

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
MONDAY, MAY 24, 2010**

7:00PM – Wendy LaSalle

ATTENDING: Selectmen Richard S. Poelaert & Matthew B. Dworman. (David R. Pendell, Jr.-absent)

OTHERS ATTENDING: Wendy LaSalle.

Chairman Poelaert called this Selectmen's Public Meeting to order at 6:30PM, noting Mr. Pendell will not be attending this meeting.

MINUTES: The Board reviewed the Selectmen's Public Meeting Minutes dated 5/10/10. Mr. Dworman **MOTIONED** to approve and sign the minutes as written. Mr. Poelaert seconded. Motion carried 2-0.

REGISTER/DETAILS: The Board reviewed the check register & special details. Mr. Dworman **MOTIONED** to approve and sign the check register dated 5/12-5/24/10 in the amount of \$46,588.24 & the police special details in the amount of \$680 for 5/11/10. Mr. Poelaert seconded. Motion carried 2-0.

HOME OCCUPATIONS: The Board reviewed home occupation renewal permits, effective July 1, 2010 – June 30, 2011, noting the fees have been paid with no changes from the prior year.

Mr. Dworman **MOTIONED** to approve and sign the following permits:

Keith S. Campbell, Acubright, 60 North Road, MBL #15-03-12, Permit #05-03

Christopher Crowley, Horse Kneads, 153 North Road, MBL #16-02-03, Permit #05-01

A. Russell Hanscomb, Russ Hanscomb Auto Repair, 53 Willow Road, MBL #08-01-08, Permit #89-26

Anthony W. Moulton, Millpond Development Corp/MBW, Inc. 6 Pine Woods, MBL #12-03-21, Permit 89-38

Mark & Diane LaPorte, MV LaPorte Construction, 73 Main Street, MBL #14-02-04, Permit #89-15

Mr. Poelaert seconded. Motion carried 2-0.

It was further noted that William Faris of William Rick Faris, Inc. has ceased operation of his invisible business on March 20, 2010, therefore, will not be renewing his invisible home occupation permit.

HOME OCCUPATION: The Board acknowledged receipt of a letter of recommendation from the Planning Board dated 5/21/2010, (based on their meeting of 5/20/10), to grant a home occupation permit to Lauralyne Conant, at 47 North Road, for a home occupation business permit for "Eyelash Extension Stylist". Mr. Poelaert **MOTIONED** to approve and sign the home occupation permit #10-01 for Lauralyne Conant, 47 North Road, for Eyelash Extension Stylist effective through 6/30/11, based on the recommendation of the Planning Board. Mr. Dworman seconded. Motion carried 2-0.

APPOINTMENTS: The Board acknowledged receipt of a recommendation from the Recreation Committee Chairman (Todd Gibbons) to appoint Rob LaBonte, Sheri Tracy & Mary George to the Recreation Committee.

Mr. Poelaert **MOTIONED** to appoint Robert LaBonte, Sheri Tracy & Mary George to the Recreation Committee through 12/31/2010, as recommended by the Recreation Committee Chairman, Todd Gibbons. Mr. Dworman seconded. Motion carried 2-0.

SQUIRE WAY: The Board reviewed a deed for Squire Way, in accordance with the passage of Warrant Article #12 passed at Town Meeting on 3/9/10, provided by Turner Porter of Bowley Realty, LLC and reviewed by town counsel.

Mr. Dworman **MOTIONED** to approve and sign the deed conveying Squire Way to the Town as approved at Town Meeting. Mr. Poelaert seconded. Motion carried 2-0. The deed will be recorded with the Rockingham County Registry of Deeds.

RELEASE OF FUNDS: The Board reviewed a letter releasing the remaining bond funds for Squire Way. Mr. Dworman **MOTIONED** to approve and sign the letter as written. Mr. Poelaert seconded. Motion carried 2-0.

STATE OF NH: The Board acknowledged receipt of a letter dated 5/5/10 from the State of NH, Liquor Commission informing the Town, Kathy Ann's Bakery, LLC/Don LaBonte has applied for a liquor license for 89A Main Street. It was noted the letter was originally forwarded to the Town of Kingston in error.

Mr. Dworman added his thought of looking into whether or not the Town could have an ordinance creating a liquor license town permit with a fee associated, in addition to the license issued by the State of NH.

NONPUBLIC SESSION (A): Chairman Poelaert **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 & the results of the poll were: Richard S. Poelaert- Yes, & Matthew B. Dworman – 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 May 24, 2010. The results of the poll were: Richard S. Poelaert–Yes, & Matthew B. Dworman –Yes.

Chairman Poelaert **MOTIONED** to adjourn the Selectmen's non-public meeting at 7:00PM. Mr. Dworman seconded. Motion carried 2-0.

AGRICULTURAL COMMISSION: The Board acknowledged receipt of a letter dated 5/24/10 from the Planning Board, asking for approval from the Board of Selectmen to investigate whether or not there would be any interest in forming an Agricultural Commission as allowed by RSA 673:1/673:4-b. The Planning Board thought if there is enough interest, they will ask the Selectmen to form a commission, but if not, they won't.

Mr. Poelaert **MOTIONED** to approve the Planning Board proceed with looking into whether or not there would be any interest for an Agricultural Commission. Mr. Dworman seconded. Motion carried 2-0.

