

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
MONDAY, MARCH 15, 2010**

6:45PM – Don Jutton, MRI

7:15PM – Building Inspector Ray Donald-cancelled

7:30PM – Solid Waste & Recycling Committee

8:00PM – Bob Levine-cancelled

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

Others Attending: Don Jutton, Dan Guilmette, Rob Caron, & Ron Morales.

Chairman Dworman called this Selectmen's Public Meeting to order at 6:30PM. It was acknowledged Richard Poelaert was re-elected as Selectman at the election held on Tuesday, March 9, 2010. Matthew Gallant was also re-elected as Road Agent, and ran against two other candidates. All other elected officials ran unopposed.

MINUTES: The Board reviewed the Selectmen's public & non-public meeting minutes dated 3/01/10. Mr. Pendell **MOTIONED** to approve and sign the public meeting minutes as written. Mr. Poelaert seconded. Motion carried 3-0.

Mr. Pendell **MOTIONED** to approve & sign non-public meeting minutes A, C, & D, as written. Mr. Poelaert seconded. Motion carried 3-0.

REGISTER: The Board reviewed the check register. Mr. Pendell **MOTIONED** to approve and sign the check register dated March 04 – March 10, 2010, in the amount of \$91,685.73. Mr. Poelaert seconded. Motion carried 3-0.

TC/TC: The Board acknowledged receipt of a request for disbursement of funds from Town Clerk/Tax Collector Barbara Clark to reimburse Accurate Title in the amount of \$108.77 for an overpayment. Mr. Pendell **MOTIONED** to approve and sign the request as presented. Mr. Poelaert seconded. Motion carried 3-0.

ABATEMENTS: The Board reviewed abatements and the recommendation from the assessors. Mr. Pendell **MOTIONED** to approve and sign the denials for Ursula Gilstrap, 118 South Road, MBL #13-01-02, and Peter & Livia Tolstrup, 30 Autumn Lane, MBL #16-02-04-30. Mr. Poelaert seconded. Motion carried 3-0.

TOWN TOUR: The Board reviewed the Annual Town Tour minutes conducted on 3/12/10, noting that any possible violations noted will be investigated by the Code Enforcement Officer.

Mr. Pendell **MOTIONED** to approve the minutes as presented. Mr. Poelaert seconded. Motion carried 3-0.

APPOINTMENTS: The Board reviewed appointments and acknowledged recommendations from the Planning Board Chairman, Conservation Commission Chairman, & Library Trustees.

Mr. Pendell **MOTIONED** to approve and sign the following appointments:

Robert Marston, PB member, effective 04/01/2010 through 03/31/2013

Edward Warren, PB member, effective 04/01/2010 through 03/31/2013

Joseph Cacciatore, PB alternate member, effective 04/01/2010 through 03/31/2013

Ronald Morales, Conservation Commission member, effective 04/01/2010 through 03/31/2013
Conrad Moses, Alternate Library Trustee, effective 04/1/2010 through 03/31/2011
David R. Pendell, Jr., Alternate Library Trustee, effective 04/01/2010 through 03/31/2011
Richard S. Poelaert, PB Ex-Officio alternate, effective 04/01/2010 through 03/31/2011
Matthew B. Dworman, PB Ex-Officio alternate, effective 04/01/2010 through 03/31/2011
David R. Pendell, Jr., PB Ex-Officio, effective 04/01/2010 through 03/31/2011
Mr. Poelaert seconded. Motion carried 3-0.

LIEN: It was noted payment has been made for a welfare applicant, and a lien on their property will be recorded in the amount of the welfare assistance for \$373.50.

Mr. Poelaert **MOTIONED** to approve and sign the lien as presented. Mr. Pendell seconded. Motion carried 3-0.

STATE OF NH: The Board reviewed a renewal of permit for George & Mary Tsaltas for a retail vehicle dealer at 17 Haverhill Rd.

Mr. Poelaert **MOTIONED** to approve the permit application with the State of NH. Mr. Pendell seconded. Motion carried 3-0.

MS-2: The Board reviewed the completed MS-2, Report of Appropriations Actually Voted. It was noted the budget passed at \$2,540,000, plus WA #3 of \$25,300, + WA #5 of \$10,000, + WA #8 of \$285,000 = total amount appropriated \$2,860,300. The form will be forwarded to DRA for final approval.

Mr. Pendell **MOTIONED** to approve and sign as presented. Mr. Poelaert seconded. Motion carried 3-0.

