

**TOWN OF EAST KINGSTON, NH  
SELECTMEN'S PUBLIC MEETING MINUTES  
MONDAY, AUGUST 4, 2008**

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

Others Attending: Elizabeth Pruss, Amy Robbins, Nancy Parker, Ed Warren, R. Scott Urwick & Austin Carter.

Selectman Poelaert called this Selectmen's Public Meeting to order at 6:30PM.

**MINUTES:** The Board reviewed the Selectmen's Public and Non-Public meeting minutes A & B, dated July 21, 2008. Mr. Pendell **MOTIONED** to approve and sign the public meeting minutes as written. Mr. Poelaert seconded. Motion carried 2-0.

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

**REGISTER:** The Board viewed the check register. Mr. Pendell **MOTIONED** to approve and sign the check register dated 7/23/08 – 8/8/08 in the amount of \$57,682.80. Mr. Poelaert seconded. Motion carried 2-0.

**BUDGET:** The Board reviewed the 2008 budget expenditures, to date.

**LEGAL:** The Board acknowledged that of the \$50,000 budgeted for legal expenses, \$37,925 has been expended, to date.

The Board also reviewed and acknowledged correspondence dated July 22, 2008 from Town Counsel, along with the final document filed with Superior Court, which closes the case of Mazur v. Town of East Kingston.

**FIRE DEPT.:** The Board acknowledged receipt of copies of the May and June gas logs for the Fire Department.

**DIFE0:** It was noted that Difeo Oil sent a technician out to provide estimates for shutting down the heating systems at the Town Hall and the Railroad Depot Building for the winter months in an effort to conserve oil. Difeo will mail the estimates to the Selectmen's Office as soon as possible.

**CLARK ROAD:** It was noted that with the recent heavy rains, a resident of Burnt Swamp Road has provided a CD containing photographs of damage to his property from water back up and silt from the ongoing construction at East Kingston Estates.

The Board received copies of the report from the Town Engineer, Jay Stephens, and his recommendations for the contractor. Copies of the report were also provided to the Conservation Commission Chairman, Road Agent, Planning Board, Code Enforcement Officer, and the Fire Chief.

Mr. Pendell inquired as to how to enforce the recommendations of the Town Engineer. Mr. Poelaert offered that the owner of the development has been very vocal about the recent torrential rains, and that he is trying to do his best to maintain the fire pond. It was noted that fresh grass seed was planted in order to help with the problem of washout and silt for the new homes built, and the rain washed it all away.

The administrative assistant offered that the Town Engineer, the Conservation Commission Chairman, Code Enforcement Officer, Fire Chief, Planning Board, Road Agent, and the Department of Environmental Services are currently working on a resolution to the situation, in conjunction with the developer.

**BAN NOTE:** The Board noted that correspondence dated July 31, 2008 received from Bond Counsel, Devine & Millimet, approved a Bond Anticipation Note (BAN) in the amount of \$950,000.

**ELECTION:** The Board received information for a clearance sale on double election booths at Merrimack Valley Wood Products for their review. It was noted that this information will be followed-up on with Chairman Caron, as he was involved with price quotes received from another company.

**CALENDAR:** 08/08 – Bi- Weekly Payroll, 08/14 – Accounts Payable Processing, Bills Due.

**LIBRARY TRUSTEES:** Mr. Pendell questioned Amy Robbins and Elizabeth Pruss about the rate the Library Trustees used for mileage reimbursement. They responded that they use the current rate of mileage set by the IRS and the Town of East Kingston, which is currently 58.5¢ a mile.

**POUND SCHOOL:** The Board addressed the “action list” for the Pound School building, which consists of 22+ items to be addressed. Mr. Poelaert opened discussion from Item #1, and Mr. Pendell stated that he was unable to attain the lighting fixtures previously discussed, and requests a quote from Eric Thompson of Thompson Electric for the Board’s review.

Mr. Poelaert added that the light illuminating the flag should be placed on an automatic switch, and Mr. Pendell agreed.

Mr. Pendell stated he had information regarding new air conditioning wall units, and Mr. Poelaert responded that the current air conditioners in place should work now that they had been uncovered. Ms. Pruss added there might be a problem with one of them, as it is very noisy, and Mr. Pendell agreed.