PLANNING BOARD: The Board acknowledged the Planning Board met on May 13 & May 20th and the meeting minutes of May 13, 2010 have been provided for their review.

It was noted Dave Sullivan continues to be Chairman, and Ron Morales is the Vice Chairman.

LIBRARY: It was noted Amy Robbins is acting as Chairperson for the Library Trustees while Joanna McGarry Postle is taking a leave of absence as Chair.

DRAGON MOSQUITO: The Board acknowledged receipt of the April 2010 progress report from Dragon Mosquito, for their review.

TAX LIEN: It was noted the Town has been notified of an impending lien on a parcel located off of Giles Road.

DRA: The Board acknowledged receipt of the 2009 Assessment Review performed by DRA.

STATE OF NH: The Board acknowledged receipt of the notification from the State that the President has declared Rockingham County a major disaster declaration effective March 14 – 31, 2010, with a deadline to apply of June 11, 2010.

It was noted a copy has been provided to the EOC Director & she will be attending a meeting on May 24, 2010.

BIOTEAU DRIVE: The Board acknowledged the Conservation Commission, and Mr. Levine, on behalf of Margaret Powell, 1 Bioteau Drive, have forwarded letters to the State of NH, (DES/Wetlands Bureau), regarding the damage and repairs needed to the shared driveway of 1 & 2 Bioteau Drive.

UNEMPLOYMENT: It was noted a recent claim has been denied by the State of NH Unemployment Security.

CALENDAR: The following dates were noted: 5/27 accounts payable and payroll processing, 5/31 Memorial Day Holiday observed, Town Offices closed, & 6/5 & 6/6 the Newton Transfer Station will be closed to East Kingston residents.

WM: It was noted arrangements have been made with Waste Management to pick up solid waste and recycling barrels that were left at homes on Clement Lane that are located in South Hampton and not in East Kingston.

It was also noted the 30-yard dumpster was delivered to Holly Lane by Waste Management on Fri. 5/21/10, and that it was placed outside the 25' required buffer. It was acknowledged that the Town currently requires 100', but when these communities were approved, the buffer was 25'. Mr. Poelaert stated he measured the area prior to the delivery of the dumpster along with Civil Construction.

BAGSTER PROGRAM: The Board acknowledged the office has received the order of 10 bags for the bagster program, noting the cost for 10 bags, including S/H was about \$195.00.

Mr. Dworman added he is still not in favor of being in the business of selling the bags.

FIRE CHIEF: It was noted Warrant Article 16 passed at Town Meeting 2010, for the Town to have a part time Fire Chief. The Board acknowledged they will address this at the next meeting with a full Board present.

OEP: It was noted the Town has received the NH Energy Efficiency & Conservation Block Grant Agreement for the EK School Board to review prior to signature.

CRUISER: It was noted the Board of Selectmen had given the Police Chief approval to purchase a cruiser, noting the legal budget will probably be under expended and the police dept. budget over expended by the amount of \$6,000, at year-end.

It was further noted with the approval for the Police Special Detail Revolving Fund at Town Meeting 2010, the Chief will be able to use the money raised by special details to purchase cruisers in the future. Mr. Poelaert added when the police department needs to purchase a cruiser, they can use the money from the fund, and if any additional money is needed, it can come out of the budget at year-end.

INSURANCE CLAIM: It was noted the insurance adjuster is finalizing the insurance claim for the Town Hall & Pound School, and continues to work with the Library Trustees for the Library building.

In response to Mr. Dworman's inquiry, it was noted that the Library Trustees have not yet closed out the bond of which they have \$413.22 remaining, and that they did not have a contingency fund for the project.

It was acknowledged that the insurance will cover 25-year shingles on the Pound School and the additional cost for 50-year shingles would be \$1,320.

Mr. Poelaert **MOTIONED** to approve the added cost of \$1,320 to have the 50-year shingles put on the Pound School. Mr. Dworman seconded. Motion carried 2-0.

NONPUBLIC SESSION (B): Chairman Poelaert **MOTIONED** to go into a nonpublic session at 7:30PM under RSA 91-A-3, II: para. (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof, because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. The results of the poll were: Richard S. Poelaert-Yes and Matthew B. Dworman-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 May 24, 2010. The results of the poll were: Richard S. Poelaert-Yes & Matthew B. Dworman-Yes.

Chairman Poelaert **MOTIONED** to adjourn this Selectmen's non-public meeting at 7:35PM. Mr. Dworman seconded. Motion carried 2-0.

GILSTRAP: It was noted Ms. Gilstrap has asked that a Selectman and the Road Agent meet with her to inspect her driveway at 118 South Rd. Mr. Poelaert noted he will try to arrange to meet with her, as he was unable to keep his scheduled appointment with her this week and had to cancel.

COVE ROAD: It was acknowledged there has been a recent complaint about the condition of Cove Road. It was noted the Town grades the road for emergency purposes only, as it is a declared emergency lane. The Road Agent continues to monitor the private road, and has agreed to look into whether it needs grading at this time.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's Public Meeting at 7:40PM. Mr. Dworman seconded. Motion carried 2-0.

Respectfully submitted,

Deborah G. Gallant
Administrative Assistant

Richard S. Poelaert

Matthew B. Dworman

David R. Pendell, Jr.