DETAILS: The Board reviewed the special details for approval. Mr. Pendell **MOTIONED** to approve and sign. Mr. Poelaert seconded. Motion carried 3-0.

CHAIRMAN: Matthew Dworman **MOTIONED** to elect Dick Poelaert as Chairman of the Board. Mr. Pendell seconded. Motion carried 3-0.

At 6:45PM, Rob Caron, Dan Guilmette, and Don Jutton joined the meeting.

MRI: Donald Jutton of MRI met with the Board at 6:45PM, to discuss his proposal to conduct a wage and classification report for the Town of East Kingston.

Mr. Jutton thanked the Board for inviting him to this meeting. Mr. Pendell stated he had contacted the company and spoken with Alan Gould regarding guidance of the Board's request.

He stated they are looking for job descriptions of employees, the necessity of the positions, and title modifications for job tasks along with salary ranges for the positions.

Mr. Pendell added the Board had discussed at their last meeting performance reviews. Mr. Jutton agreed they could also cover that item.

It was noted the Board felt no one in Town could be unbiased; therefore, they reached out to his company to conduct the data collection.

Mr. Jutton stated they have done a number of reports for cities and towns. He would start with the Board of Selectmen, get a roster of the full time/part time employees, look at the job content and position, ask them to complete a questionnaire, and the supervisor would review them and compare them to similar jobs.

Some people perform an incredible amount of things that they just automatically do, and don't think about it. They will also address training and competency. They will conduct a market analysis for those jobs in the area, too. They will perform comparisons to other communities.

Mr. Pendell noted some residents spoke at the deliberative session with concerns about salaries. Mr. Jutton responded towns vary, and people will pick higher towns if they want higher and visa versa. It depends on the market in which you compete, not necessarily a town of similar size. It may be irrelevant and in a different market than competing in this area.

Mr. Jutton stated they will provide a report to the Board, and they can make the final decision. He acknowledged that East Kingston is a small community with a small tax base, with a fair amount of local competition.

He added, you need to decide if you want to keep them long term, or if you want to be a training ground and they leave for a better market. You will compare your town with other communities.

Mr. Dworman added that it has happened in the past, when a police officer has been trained and then they leave for employment elsewhere.

Mr. Jutton noted that there is no statute that requires a police department. He would look at the number of calls for service. He would share his thoughts and recommendations for a bigger or smaller department, depending on the risks the Town has, and compare with other communities.

He further noted there are different crimes in different areas of the state, the larger towns want a full time force to feel safe, and up in the north country it is very different. The kind of expectations for public safety is different. They want small, personalized service.

He would check the statistics, conduct comparisons, present the facts, and make recommendations to the Board.

Mr. Jutton noted everyone who works for the company (MRI) has worked in government. He added normally two people from the company would be assigned to the project. They work as a team to conduct the wage and classification report.

Mr. Poelaert stated Elected Officials' compensation is determined by the recommendation of the Salary Review Committees as a warrant article that is voted on by the residents every three years. He added a few years ago, when he was a School Board member, they brought in professionals to get the school in line.

It was noted the Town Clerk/Tax Collector is now a full time elected official. Mr. Jutton responded he would provide comparative data for the position. He added the CPI is considered, and noted that it is tough in this economy to come up with the compensation.

Mr. Pendell inquired about a timeframe, and Mr. Jutton responded 60 – 120 days timeframe, acknowledging about 11 people to evaluate.

Mr. Dan Guilmette inquired if training, education, and job content would be considered. Mr. Jutton responded yes, and classification of part time, full time, or permanent. Mr. Guilmette advised against “permanent” employment, and Mr. Jutton clarified that he meant permanent full time, or permanent part time positions, not permanent employment.

Mr. Jutton would look at the market place and responsibilities.

Mr. Pendell added it is a good exercise and no one in town would be unbiased, therefore, he is fully on board with moving forward with this.

It was noted the original quote is at \$5,800, which is not astronomical, and it is the only company in NH with a working relationship with LGC. Mr. Guilmette inquired about going out to bid. It was noted any headhunter firm can be hired, but noting MRI operates for exclusively for towns, schools, and government.

The Board discussed the possibility of getting other bids and comparing apples to apples, the service to be provided.

Mr. Jutton stated he would come back with comparable salaries and make recommendations, but at the end of the day, the Board will decide. If you want to be competitive, you will have to pay. Mr. Jutton added over the past 20 years, they have worked for over 300 towns & cities.

He understands that people want full service, but don't want to pay taxes. He will provide reasonable answers to their questions.

He suggested a contract to keep police officers that go to the academy, which the cost is covered by the Town, and to keep them working for East Kingston for a period of time afterwards.