Mr. Poelaert inquired if the proposed new air conditioning units were the same as the units recently installed in the Town Offices building, and Mr. Pendell responded yes, and added they would cost \$1,300 per unit, including the condensers, tubing, and pads.

Mr. Poelart asked if they would be 4’ units, and Mr. Pendell responded that yes, they would be.

Ms. Parker interjected that the Friends of the Library asked the Selectmen not to remove certain shelving at the Pound School building, and when it was noticed the shelving was missing, she asked the Fire Chief if he knew anything about it. The Fire Chief said he did not know about the shelving. Ms. Parker added she then thought the shelving may have been stolen and almost reported it to the Police.

Ms. Pruss added the shelving was in the dumpster, she removed them from the dumpster, and they disappeared again.

Ms. Parker added the shelves had items on them, and they had planned to use them for display purposes.

Mr. Poelaert reminded Ms. Parker that the Pound School building is a Town owned building, and it is no longer a library.

Ms. Pruss stated that Chairman Caron asked them if they wanted the shelving to remain, and they responded yes. Mr. Poelaert responded that they had spoken to Chairman Caron, not him, and added they had to throw out 3 computer monitors, etc., which were left in the building when the new library was opened. He added that there were also many books left behind.

Ms. Pruss added that books were never to be thrown out, and they were not notified of a dumpster coming. She added that they were to be the first group to use the Pound School building. She also stated that they were not trying to leave junk behind, and added the books belong to the library, not the Town.

Mr. Poelaert stated that the library has been out of the building now for many months, and that by today, August 4<sup>th</sup>; everything belonging to the library should be out. He added they filled half of a dumpster with items that had to be thrown away, that were left behind by the library. Ms. Pruss reiterated that it was her belief they were to be the first in the building, and therefore, items were left behind.

Mr. Poelaert offered an analogy to moving out of an apartment, and that you had to take all your possessions with you when you moved out, and could not return months later to claim what had been left behind, to which Ms. Pruss took exception. She stated she alerted Ms. Gallant of the Selectmen's Office of her opening date over a month ago, and her items should have been ok to leave.

Mr. Poelaert stated everything in the former library building belonged to the library, and the building should have been completely cleared out by now.

Mr. Pendell stated that he and Tracy Waldron cleaned out the building one Sunday, and that Tracy was trying to get rid of certain items. He added that he told her to leave certain items behind for proper disposal. He added also that a table was left behind, as it was not needed at the new library building.

Everyone agreed that the removal of the center shelving was necessary to make the space better. Mr. Pendell added he and Chairman Caron had a discussion about better communications, and that they had discussed the removal of shelving, not renovations to the building. He added the building had been cleaned, but there were still mouse droppings under the sink and dust on the ceiling fan.

Mr. Pendell stated that he would "take the hit for this one," as he helped Tracy clean out the building, and did not follow up on items with her. He added it was his understanding that Sue St. Martin from the Historical Committee had stepped back from this project, and the new contact person is Peter Gilligan. Ms. Pruss responded she would speak to Mr. Gilligan.

To Ms. Parker's inquiry about the books left behind in the building, Mr. Poelaert responded all books were neatly stacked in a wooden cubby in the building.

Ms. Pruss inquired about items left in the shed located at the Pound School building, and Mr. Pendell stated the carpet was not large enough for the Fire Department's use, and he has contacted a rep. of his company about acquiring carpet tiles, which will be better for "sooty boots."

Mr. Poelaert inquired as to when the shed would be moved, and Mr. Pendell stated Tracy had received a price of \$600 to have the shed moved. He added he had explored several other options, and Al's towing could move it for \$200, to which Mr. Warren added that Al's would use a flat bed truck. Mr. Poelaert agreed that \$200 is a fair price. Mr. Pendell stated this project is in "his court."

Mr. Pendell offered that Tracy wished to preserve every single book, and Ms. Pruss added they also valued an old library register. Mr. Poelaert stated the library register is still in the building.

Mr. Poelaert inquired as to their opening date, and Ms. Pruss responded August 15<sup>th</sup>, and reiterated Ms. Gallant was informed of this date over a month ago.

