kingston, NH will vote to raise and appropriate the sum of \$600.00 and disburse it in a timely manner in one lump-sum to Barbara Clark who for the last 15 years has been our Tax Collector and Town Clerk."

Second on amendment of Article 28: Ted Day

Vote on amendment of Article 28: **Passed**

Motion to not reconsider Article 28: David Pendell

Seconded: Kimberley Casey

Voted: Passed

Stacy Penna asked us to look at the gym floor. She said it was 21 years old and you will see buckles and parts of it coming up. She said on the school board ballot, they have an article to raise \$25,000 to pay for half of what it would cost and the other half would be from the Sargent Trust they received. She said the community and students use this.

Ted Lloyd reminded everyone of the Meet the Candidates Night at the Library for everyone that is on the ballot. He said it will be held a week from tomorrow, 02/16/11, at 7:00PM.

A question was asked if this process for next year could be stopped. David Pendell said the answer to that is no. He said anybody who gets 25 signatures could submit a citizen's petition that says anything they want it to.

Motion to adjourn: Philip Marshall
Seconded: Ted Day

Meeting adjourned at 10:22PM
Respectfully submitted,

Barbara A. Clark, Town Clerk

*The following Articles were amended at the Deliberative Session: Article 8, Article 11, Article 12, Article 13, Article 14, Article 15, Article 16, Article 17, Article 18, Article 19, Article 20, Article 21, Article 22, Article 23, Article 24, Article 25, Article 26, Article 27, and Article 28

Motion to adjourn: Philip Marshall
Seconded: Ted Day

Meeting adjourned at 10:22PM

Respectfully submitted,

Barbara A. Clark, Town Clerk