Mr. Caron recommended that the Board of Selectmen make sure everything they want them to do is in the current proposal. He suggested adding the performance reviews & police officers to the contract.

Mr. Guilmette suggested they look at the complete scope of the project.

They all agreed to a level playing field and to compare apples to apples. Mr. Poelaert added he wanted to be fair with everyone. He offered a Town Report to Mr. Jutton for his perusal.

Mr. Jutton noted other firms are out there, and Mr. Pendell responded they wanted a package from someone who does it all, not just pieces of it. It was acknowledged MRI can do it all, but other companies won't be able to include it all.

Mr. Dworman noted the administrative assistants duties also include financial administration & welfare, etc. Mr. Jutton responded he would meet with the employees and start out with what each employee does for a job description, what functions they perform, and noted if tasks are all done by one person, they may need to change their job title.

It was noted the Town Clerk/Tax Collector pay is a consolidated position, and they would look at the job content.

The Board members agreed to put together a RFP and send out for proposals. They will schedule meetings with the bidders and move forward.

Mr. Jutton took a Town Report, and thanked the Board, leaving the meeting at 7:15PM.

DONALD: It was noted Mr. Donald cancelled tonight's meeting due to the flooding rains.

SOLID WASTE: Solid Waste & Recycling Committee members Rob Caron, Dan Guilmette and Ron Morales met with the Board to update information regarding the changeover of the Waste Management Contract.

Mr. Caron informed the Board that the new 64 gallon totes, that were scheduled to be delivered for the changeover effective April 1st, have been delayed because WM informed them both the 96 gallon and 64 gallon totes, would be WM green, and the committee members were under the impression, the 96 gallon current green container will be used for recycling and a new "colored" 64 gallon tote would be used for solid waste. WM informed them they had green only in stock.

Mr. Caron notified the Board of Selectmen that if they want a "different" color, other than green, the changeover wouldn't happen until May 2010. The Committee members are recommending a different color, and recommend waiting until May vs. April 4th.

Mr. Caron added they are currently proofing the WM Newsletter that will be distributed to residents, and need to finalize a few items.

Mr. Caron will inform WM (Mr. Boyer) of the date to start, the color of the tote, and to begin in May.

The Board of Selectmen agreed using the same color would cause problems. They agreed to 96 gallon green, and another color for the 64 gallon. The cost should be included in the contract.

Mr. Pendell **MOTIONED** to make the 64 gallon tote any color other than green with 1st choice blue, 2nd black/gray. Mr. Poelaert seconded. Motion carried 3-0.

Mr. Caron noted the possibility of a one-time charge of \$70 to a resident for an additional barrel. Mr. Morales stated that WM, in the contract, has agreed to audit the trash and would meet with the resident and evaluate and educate the resident to show they are doing due diligence in recycling all that they can.

Mr. Caron suggested an annual fee charged to the resident of \$70 for purchasing a 2nd tote. The Board members were not in favor of this. Mr. Guilmette recommended a moratorium on a second barrel, to educate people first and it would be less cost to the towns. He discouraged the easy way out; he is against a second barrel until they are educated.

Mr. Dworman added he thought there may be only about a dozen people that might not be able to do it.

Mr. Guilmette offered try it, educate them, and you may see more people will be able to use one barrel, once educated.

Mr. Pendell responded he agrees, lets try it, let people know and see how it goes.

The question was raised whether it is really worth charging extra for a few residents, as it may cause more problems. They agreed to determine that later on.

Mr. Poelaert inquired who is going to answer the phone regarding questions (once the new program is implemented). Mr. Morales responded the Recycle Committee is trying to get the word out.

Mr. Guilmette and Mr. Morales stated the Board of Selectmen put in an excellent article in the town report, and Mr. Morales noted we are in a much better place now and people are more aware and are better educated than we were when we closed the recycling center and changed the way we disposed of our trash. He added he does not expect to see the “backlash” like they did back then.

Mr. Caron noted he has been told that he can put his recycling in white trash bags when his barrel is full, as long as it is marked.

Mr. Dworman inquired about debris on a windy day, when everything is out in the recycling tote loose. He has a concern with the loose paper. Mr. Caron responded the truck holds the lid down, so no paper can fall out. It will not be a problem. The lid will be closed, and the contents won't be exposed to fall out.

The SW & R Committee is holding a meeting at the EKES on Sat. March 20th at 10:00AM, and hope that people will come see the new truck.

