

**TOWN OF EAST KINGSTON, NH  
SELECTMEN'S PUBLIC MEETING MINUTES  
JANUARY 4, 2010**

**6:30PM – Public Hearing – School Budget  
7:00PM – Public Hearing – Town Budget**

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

**Others Attending: Vito & Joan Kasinskas, Roby & Sharon Day, Ed Warren, Matt Gallant, Dan Guilmette, Peter Gilligan, Conrad Moses, Joanna McGarry, School Board members Bob Nigrello and Stacy Penna, School Principal Jim Eaves, and Asst. Superintendent Tony Baldasaro.**

Chairman Dworman called this Selectmen's Public Meeting to order at 6:30PM.  
Chairman Dworman opened the Public Hearing for the School Budget.

**PUBLIC HEARING:** School Board members Bob Nigrello and Stacy Penna, School Principal Jim Eaves, and Asst. Superintendent Tony Baldasaro provided copies of the East Kingston Elementary School budget.

School Board Chair Bob Nigrello stated they were conducting a joint public hearing tonight, with the school portion first, and the Town budget hearing will follow. Chair Nigrello stated they went through the budget process line by line, and came up with a bottom line of \$35,000 less than last year. The default budget is \$18,000 less than the proposed budget.

The budget is \$2,521,570. Vito Kasinskas inquired about the interest earned on the Sargent Fund. He said the school principal requests interest from the common funds for the operating budget, and asked if they could also use the interest from the Sargent fund.

Chair Nigrello explained that the special education budget can be flawed, and last year they had a warrant article to add \$10,000-\$15,000 to the special Ed fund, because it can take up to \$60,000 for a student before the state helps.

He explained they want to set aside \$80,000 to improve the science curriculum to reserve over the next three years to purchase hands on items. They also want to put \$25,000 from the Sargent Fund into the special education budget, and not from taxes.

They are looking to reduce the amount of the cost by using less electric energy by using solar panels, etc. They are starting to formulate a plan to reduce costs for the future.

They want to put investment into the building and the curriculum.

Joan Kasinskas inquired why the speech therapy was listed separately, and not included in the special education number. She expressed her opinion that she thinks it should be all under special education, and not have speech pathology a separate line item. Principal Eaves mentioned that it is the salary, and the reports have reflected it that way. They agreed to mention it to Mr. Lunney.

It was noted right now the enrollment is at 205, and they are growing slowly at a rate of 4–5 each year. They predict to be at 210 in the future. It was noted they are at 14% special needs, and the national average is at 18%.

Roby Day, for clarification purposes, noted they voted on \$2,556,195 last year for 09-10, and the proposed for 10-11 is \$2,521,570.

Chair Nigrello mentioned upcoming events. He stated there are good things on the internet on the East Kingston Elementary School. It is attractive for people to want to attend.

It was noted last year the school budget passed, and for the Town, the default budget passed.

Chair Nigrello informed the audience there will be one warrant article for the teachers contract. The agreement is a two-year contract with the first year with a zero salary increase, as the teachers are sensitive to the economy, and other items which total \$12,000, and the second year will be a 2.25% increase, which equals \$39,000. He added the teachers will give up some medical benefits in year two.

The teachers will pay more, and the school will cover less in the second year. It was noted they have changed plans.

Mr. Day stated he is uncomfortable with the consumer index down, and the expectation to be flat for the next couple of years. He added he would do the opposite, but he knows they have looked at it. Chair Nigrello stated they had some good discussions before making the final decisions.

Chair Nigrello noted for 2009 the budget was \$2,556,195 + warrant Article \$15,000 = \$2,571,195, and the proposed for 2010 is \$2,521,570 + warrant article \$12,000 = \$2,533,570, which is less than last year.

He further noted repairs that were done at the building, they utilized SAU 16 maintenance, and he noted Principal Jim Eaves worked hard to keep the costs down.

He added the school provides K-5<sup>th</sup> grade, with two teachers per grade, for a total of 10 teachers. He added Mr. Eaves does a great job managing the teachers.

