

**TOWN OF EAST KINGSTON, NH  
SELECTMEN'S PUBLIC MEETING MINUTES  
WEDNESDAY, MARCH 31, 2010**

7:00pm – Interim Fire Chief Ed Warren

**ATTENDING:** Selectmen Richard S. Poelaert, Matthew B. Dworman & David R. Pendell, Jr.  
Others Attending: Interim Fire Chief Ed Warren, Deputy Fire Chief Matt Gallant.

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

**MINUTES:** The Board reviewed the Selectmen's Public meeting minutes dated 3/15/10. Mr. Pendell **MOTIONED** to approve and sign the Public meeting minutes as written. Chairman Poelaert seconded. Motion carried 2-0.

**DETAILS:** The Board reviewed the special details for approval. Mr. Pendell **MOTIONED** to approve and sign. Mr. Poelaert seconded. Motion carried 2-0.

Mr. Dworman arrived at the meeting at 6:40PM.

**NON-PUBLIC MINUTES:** The Board reviewed the Selectmen's Non-Public meeting minutes dated 3/15/10. Mr. Pendell **MOTIONED** to approve and sign the Non-public meeting minutes dated 3/15/10. Chairman Poelaert seconded. Motion carried 3-0.

**REGISTER:** The Board reviewed the check register. Mr. Poelaert **MOTIONED** to approve and sign the check register dated 3/17-3/31/10 in the amount of \$453,517.53. Mr. Pendell seconded. Motion carried 3-0.

**PERMIT:** The Board reviewed a septage/sludge renewal permit for Daniel T. Bodwell. Mr. Poelaert **MOTIONED** to approve and sign the permit as presented effective through 3/13/2015. Mr. Pendell seconded. Motion carried 3-0.

Matt Gallant arrived at the meeting at 6:45PM.

**SURPLUS DISTRIBUTION:** The Board reviewed the renewal of the surplus distribution agreement. Mr. Pendell **MOTIONED** to approve and sign the renewal application. Mr. Dworman seconded. Motion carried 3-0.

**STATE OF NH:** The Board reviewed an application to the State of NH for a motor vehicle inspection dealer at 17 Haverhill Road. It was noted it is a renewal for a business at 17 Haverhill Road. Mr. Pendell **MOTIONED** to authorize the Chairman to sign the application for a NH motor vehicle inspection dealer at 17 Haverhill Road. Chairman Poelaert seconded. Motion carried 3-0.

**EXEMPTION:** The Board reviewed an application for a blind exemption submitted by Karl VanVeen for 16 Autumn Lane. It was noted he meets the necessary criteria for the \$15,000 exemption.

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

**ABATEMENTS:** The Board reviewed abatements and the recommendations from the assessors. Mr. Dworman **MOTIONED** to deny the following abatements based on the recommendation of the assessors:

09-01: Harold & Priscilla Cravino, MBL #16-02-04-01, 1 Autumn Lane  
09-02: Joellyn Suszek, MBL #16-02-04-10, 10 Autumn Lane  
09-08: Robert & Janet Hohman, MBL #16-02-04-34, 34 Autumn Lane  
09-14: Elaine Reynolds, Trustee, MBL #16-02-04-06, 6 Autumn Lane  
09-15: Peter & Livia Tolstrup, MBL #16-02-04-30, 30 Autumn Lane  
09-19: John D. Eydenberg, MBL #16-02-04-36, 36 Autumn Lane  
09-20: Karl & Mary VanVeen, MBL #16-02-04-16, 16 Autumn Lane  
09-21: Howard & Laura Woodbury, MBL #16-02-04-08, 8 Autumn Lane  
09-24: Steven & Charlene Smith, MBL #16-02-04-40, 40 Autumn Lane  
09-25: Raymond & Joann Capone, MBL #16-02-04-22, 22 Autumn Lane  
09-26: Evelyn Chagnon, MBL #16-02-04-09, 9 Autumn Lane  
09-27: Lawrence & Rosalie Harvey, MBL #16-02-04-12, 12 Autumn Lane  
09-28: Dennis & Kay Basehore, MBL #16-02-04-13, 13 Autumn Lane  
09-29: Peter C. Gilligan, ML #16-02-04-04, 4 Autumn Lane  
09-30: Theodore & Georgeen Day, MBL #16-02-04-46, 46 Autumn Lane  
09-31: Roger & Carol Branchaud, MBL #16-02-04-07, 7 Autumn Lane  
09-32: James & Blanche Terry, MBL #16-02-04-14, 14 Autumn Lane

Mr. Pendell seconded. Motion carried 3-0. It was noted that of the 38 applications for abatements received for 2009, 28 have been processed with 10 outstanding for processing by Avitar, to date.