Ms. Pruss requested one more key to the building for their use, and was informed that would be fine. She inquired about a telephone for the building, and Ms. Robbins added there should be a "land line" in place in case of a power outage. Mr. Poelaert responded the office would arrange for a local phone line hook-up, and a new wall mounted telephone, and suggested in the case of a power outage that people go home. Ms. Robbins agreed.

Ms. Pruss inquired about the closet space allotted to the Friends of the Library, and asked if it would be ok to purchase a padlock for it. Mr. Poelaert agreed that would be fine, and added they were going to trim the pipes in the closet back to be certain to protect their books from water damage.

Mr. Poelaert asked again when the Friends of the Library were planning to take possession of the space, and Ms. Pruss responded that books were already shelved. Mr. Poelaert added they would try to provide a door with a lock, and a key to it.

Mr. Poelaert reiterated the office will call Fairpoint Communications to arrange for local service, and order a wall-mounted phone. He inquired if there was anything else to be discussed.

Mr. Poelaert offered the total cost for blowing insulation into the attic to improve energy efficiency would be approximately \$250. Mr. Pendell added they should look at the flashing on the building, as when it rains from the east, the building leaks. He added the Historical Committee's storage space in the cabinet under the chimney is the worst place, and Mr. Poelaert agreed they will address the leak. Ms. Pruss agreed to contact Peter Gilligan about this issue.

Mr. Poelaert added there is plenty of space to accommodate everyone, and that they have come a long way, and apologizes for any misunderstandings along the way.

Mr. Pendell stated that tables and chairs needed to be obtained, and the fire alarm system should be reactivated. Ms. Hurteau will contact Pulsar tomorrow to arrange for the reactivation.

In reference to the white metal book deposit box, Ms. Parker suggested it be left in place for book donations, and Mr. Poelaert agreed with Ms. Pruss and Ms. Robbins that it would then have to be emptied on a regular basis. Mr. Poelaert suggested Tracy Waldron try to donate it to another library that could put it to good use, and everyone agreed.

Mr. Poelaert suggested that the Friends of the Library check the Pound School building on August 12<sup>th</sup> to confirm all issues have been addressed to their satisfaction. He added if they need anything else at that time, they should contact him or Ms. Hurteau, and we will take care of it.

Mr. Pendell inquired if he should go ahead and order the air conditioning unit, and Mr. Poelaert suggested first checking with Ms. Gallant to be sure the money is available in the budget.

Mr. Poelaert inquired about the question of the Friends of the Library being unable to book an appointment on the Selectmen's agenda for this evening's meeting. Discussion ensued, and all finally chalked up the matter to a miscommunication.

At 7:35PM, Ms. Pruss, Ms. Robbins, and Ms. Parker left the meeting.

**FIRE STATION:** Mr. Pendell stated that he and Chairman Caron had discussed possibly acquiring new air conditioning units for the rooms located on the top floor of the Fire Station. He added he had a price of \$4,444 to place one unit in the big room, one unit in the middle room, and one unit in the Officer's room, plus a heat pump, if needed.

Mr. Poelaert stated that this is the first he has heard about this, and reiterated that they must check with Ms. Gallant to see if there is money for such expenditures in the budget.

Mr. Poelaert clarified that there is a 5-zone heating system in place.

Mr. Pendell stated new baseboard units should be installed before someone cuts himself or herself on a fin.

Mr. Carter offered that with the original design of the heating system, they could never control the heat upstairs. He suggests looking at the zone system.

Mr. Poelaert suggested they needed to fix the system in place. Mr. Pendell stated with the new air conditioning units, they could get rid of the air conditioners currently in place.

Mr. Pendell inquired if the heating system in place is new, to which Mr. Carter responded, yes, it was replaced within the last few years.

Mr. Pendell suggested adding a shower for the firefighters, and Mr. Poelaert added it would be a unisex shower.

Mr. Carter stated that the Selectmen are doing a lot of planning, and don't they think they should involve the Fire Association in the loop, since it is their building?

Mr. Poelaert stated that he didn't know anything about this until five minutes ago.