He added the 5-year enrollment outlook is: last year 198, now 205, and in five years at 210. With this information, no addition is needed at this time and the school has a good name.

Joan Kasinskas stated the trend of the schools enrollment has been unpredictable.

Chair Nigrello thanked everyone for their support.

It was noted the school deliberative session will be held on 2/1/2010, and the Town deliberative session on 2/2/2010.

Joan Kasinskas stated she thought the school had done a great job with their budget.

It was further noted in 09 the cost per student was \$12,500, for 2010 it will be \$12,007, and the quality of education is not going down.

The public hearing was closed at 6:58PM, and the School members left.

Chair Dworman opened the Budget public hearing for the Town at 7:00PM.

Peter Gilligan, Joan & Vito Kasinskas, Ed Warren, Matt Gallant, Dan Guilmette, Conrad Moses, Sharon & Roby Day were in attendance.

A budget handout was provided, including the budget, default budget, and warrant.

Chair Dworman stated the Board of Selectmen had worked with each department to flat line the budget as much as possible.

He acknowledged that they were working from the default budget that was passed last year, including approved warrant articles in the amount of \$2,496,800. The proposed 2010 budget is at \$2,575,000, reflecting an increase of \$78,200.

The increase of \$40,000 is the increase for the bond payment for the police station, library, and conservation easements, and the additional \$38,200 is overall for all other items.

Chair Dworman stated they tried to flat line with departments, the fire department is less and the solid waste committee was able to reduce the cost at least \$7,000 with a new contract.

Joan Kasinskas inquired where electricity is in the budget? Chair Dworman responded under 4194, general government buildings.

Joanna noted the legal line item is at a significant sum, and thought it should be decreased with the cell tower case being dropped.

She was informed they may come back, and Chair Dworman stated that we need to be prepared for 2010 with other cases. We can't overextend, and don't want to be caught short.

Joanna noted in previous years the amount had been around \$25,000. It was noted line 4153 is at \$85,000 and in 2009; we expended only about \$20,000.

Joanna asked the Board to be realistic. Chair Dworman responded it is unfortunate, but we may need to spend the money, so we need to appropriate for it.

Mr. Poelaert added they don't want to shave it down too much. Joanna still questioned the legal amount, and noted the cell tower case has been withdrawn. Mr. Poelaert stated they didn't know until recently the cell tower issue was going away.

Mr. Guilmette added he said if the legal expense was not spent, it would be returned to the general fund. He would rather have too much than not enough.

Mr. Pendell added if we had the cell tower at \$20,000 and two other cases, and the normal is \$20,000, it adds up quickly.

He added that we were very lucky that we did not have to spend it, but wanted to be covered.

Joanna noted this particular area has seen an increase over the last couple of years, and we are being tight everywhere else.

Mr. Pendell responded it is the most reasonable number for now. He agreed it was a lot of money, and added he hopes we are lucky again in 2010.

Ms. Kasinskas noted in 2009 we budgeted \$80,000, and only expended \$20,000, leaving \$60,000 unspent.

She inquired about the amount unexpended, and was informed that it will be added to surplus and used to buy down the tax rate next year.

It was noted that they try to stabilize the tax rate each year by applying some surplus with DRA.

Chair Dworman noted the trash contract has gone down, and even with the Warrant Article that passed to add the elderly housing developments, we are still down for 2010.

Mr. Pendell responded to a question about the elderly housing developments that they all did make all the appropriate necessary changes by October 2009, to enable them to implement trash pick up to be provided by the Town effective 1/1/2010.

Mr. Guilmette added the elderly housing developments will continue to have dumpster pick-up, and not individual curbside pick-up.

Sharon Day inquired about Public Safety: 4210 - Police Dept., and 4299 - Special Details. Chair Dworman explained the rate of special details had been increased for 2010, and they are reimbursed to the Town. The increase to the police department is for 3% salary increases and operating costs.