**PLANNING BOARD:** The Board acknowledged receipt of the Planning Board meeting minutes of 3/18/10 for their review, along with a Notice of Decision for 17 Haverhill Road.

**BUDGET:** The Board was provided with the expenditures as of 3/31/2010 at 25% or \$713,333 of the \$2,860,300 budget including approved warrant articles, for their review. Chairman Poelaert noted that 45% of the Welfare Budget has been expended, and Mr. Dworman noted that 44% of the Emergency Management has been expended, to date. Matt Gallant noted that some of the Emergency Management expenditures are reimbursable, and expenditures are up as a result of the recent wind and rainstorm.

**TC/TC:** With the approval of WA #3 (4) at Town Election on March 9, 2010, the “Salary is based on the Town Clerk/Tax Collector working a minimum of 35 hours per week, which shall qualify the incumbent as full-time, effective April 1, 2010,” & “Public office hours shall be available 5 days per week, with a minimum of 30 hours per week, including at least one evening session of two hours minimum. The evening session shall be at the decision of the Town Clerk as to which night ....”

Ms. Clark has posted the new hours for the Town Clerk/Tax Collector’s Office to be as follows:

Monday: 8:00AM – 5:00PM  
Tuesday: 8:00AM – 2:30PM  
Wednesday: 6:00PM – 8:00PM  
Thursday: 8:00AM – 2:30PM  
Friday: 8:00AM – 2:30PM

Mr. Pendell added that he personally had no problem with the new hours as stated, but offered that the warrant article did say full-time. Mr. Dworman replied the warrant article also stated the office would be open a minimum of 30 hours per week, and he thought the requirement was met, and added he was fine with evening hours on Wednesdays that meet the two hour minimum requirement for evening hours. Mr. Dworman added that the Town Clerk/Tax Collector’s office had not been open on Wednesdays in the past, new hours between 6:00PM – 8:00PM are fine with him, and should lessen the lines of people waiting.

Chairman Poelaert stated he is OK with the new schedule, and added that the hours could be modified, if necessary.

**BUILDING INSP.:** The Board noted that the Building Inspector was unable to attend this meeting due to a previous engagement. Chairman Poelaert stated that a letter was received that must be answered in a timely fashion. It was noted that the Building Inspector has been rescheduled for the April 12, 2010 Selectmen's meeting.

**ROAD AGENT:** Mr. Dworman inquired to Matt Gallant if due to the recent storms and costs incurred, would he need to cut back on road repairs this summer? Mr. Gallant responded that FEMA money should kick in to help to replenish moneys he expended as a result of the storms.

Mr. Gallant informed the Board that he had expended over \$2,500 out of the Road Agent budget for issues on Bioteau Drive. He added that Mr. Levine's driveway (1 Bioteau Drive) creates a dam and water flows over the road because of it. He stated that Mr. Levine had installed four culverts in that area, and he is scheduled to meet with the Board of Selectmen at their April 12<sup>th</sup> meeting to further discuss the situation.

**FIRE DEPT.:** Fire Chief Ed Warren met with the Board to discuss the current status of the Fire Department. He informed the Board that everything is currently running smoothly for the department, and provided them with a list of topics of discussion for the meeting.

Chief Warren stated the department had a busy 1<sup>st</sup> quarter with two major storm events occurring close together, and therefore, the payroll for the department was higher than usual. The Fire Department had to provide 24-hour coverage during the wind/rain storm. Chief Warren added he had to make corrections to the 4<sup>th</sup> quarter figures for 2009, as he found some Fire Department personnel were underpaid late in 2009, but it was only an adjustment of between \$500-\$600 total to make it right.

Chief Warren explained that the department is playing catch-up on repairs and maintenance to equipment. He added that due to OSHA and NFPA laws, inspections on stretchers, stair chairs, etc., must be maintained, and they are now "up to snuff."

Chief Warren informed the Board that the Fire Department roster is growing all the time, and he stated that more Fire Department Officers must be added as a result. He stated that the department posted openings for one or two additional officers at the Fire Station. He said the department currently has 4 officers, and having 5<sup>th</sup> and 6<sup>th</sup> officers would make things run more smoothly.

Chief Warren added they are currently updating the phone system at the station, and are trying to reach Mark Cook to obtain the supervisor code. They wish to improve the system to add an option for fire permits, so the residents get reach a person immediately if they wish to obtain one. Mr. Pendell inquired if fire permit information could be spelled out more clearly on the Town's official website, and Mr. Gallant offered there is a state brochure that could be scanned and added to the website. Mr. Pendell agreed that would be helpful, and once received, the brochure could be forwarded to the web master.

Chief Warren stated that Adam Mazur, who is a state Fire Warden, says that he is going to be stricter on fire permits this year, as the state is concerned about people becoming careless. He added that burning must be done between 5:00PM and 9:00PM, per the state.

