

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
TUESDAY, OCTOBER 13, 2009**

**6:45pm – Road Agent
7:00PM – Police Dept.
7:15PM – Planning Board, ZBA, Historical Committee
Conservation Committee
7:45PM – Solid Waste & Recycling Committee**

**Attending: Selectmen Matthew B. Dworman, Richard S. Poelaert & David R. Pendell, Jr.
Others Attending: Road Agent Matt Gallant, Police Chief Reid Simpson, Ed Warren, Teresa Pendell,
Dan Guilmette & Duncan MacLeod.**

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

MINUTES: The Board reviewed the Selectmen's public & nonpublic meeting minutes dated 9/28/09. Mr. Pendell **MOTIONED** to approve and sign the public meeting minutes as presented. Mr. Poelaert seconded. Motion carried 3-0.

Mr. Pendell **MOTIONED** to approve and sign the non-public meeting minutes B-C-D as presented. Mr. Poelaert seconded. Motion carried 3-0. (A will be addressed at end of meeting).

REGISTER: The Board reviewed the check register dated 10/01-10/09/09 in the amount of \$39,260.11. Mr. Poelaert **MOTIONED** to approve and sign the register as presented. Mr. Pendell seconded. Motion carried 3-0.

BUDGET: The Board acknowledged receipt of the 3rd quarter budget report, reflecting 76% revenues received, and 66% appropriations expended. It was noted the 4th quarter will include expenditures for heating costs and snow plowing.

LIBRARY: It was noted after paying the remaining balance due for the new sign at the Library; there will be a remaining unexpended balance from the \$467,500 bond of \$2,160.07. Chairman Dworman asked David Pendell (Library Trustee alternate) if they were planning to close the bond soon, and Mr. Pendell responded, yes, they plan to by the end of the year.

PLANNING BOARD: The Board acknowledged receipt of the Planning Board meeting minutes dated 10/01/09, along with the Notices of Decision for their review.

CONSERVATION EASEMENTS: It was noted the Town's tax mapper will produce a page that will reflect the conservation easements in Town.

CALENDAR: 10/15 Planning Board meeting, 10/19 White Goods Pick Up day, 10/26 Selectmen's Meeting, 10/29 accounts payable and payroll processing, 10/30 Trick or Treat 5-7PM, and 10/31 daylight savings time ends, set clocks back one hour. The PB & ZBA have been provided with the zoning amendment calendar.

BUDGETS: The Board reviewed proposed 2010 budgets:

PLANNING BOARD: It was noted the 2009 default Planning Board budget was \$38,000, and the 2010 proposed budget is at \$34,000, per recommendation of the Planning Board Chairman David Sullivan.

Mr. Dworman **MOTIONED** to approve the budget at \$34,000. Mr. Poelaert seconded. Motion carried 3-0.

ZBA: It was noted the 2009 default ZBA budget was \$2,000, and the 2010 proposed is at \$2,000, per the recommendation of the ZBA Chairman John Daly.

Mr. Poelaert **MOTIONED** to approve the 2010 budget at \$2,000. Mr. Pendell seconded. Motion carried 3-0.

HISTORICAL COMMITTEE: It was noted the 2009 default Historical Committee budget was zero, and the budget was set at \$300, therefore, the 2010 request is at \$300, per the recommendation of the Historical Committee Chair, Sue St. Martin.

Mr. Pendell **MOTIONED** to approve the 2010 budget at \$300. Mr. Poelaert seconded. Motion carried 3-0.

CONSERVATION COMMISSION: It was noted the 2009 default budget for the Conservation Commission was set at \$650, and the 2010 proposed budget, as recommended by the Chairman Dennis Quintal, is \$650.

Mr. Pendell **MOTIONED** to approve the 2010 budget at \$650. Mr. Poelaert seconded. Motion carried 3-0.

ROAD AGENT: Matt Gallant (Road Agent) was present, and it was noted the 2009 Road Agent default budget was at \$315,800, and the proposed 2010 budget is at \$315,000. Chairman Dworman noted the Road Agent budget has the unknown factor of how much snow plowing will be needed, therefore, suggested a bottom line of \$315,800. After discussion, the Board members agreed to add \$1,000 to the snow & ice line item, reflecting a bottom line of \$316,000.