Mr. Caron stated the Committee has not seen a monthly recycling report for several months. It was noted they have changed the contract. Mr. Pendell and Ms. Gallant also acknowledged they have not seen any activity reports.

Mr. Caron noted the goal is to split the profit 50/50 over the next couple of months for recycling with WM.

Mr. Caron explained another miscommunication with WM. He stated the committee was under the impression the 6-8 yd. dumpsters at the over 55 communities WM would pick up, weigh, and give the Town credit. It is not being done that way. To resolve it, they would have to convert to roll off carts to get the credit for the Town from recycling. It was also noted the over 55 communities have doubled their recycling tonnage. They are working on educating the residents.

Mr. Pendell agreed the over 55 communities are happy about recycling and he wants to see the benefit to the Town, therefore, agrees they should change to the roll off carts with lids.

Mr. Caron noted the WM Newsletter is being proofed for finalization, and will be mailed to residents April 5th.

Mr. Dworman expressed that he is upset with WM, that it was always talked about a “different color” other than green for the 64-gallon tote; and now because of this miscommunication, we have to wait until May to start the new program, versus April 1st.

Mr. Dworman added he would look for a credit from WM, when they can figure out the difference between April and May costs.

Mr. Morales added it is a billion dollar company, but they don't always have “common sense.”

Mr. Caron noted the contract allows for 2 bulk pick up days and 2 white goods pick up days, versus the one day for each, in the prior contract.

In reviewing the calendar, Mr. Caron is suggesting Mon. May 17th, and Mon. September 13th for bulky & furniture pick up days, and Mon. October 18th for a white goods pick up day. For the white goods, the resident must call ahead to WM to let them know they have an item to be picked up.

It was noted and agreed that the Board of Selectmen will revisit any fees for these services for next year. This year they will keep it the same at no cost to the residents for 2010.

Mr. Caron also noted he met with Mr. Boyer of WM and Deb to discuss the one time charge of \$800 for the additional pick up in Dec. 2009, where the postcard reflected the date TBD instead of Dec. 28, 2009. The committee recommended not paying the \$800. Mr. Boyer researched the tonnage collected even though everyone didn't know about it, but WM sent out a truck and driver and picked up over 3.5 tons, therefore, he is recommending paying half. The Board of Selectmen agreed to pay \$400 of the \$800 invoice.

It was noted this was another "miscommunication" for WM.

Mr. Caron also informed the Board of Selectmen they found out recently that residents from the Over 55 communities were contacting WM directly and discussing their issues and concerns with the dumpsters, etc. They have been notified that they must ALL go through the committee, the committee reports to the Board of Selectmen, and the Board of Selectmen say yay or nay. There is no changing of containers or anything. They must meet with the trash committee. The Town is paying now, not the community anymore.

Mr. Guilmette added he agrees with the Board of Selectmen in getting an outside source to get an objective view of the compensation for Town employees.

Mr. Poelaert asked the SW &R Committee members what they thought of the sign posted at the fire station prior to the election. He noted it is usually used for emergency purposes, but it is one sided only and wanted to know their thoughts on a two sided sign for the Town to use for notifying residents of information. He asked if they liked the concept, and whether it was worth looking into purchasing a sign. He noted there is a local company "ICE" that might be able to make a two-sided sign.

The members agreed it was a good idea. They recommended a "movable" sign, rather than stationery. Mr. Guilmette asked if anyone would consider covering the cost of the sign.

At 7:50PM, Mr. Poelaert informed the Committee members that they have done a great job, and Mr. Guilmette responded, let us work out the bugs first. They thanked the Board and left the meeting.

LEVINE: The Board acknowledged Mr. Levine contacted the Selectmen's Office and postponed his meeting with the Board until 3/29.

MINUTES: Mr. Pendell **MOTIONED** to approve & sign non-public meeting minutes of 3/01/2010 B & E, as written. Mr. Poelaert seconded. Motion carried 3-0.

NONPUBLIC SESSION: Chairman Poelaert **MOTIONED** to go into a nonpublic session at 7:50PM 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: Richard S. Poelaert – Yes, Matthew B. Dworman – 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 March 15, 2010. The results of the poll were: Richard S. Poelaert–Yes, Matthew B. Dworman –Yes, & David R. Pendell, Jr. - Yes.

Mr. Pendell **MOTIONED** to adjourn this Selectmen's Non-public Meeting at 8:05PM. Mr. Poelaert seconded. Motion carried 3-0.

ELECTION DAY: It was noted Election Day was held on Tuesday, March 9, 2010 at the EKES. There are 1,605 registered voters, and 560 voted or 35%.