Mr. Carter responded that the Fire Association should be in the loop, and it sounds like you do what you want to without telling the Fire Association.

Mr. Poelaert offered that he did not know who wrote the original lease, but the lease clearly states the Town is responsible for repairs and upkeep of the building, and Mr. Carter suggested they "not go there." He reiterated they had a mutual agreement to leave that subject alone, and Mr. Poelaert agreed.

Mr. Carter added they were talking about major renovations without the input of the Fire Association, and Mr. Poelaert responded the lease was written in a "crazy" way, and it is the responsibility of the Town to pay for repairs and renovations and then leave it all there after the Town's 99-year lease is up.

Mr. Carter repeated that the Fire Association and the Selectmen has a mutual understanding that before a major repair or renovation is planned, the Selectmen would let the Fire Association know, and Mr. Poelaert agreed.

Mr. Pendell stated they would like to paint the officer's room that Fire Chief Richard is using, and Mr. Carter responded the Fire Association was also planning on painting that very room. Mr. Carter added that at the Fire Association's last meeting, there was not a representative present from the Fire Department, and it would help communications if the Fire Department sent a representative to their meetings.

Mr. Poelaert asked Mr. Carter if it would be ok for the Town to fix the problem with the current heating system, to which Mr. Carter responded that he is only one member of the Fire Association and cannot make independent decisions. Mr. Poelaert agreed that he knew the Fire Association just wants to be a part of the process. Mr. Carter stated it appears that the Selectmen think they can do whatever they want, and he does not want to pay a lawyer to decipher the lease.

Mr. Carter stated the Fire Association wishes to use the upstairs kitchen & hall, and the Fire Department is also welcome to use them.

Mr. Poelaert stated that the Selectmen are willing to pay for anything needed to keep the building in good repair, and Mr. Pendell agreed.

Mr. Warren suggested the Board simply send a letter to the Fire Association with their intentions and suggestions, and Mr. Carter added to please just let the Fire Association know what's going on.

Mr. Carter used the example of needing an exchange of communication as the Fire Association is already looking at changing the downstairs windows. Mr. Poelaert agreed more energy efficient windows are needed.

Mr. Carter, once again, reiterated the Fire Association just wants to be kept in the loop, to just let them know. He added they already have new thermo-pane windows in the recently built addition. Mr. Pendell stated he would check with Chairman Caron and ask him to contact Julie Urwick, President of the Fire Association, and work together on this project.

Mr. Carter offered they should price replacement windows vs. using a carpenter to install new windows that differ in size, and Mr. Poelaert agreed and asked Mr. Carter if he would be available Friday, August 8<sup>th</sup>, to meet at the Fire Station and talk about it, to which he responded he would be available.

Mr. Pendell stated that they were talking about energy efficiency, and there is no reason they should not be able to install the new air conditioning system.

Mr. Carter offered that the Officer's room, is 16' x 20', the kitchen is 16' x 20', and the meeting room is 30' x 30'.

Mr. Poelaert inquired to Mr. Carter if he knew if the ceilings were well insulated, and he indicated he did not know.

Mr. Pendell added they could cut 4" holes in the ceiling, and they could blow-in insulation, and Mr. Poelaert stated it would be similar to what they plan to do with the old Library, and should cost approximately \$300.

At 8:10PM, Scott Urwick joined the meeting. He stated he had no issues; he was downstairs for the Conservation Commission meeting, and thought he'd join the meeting.

**POLICE DEPT.:** The Board reviewed correspondence dated July 28, 2008 regarding Police Chief Simpson's recommendation to hire a new part-time police officer. Mr. Pendell **MOTIONED** to table this matter until more information and a current resume is submitted. Mr. Poelaert seconded and the motion carried 2-0. Mr. Pendell and Mr. Poelaert agreed to readdress this matter at the next Selectmen's meeting, which is scheduled for Monday, August 18, 2008.

Mr. Pendell **MOTIONED** to adjourn this meeting at 8:10PM. Mr. Poelaert seconded. Motion carried 2-0.

Respectfully submitted,

Cheryll A. Hurteau  
Administrative Assistant II

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Robert A. Caron

Richard S. Poelaert

David R. Pendell, Jr.