Roby Day inquired about the decrease in the fire dept budget. Chair Dworman explained the fire dept included the approved warrant article to purchase SCBA's for \$25,000. It was a one time hit, and not needed in the 2010 budget. They flat lined to the default budget of \$162,000.

Roby Day asked the bottom line is the default budget passed last year, how are you going to sell the budget this year?

Mr. Pendell responded there is only \$18,000 between the proposed budget and the default budget. That would be about ½ cent on the tax rate. That is his sales pitch. The budget is \$2,575,000, and the default is \$2,557,000.

It was noted the default budget passed, and they are stuck by statute to execute the default budget. Chair Dworman said each department used their default numbers during 2009, and the Town can't go over the bottom line. DRA approved \$2,496,800 including the approved warrant articles, and the Town can't expend over that.

Vito Kasinskis inquired about the \$31,700 under 4415 – health agencies. He was informed that the health officer is paid, and the Town has a contract with Dragon Mosquito. Mr. Kasinskis added he was the former health officer, and Newton has had one fatal case, and asked if the money was warranted to be spent. He asked if it was a prudent use of the money.

Chair Dworman responded it is in the budget and we will spray if needed, and we won't if we find we don't need to.

Mr. Pendell noted Dragon Mosquito has been contracted to spray the school and Town. He added he doesn't want to see the kids get hurt. He thinks it is prudent to spend.

Matt Gallant added he is also a former health officer, in the past it was a warrant article, it was voted in a couple of years in a row, and it was then decided to add it into the budget.

Matt Gallant added in the future mosquitoes may be out in the daytime as well as night, so it may become more of a practice to need the spraying.

Mr. Guilmette asked about the revenue on page 6, Room & Meals Tax, budgeted for \$75,000 in 09 & 10. He was informed the Selectmen's Office just received the 09 amount of \$100,000 today.

Chair Dworman asked if there were any other questions.

Roby Day asked about the salary review committee's warrant article. Roby questioned the change to the Trustees of the Trust Fund for actual expenses. He quoted an RSA that allows for TTF expenses.

Vito added when he submitted for reimbursement travel expense he opened up a can of worms. What happens if the warrant article doesn't pass?

Chair Dworman responded it must be voted on at Election Day.

Mr. Poleaert stated the police chief had a warrant article last year for a cruiser and it failed, and he was unable to purchase a vehicle.

Joan questioned the wording of "no fees" and "actual expenses." Joanna questioned why the warrant article is necessary. Why don't the Selectmen just do the salaries for the elected officials?

Joan asked why the Trustees of the Trust Funds were not included in the budget process? She asked to meet with the Board of Selectmen. She added they were not asked to meet with the Board of Selectmen.

Roby Day stated he agreed with Joan. He asked where all the others' expenses reimbursed from are?

Ed Warren asked if he could inquire as he was trying to understand what they were saying?

He added with the fire dept. if he buys something, he gets a receipt and turns it in, is reimbursed, and it comes out of the fire dept. budget.

Joan responded they don't have a budget; they have been excluded.

Chair Dworman stated it is worth looking into. Vito, Joan and Roby are Trustees of the Trust Fund, and Vito and Joan offered to quit.

They were asked how much they were talking about, (to budget for) and Vito responded \$200, but it is the principal, not the money.

Mr. Guilmette added he thinks it is a personal issue, and he had to ask them to let him finish what he was saying. He then added he thinks they need to meet with the Board of Selectmen, they need a dialog. Joan stated it is the principal.

Joanna added she suggests that they sincerely think about removing the warrant article.

Mr. Pendell explained that it is his understanding from the salary review committee, that the warrant article passed that covers 2007, 2008 & 2009 gives the Trustee of the Trust Fund Bookkeeper \$700 with no fees.

The warrant article proposed for 2010, 2011 & 2012 will allow the reimbursement of expenses.

Joan stated she was on the salary review committee in the past.