WA #1 – Election of Officers.

WA #2, PASSED. Budget \$2,540,000

WA #3, PASSED. Salary Review Committee Town Clerk/Tax Collector full time and Trust Funds actual expenses.

WA #4, PASSED. Board of Selectmen agents to Building Preservation Fund

It was noted the roof and chimney need repairs at the Town Offices Building. It will be advertised for bids. Mr. Pendell suggested taking the chimney down and capping it, and Mr. Dworamn responded it is a historic building and recommended not altering the building.

WA #5, PASSED. \$10,000 added to Revaluation CRF

WA #6, FAILED. Recreation Committee (Mr. Pendell noted he has requested a recount for 9:00AM, March 16th at the Selectmen's Office with the Town Clerk & Asst. Moderator).

WA #7, PASSED. Board of Selectmen agents to Fire Apparatus CRF

WA #8, PASSED. Fire Truck \$285,000. Withdraw from CRF \$191,000 + raise \$94,000. Bids will be provided to the Board of Selectmen.

WA #9, FAILED. Police Cruiser

It was noted WA #9 failed to authorize the lease/purchase of a police cruiser. The Board members inquired about other options in obtaining a cruiser. DRA responded that in accordance with state statute, the Town is not to purchase a cruiser in 2010 either via the budget, or the special detail revolving fund, as the appropriation was voted down.

Mr. Poelaert suggested evaluating the vehicles the police department currently has. It was agreed to meet with the Chief on Friday, March 19th at 9:00AM at the Police Station, and the meeting will be posted to take inventory and the status of each vehicle.

It was noted when there is enough money placed into the Police Outside Special Revolving Fund, a cruiser can be purchased after 1/1/2011.

WA #10, PASSED. Establish Police Outside Special Detail Revolving Fund

WA #11, PASSED. Town accept Maplevale Road

WA #12, PASSED. Town accept Squire Way

WA #13, PASSED. Town accept Winslow Drive

WA #14, PASSED. Create "Library Building Maintenance Fund" expendable trust fund

WA #15, PASSED. Shall the town

WA #16, PASSED. Change fire chief's position from full time to part time

It was noted they will finalize at the next meeting how they will proceed in filling the part time position.

WA #17, PASSED. On the petition

BUDGET: The Board reviewed the budget expenditures, to date, noting 19% has been expended through 2/28/10, including the warrant articles.

MEETING: Mr. Dworman noted he will be unavailable to attend the meeting scheduled for Mon. 3/29th. The Board agreed to meet on Wed. 3/31, or Tues. 3/30. The date will be posted.

CONSERVATION COMMISSION: The Board acknowledged receipt of the Conservation Commission meeting minutes: 02/08/2010, 01/11/10, 12/14/09, 11/09/09, 09/14/09, & 08/10/09, for their review.

RESIGNATION: The Board acknowledged receipt of a letter of resignation dated 3/8/2010 from Jason Laing as Deputy Emergency Management Coordinator.

The Board members accepted his letter of resignation with regret. It was noted the EOC Director will be asked to provide a recommendation to fill the vacancy.

FRIENDS OF THE LIBRARY: The Board acknowledged receipt of a letter dated 3/6/2010 from the Friends of the Library, stating the new sign at the Pound School will be “Pound School Community Meeting House, 41 Depot Road,” and asked for permission to place a sign on the building containing “Used Book Shop” with hours of operation.

The Board members agreed to a letter of response notifying them that they would prefer the Used Book Shop signage with hours of operation be under the sign on the post. They do not want any signs attached to the building.

LEWANDOWSKI: The Board acknowledged receipt of a letter dated 3/2/2010 from H. Lewandowski, Jr. They will forward a letter of response that they are addressing his concerns.

PUBLIC NOTICES: The Board acknowledged a notice of a public hearing on 03/23 in Newton & Windham for telecommunication towers.

CALENDAR: 3/18 Planning Board meeting, 3/24 EOC exercise, 3/31 Shoreland Solutions @ EK Library, 4/28 LGC Dinner in Exeter, & 5/8 Planning & Zoning Conference in Nashua.

LIAISON: The Board reviewed the 2009 Areas of Liaison Responsibility and updated it for 2010 with changes agreed to by the Board members. Department Heads and Elected Officials will be provided with the information.

Chairman Poelaert **MOTIONED** to adjourn this Selectmen’s Meeting at 9:10PM Mr. Pendell seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant
Administrative Assistant

Richard S. Poelaert

Matthew B. Dworman

David R. Pendell, Jr.