

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S MEETING MINUTES
MONDAY, JUNE 22, 2009**

**6:45PM – Sarah Gallant
7:00PM – Norman Brandt**

**Attending: Selectmen Matthew B. Dworman, Richard S. Poelaert and David R. Pendell, Jr.
Others Attending: Sarah Gallant, Matt Gallant, Joanne Dworman, Carol Freeman, Pat Mazur, Keith Bertogli, Joanne Brandt, Norman Brandt, Jack Cashins & Scott Urwick.**

Chairman Dworman called this Selectmen's Public Meeting to order at 6:30PM, taping it.

MINUTES: The Board reviewed the Selectmen's Public Meeting minutes dated 6/8/2009. Mr. Pendell **MOTIONED** to approve and sign the Minutes as written. Chair Dworman seconded. Motion carried 2-0. Mr. Poelaert abstained, as he did not attend the meeting.

REGISTER: The Board reviewed the check register. Mr. Pendell **MOTIONED** to approve and sign the check register dated 6/10-06/17/2009 in the amount of \$588,336.68. Mr. Poelaert seconded. Motion carried 3-0.

HOME OCCUPATION: The Board reviewed the home occupation renewal permits, effective July 1, 2009 – June 30, 2010, noting there have been no changes, and the permit fee of \$50 has been paid for the following:

Keith S. Campbell, AcuBright, 60 North Road, MBL #15-03-12, Permit #05-03
Howard E. George, Lilac Patch Farm, 96 Depot Road, MBL #14-02-13, Permit #94-02
Belinda D. Gindlesperger, Diann's Pampered Pooch, 136 Burnt Swamp Rd, MBL #11-03-01, Permit #89-36
Bruce & Ellyn Olson, The Christian Dove, 165 North Road, MBL #16-02-05, Permit #04-01
Michael A. Paul, Mike Paul & Company, 30 South Road, MBL #14-01-09, Permit #89-32
William F. Sullivan, III, V-8 Shop-NH, 77 Giles Rd., MBL #17-04-03, Permit #05-04
Eric Varney, Seacoast Biker Gear, 58 North Road, MBL #15-03-08, Permit #07-02
Edward G. Warren, Warren's Auto Repair, 31 Main Street, MBL #09-07-12, Permit #92-02
Timothy & Judith Bodwell, Bodwell's Septic Service, LLC, 96 North Rod, MBL #15-03-01, Permit #95-04
Matthew L. Gallant, Bob's Septic Service, 120 Sanborn Rd, MBL #07-03-07, Permit #04-03

Mr. Pendell **MOTIONED** to approve and sign the permits as listed above. Mr. Poelaert seconded. Motion carried 3-0. It was further noted there are only a couple of outstanding renewals at this time.

MS-5: The Board acknowledged receipt of the 2008 audit from Plodzik & Sanderson, along with 3 originals of the MS-5 for signature. Mr. Poelaert **MOTIONED** to approve and sign the three MS-5 forms as completed by the auditors. Mr. Pendell seconded. Motion carried 3-0. The MS-5 is forwarded to DRA.

Mr. Pendell asked for a letter of further explanation from the Auditors regarding the management letter. Ms. Gallant informed him they are referring to the assets with GASB34, and only the larger cities can afford to hire the appropriate people to reflect the depreciation of the Town's assets, regarding Town owned buildings. It is not reflective of the financial budgeting process. Chair Dworman added the auditors have always given the Town great reviews, nothing but praise. Ms. Gallant offered to contact the auditors for a letter of explanation of GASB34.

Ms. Gallant also stated she has provided several policies for the Board to review, as recommended by the auditors. They are aware of the Town's procedures, but have suggested that they be written and adopted by the Board of Selectmen. Chair Dworman suggested reviewing them and addressing any changes at the next meeting.

SPECIAL TOWN MEETING: It was noted the Special Town Meeting vote was held on Tuesday, June 9, 2009 on the warrant article "1. To see if the Town will vote to appoint the Selectmen as agents to expend from the Revaluation Capital Reserve Fund previously established in 1991." The warrant article passed 124-3. The Board of Selectmen are now authorized to withdraw the contract fee of \$43,500 from the Revaluation Capital Reserve Fund to cover the cost of the revaluation, required by state statute, to be conducted in 2009.

Ms. Gallant reported the cost, in accordance with SB-2, to conduct the Deliberative First Session and the Vote (Second Session) totaled approximately \$3,000, including payroll, advertising, ballots, food, mailing postage, and supplies, etc. In response to Mr. Pendell, she stated there were no legal fees, because they chose the route not to go to superior court.

LIEN: The June lien the Town Clerk/Tax Collector submitted is in the amount of approx. \$123,000, for 2008, noting in 2007 it was \$144,000.

SOLID WASTE: It was acknowledged the notice for bids was published for a Solid Waste contract and all proposals must be in by Friday, 6/26/09.

POUND SCHOOL: The deed has been written and is on the 7/06/09 agenda for the EK School Board to approve and sign, eliminating the restrictive language for the ownership of the building to the Town from the school district, as approved by a vote on the 2009 warrants by the Town and the school district.

POWWOW POND: The Board was informed the Powwow Pond Council has received the required state permits to treat the weeds on the East Kingston portion of the pond and are scheduled to do so on Tuesday, June 30th. They are seeking approval to launch the boat off of Indian Road, from either the Dunn property or Town property. It was noted the boat, with a propeller, will not be able to go under the railroad bed truss, therefore, the boat can not be launched from the Town boat ramp, nor the Kingston side.

COMPLAINT: The Board acknowledged receipt of a letter of complaint dated 6/17/09 from J. Ostopchuk. It was noted the letter has been forwarded to the Police Dept., and the Police Chief is letting the court handle it, due to the circumstances.