Chief Warren asked the Board about the possibility of moving the World War II monument located in front of the EOC building to another location in order to erect a Smokey the Bear sign to alert residents of current

fire danger. Chairman Poelaert offered that veterans may have an issue with it, and Chief Warren said it was his understanding that the monument was erected by Hank Lewandowski's father, and he had asked it be located in front of a Town government building and on the grass. Mr. Poelaert stated they should speak to Hank Lewandowski about it before they did anything, and they all agreed. Mr. Pendell suggested the monument be relocated at the Library, where it will be appreciated. Chairman Poelaert stated the monument is currently not in the best location because of parking concerns, and agreed it could be relocated to a more prominent place, but he would first like to speak to Hank Lewandowski about it.

Chairman Poelaert suggested installing the EOC digital sign to alert residents of a "fire alert." Mr. Pendell added they could install the sign on a pier with a hook to anchor it, and place it next to the Smokey the Bear sign. Chairman Poelaert added there are new signs that would allow programming of the sign from the Town Offices building, and he will obtain an estimate for one. Mr. Poelaert added the Library would be a good location for the World War II monument with better lighting.

Chief Warren stated the department is adding new personnel and they have utilized most of the equipment they have on hand. He added it costs approximately \$3,000 per person to outfit them with equipment. Chairman Poelaert inquired if gear can be transferred from former personnel to new personnel? Chief Warren responded that per NFPA, the equipment can be no more than 10 years old and sent out for cleaning.

Mr. Dworman added if members were EMT's only, they would need significantly less gear than firefighters. Mr. Pendell asked if they should place a limit on the department roster, and Chief Warren responded that new firefighters will not be at a fire for a year because of training requirements. He added that Bruce Gosselin has been recording serial numbers on all equipment to be certain it gets returned to the Fire Department when someone leaves the department. Mr. Pendell asked about the procedures the former Fire Chief had put in place for participation requirements in the department, and Mr. Warren stated that those procedures are still valid. He added that they never want to turn away those willing to help, and the cost of new pagers is \$425 each, helmets - \$275 each, boots - \$300/pair, and turnout gear is \$1,800 per set.

Chief Warren spoke about purchasing the new tanker that was approved by the voters in March. He stated he needs some guidance, as he has never been involved in a sealed bid process. He added they have been working with a truck company that has been very accommodating to help the department with information and specifications. He added that they planned on a cost of \$285,000 a year ago, and chassis have gone up in price a minimum of \$10,000 since that time. He said Lakes Region Co. in New Hampshire is estimating \$293,000, but if they pay up front in full it could be \$285,000. Mr. Dworman suggested obtaining a performance bond to insure if there were any issues, the Town would get its money back.

Mr. Dworman offered that sealed bids must be submitted to fit the specifications the Town needs. Chairman Poelaert added the Town must award the bid to the lowest responsible bidder, and it must be done via sealed bids. He added the department can then look at the specifications before making the final decision, but the bids must be sealed and opened at a Selectmen's meeting. Mr. Pendell asked how many companies build tanker trucks, and Chief Warren responded, "thousands." He added that the tanker must fit the building. Chief Warren said they would have bids in two weeks or less, and the truck could take up to eight months to build. He stated that Lakes Region Company is working on specifications so the truck could be possibly purchased off the lot, and International builds trucks that meets the NFPA standards for chassis, and they are located in New Hampshire so they can send out a repairman, if necessary.

Mr. Gallant voiced concern that making a decision at a Selectmen's meeting would make for a long evening, as there may be 65 pages of specifications, and Mr. Pendell stated they would only open the sealed bids at the meeting and make the final decision later.

**NONPUBLIC SESSION:** Chairman Poelaert **MOTIONED** to go into a nonpublic session at 7:50PM under RSA 91-A-3, II: para. (b) The hiring of any person as a public employee. The Board was polled & 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 1, 2010. The results of the poll were: Richard S. Poelaert–Yes, Matthew B. Dworman–Yes, & David R. Pendell, Jr.–Yes.

Chairman Poelaert **MOTIONED** to adjourn this Selectmen’s non-public meeting at 8:22PM. Mr. Pendell seconded. Motion carried 3-0.

**WAGES:** Mr. Pendell noted that he researched other companies that may be able to perform a wage study for the Town, and found that there is no other company besides MRI that can accomplish the type of work the Town is seeking. Mr. Pendell offered to contact MRI tomorrow and attempt to firm up their offer. Mr. Pendell stated MRI would be looking at wages and job descriptions for the full-time employees and the Assistant Town Clerk/Tax Collector. Mr. Dworman suggested they look at all permanent part-time employees.