Mr. Poelaert **MOTIONED** to approve the 2010 Road Agent budget at \$316,000. Mr. Pendell seconded. Motion carried 3-0.

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 & determined the divulgence of the information would render the proposed action ineffective & the information will be withheld from the public during the public meeting Minutes of October 13, 2009. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert–Yes, & David R. Pendell, Jr. - Yes.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen’s non-public meeting at 7:00PM. Mr. Pendell seconded. Motion carried 3-0.

Police Chief Reid Simpson, Dan Guilmette, Duncan MacLeod, and Teresa Pendell returned to the meeting.

POLICE DEPT.: Police Chief Reid Simpson met with the Board at 7:03PM and presented the police dept. budget. The 2009 default budget was set at \$296,500, & the proposed 2010 is at \$312,500, reflecting an increase of \$16,000 to cover increased costs.

The Board members acknowledged the increases are in salaries for the department, and not the operating costs. The Board members thanked the Police Chief for finding decreases in the operating costs.

Chair Dworman noted the payroll increases were above the recommended 3%, and Police Chief acknowledged they were higher, but the numbers are based on comparable rates of surrounding towns. In response to which towns, the Chief responded Kensington, South Hampton, Newton, Candia, Danville, North Hampton, Hampton Falls, Newfields, and others.

Mr. Poelaert inquired if he could live with a 3% increase. Chief responded, it is up to the Board of Selectmen. He is not here to argue.

Chairman Dworman inquired about the special detail rate. Currently it is at \$35, and the Chief is recommending an increase to \$38 per hour. He further noted the volume is down this year, and the Town is reimbursed from the contractor.

Mr. Poelaert suggested revising the salary line items to 3% increases, and keeping the secretary at the current 1560 hours, it would reduce the bottom line to about \$300,000.

In response to the Secretary position, the Chief stated she answers the phone, helps the officers, and the public who go to the station. He was trying to increase her hours, but to keep her under the full time status without the benefit package.

Chair Dworman recommended keeping the salaries to a 3% increase across the board, approve additional hours for the secretary, and bump the Special Detail rate from \$35 to \$40 per hour.

Mr. Poelaert added, it is not a good year for more than a 3% increase, and Chief Simpson stated he is okay with it.

When asked if the Chief could get by with the Secretary at 30 hours per week, he responded, yes, we can get by, but wanted to give the Town a little better service.

Mr. Pendell mentioned splitting hours between the police dept. and the fire dept., and he was informed that if she worked more than 35 hours per week, she would qualify for full time status and could not be kept at part-time status.

The Board members agreed to increase the secretary position from 30 to 32 hours per week, 3% rate increases, and \$40 per hour for the special detail rate.

Mr. Poelaert figured the bottom line would be about \$302,000, or so. They agreed to have the Adm. Asst. verify the final numbers.

Mr. Pendell **MOTIONED** to approve the Police Dept. budget, as discussed, with a bottom line of about \$302,000. Mr. Poelaert seconded. Motion carried 3-0.

It was also noted at \$40 per hour, and reducing the hours to 1,400 = \$56,000, for the special detail line item.

Police Chief Simpson added, currently the vehicle rate is \$8.00, and the Administrative cost rate is \$8.00. He recommended both be increased to \$10.00 per hour.

The Board members inquired about a special revolving fund for the police department similar to the Recreation Committee, or the possibility of establishing a capital reserve fund for acquiring police vehicles with the Board of Selectmen as agents.

Mr. Pendell **MOTIONED** to increase the Police Special Detail rate effective 1/1/2010 to \$40.00, the administrative costs to \$10.00, and vehicle cost to \$10.00, for a total of \$60.00. Mr. Poelaert seconded. Motion carried 3-0. (It is currently at \$35, \$8 + \$8 = \$51).

Chairman Dworman mentioned the town ordinances, and suggested a work session to reduce the volume of the packet with the Chief.

As far as warrant articles for the 2010 ballot, the Chief is recommending a warrant article for a new cruiser to replace the 2001 at \$26,000 with a 3-year lease purchase. If passed, the 2nd & 3rd year payments would be part of the budget.