Mr. Pendell stated in the past the Bookkeeper of the Trust Funds got \$700, and the salary review committee (warrant article) is changing it to \$700 + expenses.

It was noted the last warrant article stated "no fees," and the new article states "actual expenses."

Joan recommended they read the RSA's.

Mr. Pendell stated he will look at it. Joan said she wants to meet with the Board of Selectmen.

Chair Dworman stated it is a warrant article, and if it is within their authority to change it, they would.

Roby Day said it is a definitional point. Joan asked to set a date.

Chair Dworman informed her to contact the Selectmen's Office to book an appointment. Joan asked if Deb would call her, and she agreed.

Mr. Guilmette inquired about the Warrant Article to expend \$35,000 on Foss Wasson Field improvements.

They were informed that the Recreation Committee raised funds and were able to improve the infield, and need an additional \$35,000 to finish the project. They want to do the outfield and put-up fencing.

Mr. Guilmette inquired about the field being closed (due to mosquito threat) in the past, and would it be a good idea to spend the money if the field would be closed? Matt Gallant, as former health officer, responded he closed it when they were spraying, and then it was opened.

Mr. Pendell added the Recreation Committee got a quote of \$50,000 to raise the field and improve drainage. They split the quote and did the infield, and now they need \$35,000 to do the outfield. They need better drainage. Mr. Guilmette thanked him for the information.

Joanna questioned Warrant Article #4 about the Building Preservation Fund. Chair Dworman responded there is about \$20,000 currently in the fund, and they want the Board of Selectmen to be named agents on the fund so they can perform repairs to the chimney and roof of the Town Offices building. He gave the example of how a special town election had to be held last year to expend funds already in the revaluation capital reserve fund to perform the required revaluation. Now that the Board of Selectmen are agents to the fund, they don't have to go to town election for approval to use the funds. It was also noted funds can only be expended for the purpose the fund is created for.

Joanna inquired whether the Board of Selectmen would again, as they have in the past, include a Selectmen's Insert with the Town Report explaining each warrant article and she was informed, yes. She added she thinks it is important for people to understand.

Mr. Pendell added the Selectmen's Insert is delivered with the town report and the EKFA calendar prior to the vote.

Mr. Warren was asked to explain Warrant Article #8. He stated the wording is as required (by DRA), to replace the 86 tanker. It is truly a need, not a want. The pump is too small, the frame is bent, and it is 24 years old. It can't do what we need it to do. Only \$94,000 is needed to be raised from taxation, the remainder of the money is already in a capital reserve fund.

Conrad Moses asked if it was a bond issue and was informed no, it is not.

Roby Day asked about Warrant Article #10 – Special Police Outside Revolving Fund.

Chair Dworman responded the Police Special Detail rate has been increased for 2010, and monies received will go into this fund. Currently, the money has been going into the general fund, but this warrant article will allow the special detail moneys to go into this account and can be used to purchase police vehicles.

Roby asked if DRA has approved these warrant articles, and he was informed, yes.

It was also noted the deadline for citizens' petitions is 1/12/10.

Chair Dworman thanked everyone for coming.

Mr. Pendell **MOTIONED** to adjourn this public hearing at 7:53PM. Mr. Poelaert seconded. Motion carried 3-0.

Chairman Dworman continued with the regular Selectmen's Meeting with Peter Gilligan, Ed Warren and Matt Gallant in attendance. David Pendell left the meeting for a few minutes.

**MINUTES:** The Board reviewed the Selectmen's Public & non-public Meeting Minutes dated 12/21/09. Mr. Poelaert **MOTIONED** to approve and sign the public meeting minutes as written. Mr. Dworman seconded. Motion carried 2-0.

**REGISTER:** The Board reviewed the check registers. Mr. Poelaert **MOTIONED** to approve and sign the check registers dated 12/22-12/26/09 in the amount of \$65,144.68, & 1/4/2010 in the amount of \$519,188.23. Mr. Dworman seconded. Motion carried 2-0.