**DEPUTY EM COORDINATOR.:** The Board reviewed a letter of recommendation from EOC Director, Sarah Gallant, for Timothy D. Conti’s appointment as Deputy Emergency Management Coordinator, effective March 31, 2010 – December 31, 2010. Mr. Dworman inquired to Fire Chief Ed Warren if he thought this appointment would have any impact on Mr. Conti’s duties with the Fire Department. Chief Warren responded that Tim is an excellent firefighter, and this appointment should have no conflict with his duties as a firefighter. Based on the recommendations of EOC Director Sarah Gallant, and Fire Chief Ed Warren, Chairman Poelaert **MOTIONED** to appoint Timothy D. Conti as Deputy Emergency Management Coordinator, effective March 31, 2010 – December 31, 2010. Mr. Dworman seconded. Motion carried 3-0.

**POLICE DEPT.:** Chairman Poelaert stated that Police Chief R. Simpson will be purchasing a used police cruiser with approximately 78,000 miles on it, and will swap the motor and radio of one older cruiser to another. Mr. Dworman inquired if there would be a warranty on the cruiser to be purchased, and Chairman Poelaert responded he would ask that question. He added the Chief would need an answer one way or the other by tomorrow.

Mr. Pendell **MOTIONED** to expend up to \$7,000 to purchase a used police cruiser. Chairman Poelaert seconded. Motion carried 3-0.

Mr. Pendell **MOTIONED** to expend up to \$2,500 to purchase a radio for the used police cruiser. Chairman Poelaert seconded. Motion carried 3-0.

Chairman Poelaert **MOTIONED** to expend up to \$3,000 to perform an engine swap between cruisers. Mr. Pendell seconded. Motioned carried 3-0.

**STATE OF NH:** It was noted the Office of Energy & Planning approved a grant for solar panels (renewable energy), and to install modulating condensing boilers (building energy efficiency) at the Elementary School, but denied the request to replace windows.

**FEMA:** If the Town submits to FEMA for reimbursement of the wind/rain storm 2/24-2/26/2010, the total cost is approximately \$31,000+/-.

**TOWN TOUR:** Brandywine Drive is in the CIP for 2012. The Varney's have a home occupation permit, which allows the Seacoast Biker Gear trailer on his property. A current building permit has been issued for 89 Main Street to repair the roof. The Road Agent has been contacted to have the town bound sign on Willow Road erected correctly. The Newton Transfer Station information has been provided to the owner of Barton's to remove tires. Mr. Donald is following up on unregistered vehicles at 217 Haverhill Rd. The other locations are not in violation.

Mr. Dworman inquired if the lettered trailer located on Mr. Varney's property was in violation of his home occupation permit in respect to signage. It was noted there were no Planning Board conditions of approval to prevent Mr. Varney from parking his lettered trailer on his lawn.

**THANK YOU NOTE:** The Board acknowledged an expression of appreciation from the family of Ralph West.

**WELFARE APPLICANT:** It was acknowledged by the Board that the recent welfare payment was paid in full by a family member prior to the recording of a lien at the Registry of Deeds.

**CEMETERY TRUSTEES:** It was noted that the deed for a lot line adjustment for the Cemetery Trustees was signed by all appropriate parties for recording at the Rockingham County Registry of Deeds.

**CALENDAR:** 3/31 Shoreland Solutions at Library, 4/4 Easter holiday, 4/15 Planning Board meeting, 4/28 LGC Regional Dinner, 4/30 Dog licenses due, & 5/8 Planning & Zoning Conference.

**LIBRARY:** Mr. Pendell noted that the insurance adjuster for LGC was looking to deny claims for storm damage to the library building, as it is his opinion that the library building is too new to incur damages of the type submitted for the cupola, pergola, etc. Mr. Pendell stated he spoke to Deb Lewis of LGC, and she informed him he must address concerns directly with the adjuster. Mr. Pendell offered that there were leaks springing up everywhere, and stated that asphalt shingles should last 30 years or more, so the roof should not be the problem. Mr. Poelaert stated that the building needs to be repaired one way or the other to prevent further damage, and Mr. Dworman suggested a local roofer to do the work. Ms. Hurteau offered that the damage from the wind/rain storm was claimable, but she was told heavy rain is not claimable. Mr. Pendell replied he would call the insurance adjuster tomorrow to further discuss the situation.

**CONSERVATION EASEMENTS:** Mr. Pendell stated that Ron Morales was interested in bringing back local farming to East Kingston, and inquired if residents with land in Conservation Easements would be able to lease their property out to establish a type of farming cooperative. The Admin. Asst. will research this question and get back to the Board.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's public meeting at 8:56PM. Mr. Pendell seconded. Motion carried 3-0.

Respectfully submitted,

Cheryll A. Hurteau  
Administrative Assistant II

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Richard S. Poelaert

Matthew B. Dworman

David R. Pendell, Jr.