Also, he is recommending another full time officer at a cost of \$57,000 including benefits. Chair Dworman stated he was not even going to talk about that. Chief Simpson stated, to date, they have not responded to 256 calls during the night shift that the state police have covered. It was suggested to change the hours of coverage.

It was noted it would be nice to have 24/7 coverage, but they are not in favor of an additional full time officer. Mr. Pendell added he was the one who asked Reid to figure out the numbers, and now we know the number.

It was noted it would be a separate warrant article, but the Board members did not decide whether or not they want to put it on the ballot for the voters to decide or not, at this time. In response to Teresa Pendell, the Chief noted it would probably be the most qualified part time officer who would fill the full time position if the warrant article passed. They further noted the department currently has 4 full time and 5 part time officers.

The Board asked the Adm. Asst. to write the warrant article, and they will look at.

Police Chief Simpson thanked the Board and left the meeting at 7:55PM.

SOLID WASTE COMMITTEE: Duncan MacLeod, Dan Guilmette and Teresa Pendell met with the Board to discuss the bids received for solid waste & recycling, as our current contract with Waste Management expires 12/31/2009.

Mr. MacLeod stated they met last night, but are not ready with a completed contract. It was noted they are looking at Waste Management with increasing the recycling barrel to 96 gallon, and the solid waste to a 64 gallon barrel. The recycling would continue to be every other week.

Mr. Poelaert inquired about the cost to do recycling every week. He also asked what other towns are currently using this program. Mr. Guilmette offered to find out for him.

It was noted all plastic bags are NOT recyclable. Mr. Poelaert suggested trying out the new plan on one road in Town before January to see how it works. If it does work, great. But if not, we will know. Mr. Guilmette offered to address that with WM.

Mr. Guilmette stated that basically he had a summary for them. He stated they have received a contract from WM, and are currently having them revise it. They have read it with a fine-tooth comb, and have requested corrections, (additions and deletions), after addressing the input they received from the Public Hearing held.

They have also added an additional piece about additional carts.

Mr. Guilmette stated he hopes to have a complete version of the contract by the end of October.

Mr. Guilmette was looking for suggestions from the Board of Selectmen for implementation of the program. He expressed concerns with the start date of January 1, 2010.

He suggested delaying the start date, doing the education piece first, and starting the program later in the spring. He added Teresa's suggestion was to do the education piece in Nov/Dec timeframe, and start Jan. 1st. Mr. Pendell noted with the Christmas Holiday, he would prefer to put it off until later, rather than sooner. He would recommend push it off till Feb/Mar, and educate in January.

Mr. Poelaert asked how they plan to educate people. Mr. Guilmette responded it is an ongoing process. We need to do this to reduce the cost and to reduce our solid waste.

Mr. Poelaert asked if this plan becomes a disaster, what do we do? It was noted the difference between the old contract and the new contract is approx. \$21,000. Mr. MacLeod stated all of the vendors recommended to not go to weekly recycling.

It was further noted the current 96-gallon barrel will be used for recycling, and a 64-gallon barrel will be provided for solid waste.

Mr. Pendell noted his only concern is with less for a trash barrel. He added two people from the Rec. Comm. expressed their concerns to him, that they work full time, coach their kids, and are very busy, so they don't want to have to worry about managing their trash, too.

It was noted they need to educate people, and Mr. MacLeod suggested keeping the committee as semi-permanent so they can evaluate and educate the residents. Mr. MacLeod also stated they want to review the audit reports from WM.

Mr. MacLeod stated they want to give people the tools they need, and the answers to their questions. Mr. Poelaert asked about trying it out on a street in Town, would WM go along with trying it out? Mr. Pendell offered the Board of Selectmen pick people throughout Town to volunteer to try out the program.

It was also noted by Mr. MacLeod that the elderly housing developments are included in the contract. They will have a dumpster for trash and a dumpster for recycling. He also noted most of the residents from the elderly housing developments are not here during the winter months.

It was noted the elderly housing developments will not be having barrels; they will have a dumpster for their community.

Mr. Pendell stated he acknowledged the committee wants to be semi-permanent to continue to monitor and educate the people.