**MINUTES:** Mr. Poelaert **MOTIONED** to approve and sign the nonpublic meeting minutes A as amended, & B as presented. Mr. Dworman seconded. Motion carried 2-0.

**APPOINTMENT:** The Board reviewed an appointment. Mr. Poelaert **MOTIONED** to approve the appointment of David E. Baker to the recreation committee, as recommended by the Recreation Chairman Todd Gibbons. Mr. Dworman seconded. Motion carried 2-0.

**TC/TC:** The Board reviewed a Request for Disbursement of Funds from the TC/TC Barbara Clark. Mr. Poelaert **MOTIONED** to approve and sign the request for \$6.97 to Gallo Title Services, LLC. Mr. Dworman seconded. Motion carried 2-0.

Mr. Pendell returned to the meeting.

**FIRE DEPT.:** Captains Ed Warren and Matt Gallant met with the Board to discuss the status of the fire department. It was acknowledged that Fire Chief Richard is no longer employed by the Town of East Kingston.

Mr. Warren informed the Board of Selectmen that he went to Mr. Richard's home and picked up all of his gear. Everything has been turned in. Mr. Warren added he went to Mr. Richard's home with approval from Chairman Dworman.

It has been suggested that all locks be changed, and he wanted the full Board's approval to do so. They agreed.

Chair Dworman asked if everything was under control, and Mr. Warren responded yes, as far he knows.

It was acknowledged that a citizens' petition has been submitted to change the position of full time Fire Chief back to part time, and it will be voted on in March.

Mr. Pendell asked if the department should be left the way it is operating, or make do with an interim chief? Mr. Warren responded for the structure and morale of the department, decisions need to be made, and he and Matt have talked about it and they are aware of the possibilities with the article passing or failing. It was

acknowledged they have been without a chief for 4 months, and thought for the structure and morale of the department, there should be an interim chief.

**NONPUBLIC SESSION:** Chairman Dworman **MOTIONED** to go into a nonpublic session at 8:10PM under RSA 91-A-3, II: para (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

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 January 4, 2010. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert–Yes, & David R. Pendell, Jr. - Yes.

Mr. Pendell **MOTIONED** to adjourn this Selectmen’s non-public Meeting at 8:35PM. Mr. Poelaert seconded. Motion carried 3-0.

**FIRE DEPT.:** Matt Gallant informed the Board of Selectmen he drove into the door of the fire station when backing in at 4AM last Thursday, damaging the ambulance roof and bay door.

They were able to get the door to close with the loader, and the roof paint of the ambulance was scratched.

It was noted 12 sections of the bay door need to be replaced at about \$62.00 a section. Mr. Poelaert inquired if anyone got hurt. Their response was, no. The Board of Selectmen suggested filing a claim with the Town’s insurance company. Mr. Gallant stated they are getting bids for the repairs. Mr. Warren asked if they’d rather they use the ambulance fund for the ambulance repairs, and Chair Dworman responded no.

The cost was noted to be under \$3,000 to repair the ambulance and the door. (\$2500 - \$2800)

Mr. Gallant was asked to provide the Selectmen's Office with the accident report and quotes for repairs, and he agreed to do so.

**REC. COMMITTEE:** Mr. Pendell stated he spoke with Rec. Committee Chair Todd Gibbons, and he is not comfortable with asking people to cover the cost of the alcohol he purchased, and Mr. Pendell doesn’t think he should be out the money, so he **MOTIONED** to reimburse Todd Gibbons the \$100+, noting he was not aware he wasn’t supposed to, and the policy was not in effect at the time. Mr. Poelaert seconded. Motion carried 3-0. Mr. Pendell added he admits he should have checked first, but he doesn’t want to see him out the money.

Mr. Pendell **MOTIONED** to adjourn this Selectmen’s Public Meeting at 8:45PM. Mr. Poelaert seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant  
Administrative Assistant

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Matthew B. Dworman

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Richard S. Poelaert

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David R. Pendell, Jr.