ROAD AGENT: Ms. D. Gallant reported the Road Agent has agreed to meet with Jones & Beach Engineers and Ursula Gilstrap next week to discuss her complaint with the water run off when it rains at her property located on South Road.

Mr. M. Gallant stated there is no existing culvert, South Road has been worked on several times, and is now higher than her driveway. The driveway is not level with the road. There is no money in the budget to fix it this year. He estimated the cost to be \$5,000. Chair Dworman asked Road Agent Matt Gallant to let the Board of Selectmen know what comes of the meeting. He agreed to do so.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 6:45PM 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 and determined the divulgence of the information would render the proposed action ineffective and the information will be withheld from the public during the public meeting Minutes of June 22, 2009. The results of the poll were: Matthew B. Dworman - Yes, Richard S. Poelaert – Yes & David R. Pendell, Jr. – Yes.

Chairman Dworman **MOTIONED** to adjourn this Selectmen's Non public meeting at 8:15PM. Mr. Poelaert seconded. Motion carried 3-0.

Norman Brandt, Joanne Brandt, Carol Freeman, Pat Mazur, Scott Urwick and Jack Cashins returned to the meeting.

GRANGE: Joanne Brandt & Norman Brandt met with the Board members to invite them personally to the Wingold Grange's Celebration on Sat., June 27th at the Town Hall. Chair Dworman stated he will be unable to attend, Mr. Poelaert stated he will try, and Mr. Pendell stated he will try if camping gets cancelled, noting the event will be held 1-4PM. Mr. Brandt noted there will be a presentation to the Board of Selectmen, and they would like at least one member to attend personally.

Norman Brandt stated a second reason for the meeting with them tonight was to let them know there was a problem with a kitchen faucet just before the Ham & Bean Supper held last Saturday. It was noted the other faucet has been recently replaced and now the second one has. The Grange has donated the time and cost of the repair. The Board members thanked him.

Norman Brandt added also during the Ham & Bean Supper, they saw septage by the telephone pole located behind the Town Hall. It was noted the new utility pole was erected for lighting the new salt shed area.

Mr. Scott Urwick, as Health Officer, agreed to contact former Road Agent Bob Rossi to locate the septic tank. Mrs. Mazur stated Adam Mazur may also be aware of where it is.

Mr. Scott Urwick stated there is a dye you can flush to see where the problem is. Mr. Poelaert offered to get one for him.

Mr. Urwick stated the Board members are also aware of another septic issue in Town, and they agreed they did.

Chair Dworman expressed appreciation for replacing the faucet, letting the Board know, and for waiting to meet with the Board (since the first appointment went past his appointment at 7:00PM).

Norman Brandt stated they found the issue at 3:30PM, he put a bandaid on it at 4:15PM, and the supper was at 4:45PM.

Scott Urwick agreed to contact Bob Rossi or Matt Gallant to inspect the site at the town hall to determine if there is any problem.

At 8:25PM, the Brandts' thanked the Board and left the meeting.

CALENDAR: 6/24 Last day of school, 6/25 accounts payable and payroll processing, 6/26 Solid Waste Bids due, 6/30 Home occupation renewals due, 7/2 1st billing of property taxes due, 7/3 4th of July holiday observed, offices closed, and 7/6 Selectmen's meeting.

LIBRARY BOND: Mr. Pendell informed the Board members, at the Library Trustee meeting, they voted to purchase a sign and possibly do some work on the patio, and then they will be ready to close out the Library bond. He added the sign will be 8-10 weeks out, and they will not be meeting in July or August, so they will meet next on 9/16/2009.

CASHINS: Mr. Jack Cashins stated residents have petitioned to access the Powwow Pond to treat the weeds. They are looking to put a boat in at the Dunn's property first thing Tues. June 30th. Scott Urwick stated he has spoken with Matt Gallant (Road Agent) about the Town owned parcel located nearby. He further noted he thinks the abutters are encroaching on it. Scott Urwick also offered to contact Dan Dunn to explain the situation with him.

It was further noted that flyers had been distributed to not drink the water or swim prior to 6/30 for the treatment.

It was again noted the boat cannot go under the railroad truss; it is too big. Mr. Urwick added the residents have paid for this out of their own pockets; the conservation commission did not give any money towards the project. They agreed that at Town Meetings in the past, they have presented to the residents the land use change tax is used to purchase conservation easements and they didn't think it was fair, at this time, to spend it on the pond. They felt (the conservation commission) residents would be upset if used for other than easements. He & the Selectmen agreed the law does provide for them to spend the funds for other purposes.

Scott Urwick stated the Conservation Commission at Town Meetings state the money is used to retain open space, and it has been represented at Town Meeting that way to the residents. He did further state that they may propose a warrant article next year to use funds to clean up the weeds. He further noted the cost to do the East Kingston side is about \$12,000. Mr. Pendell stated he thought the conservation fund currently has approximately \$74,000.

Mr. Cashins stated the Kingston residents pay a view tax for living on the lake, and they are choked-off by the weeds.

The Board of Selectmen thanked him for coming in.

TAPE: The Board members discussed purchasing a tape recorder for the Town, noting it could hold 56 hours of storage, and then could be put on a zip drive. Mr. Pendell **MOTIONED** to approve the purchase of a microphone and tape recorder for up to \$200 at Best Buy by Dick. Chair Dworman seconded. Motion carried 3-0.

COMCAST: Mr. Pendell informed the Board members he had sent the itemized list of equipment numbers to Comcast.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's Public Meeting at 8:40PM. Chair Dworman seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant, Administrative Assistant

Matthew B. Dworman

Richard S. Poelaert

David R. Pendell, Jr.