Mr. Guilmette added, they need to let people know what it is, and acknowledge it will take time for them to adapt. They want to do a direct mailing to educate people, and noted the contractor has been asked to pick up the postage, not the Town to cover the cost.

Mr. Poelaert added that the school just held a public hearing for the Sargent Fund money, and only 2 people showed up. Mr. Pendell noted at the 1st hearing about 50 showed up at the school, mostly parents of the kids at the school.

It was further noted, besides the direct mailing, they also have the website to educate people.

Mr. Guilmette stated he will let the Board of Selectmen know what other towns are doing it, and if they would do a trial run.

It was noted the 17-gallon recycle bin will go to a 96-gallon barrel, and the 96-gallon barrel for solid waste will be reduced to a 64-gallon barrel.

It was suggested that on major holidays, WM provide an extra week of recycling (ie. after Christmas).

Mr. MacLeod also explained the furniture pick up at \$1,875 twice a year, and for white goods the resident would pay a \$35 fee for each item they call in to be picked up to WM, and pay them with a credit card. The Town would not be responsible for billing, the contractor would.

Mr. Guilmette stated they are currently working with WM, and plan to have a contract by the end of the month.

It was further noted the Town received bids from Waste Management, Bestway, and Northside Carting. They have reviewed all of the bids, and have met with each company to discuss the options available.

Mr. Pendell asked that all of the bids be provided to the Selectmen. They agreed.

It was also noted that the four elderly housing developments (Cricket Hill, Maplevale Farms & Woods, Cornerstone & Country Hills) are included in the contract, with dumpsters available to them for solid waste and recycling at a cost of about \$19,000 per year.

Chairman Dworman commented he would prefer to see both 64-gallon barrels for trash and recycling. Mr. Pendell stated he sees a problem with the trash barrel changing from 96-gallon to a 64-gallon barrel.

Mr. Guilmette responded they need to lay it out, go through the bumps in the road, and people will go with the change, it just may take some time.

It was also acknowledged the contract will offer the option of purchasing an additional barrel at a cost of \$70 - \$75, possibly per year, vs. a one time charge.

At this time, the committee members think that the current recycle bins will be picked up, and a 64-gallon blue barrel will be delivered for solid waste. The current 96-gallon green barrel will become the recycle barrel.

When asked approximately what the contract cost will be for budgeting purposes, Mr. MacLeod responded \$161,452. Mr. Pendell suggested to budget \$175,200 which is \$10,000 less than the 2009 budget to cover costs of tonnage, if we exceed what they have predicted. The other Board members agreed to the \$175,200 figure.

At 8:35PM, the Committee members thanked the Board, and Duncan MacLeod, Dan Guilmette, and Teresa Pendell left the meeting.

LEWANDOWSKI: Mr. Poelaert inquired about a response to Mr. Lewandowski’s letter. The Board reviewed a letter of response. Chairman Dworman **MOTIONED** to insert salaries in the 2009 town report, as requested by Mr. Lewandowski. Mr. Poelaert seconded. Motion carried 3-0.

J. OSTOPCHUK: It was noted Julie Ostopchuk asked to be on the agenda (8:00PM), and cancelled today.

MINUTES: The Board reviewed the non-public meeting minutes “A” dated 9/28/2009. Mr. Pendell requested a change. Mr. Pendell **MOTIONED** to approve the minutes as amended. Mr. Poelaert seconded. Motion carried 3-0.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 8:45PM under RSA 91-A-3, II: para (c.) Matters, which if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. The Board was polled and the results of the poll were: Matthew B. Dworman – Yes, Richard S. Poelaert – Yes, & David R. Pendell, Jr. - Yes

The Board was polled & determined the divulgence of the information would render the proposed action ineffective & the information will be withheld from the public during the public meeting Minutes of October 13, 2009. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert–Yes & David R. Pendell, Jr. - Yes.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen’s non-public meeting at 9:00PM. Mr. Pendell seconded. Motion carried 3-0.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen’s Public meeting at 9:00PM. Chairman Dworman seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant
Administrative Assistant

Matthew B. Dworman

Richard S. Poelaert

David R. Pendell, Jr.