**TOWN OF EAST KINGSTON BOARD OF SELECTMEN**

MEETING MINUTES

MARCH 16, 2023

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| Town Offices24 Depot RoadEast Kingston, New Hampshire4:30PM | Robert Caron, ChairJoseph Cacciatore, Mr. Robert Nigrello |

Board Members present: Robert Caron - Chair, Joseph Cacciatore – Mr. and Robert Nigrello.

Others Present: Town Administrator Grace Ruelle, Police Chief Michael LePage (4:48pm -5pm), and Amanda Allen.

Mr. Cacciatore called the meeting to order at 4:30pm with the roll call.

**ELECTION OF OFFICERS**

The first order of business immediately following the March Town Elections is for the Board of Selectmen to elect a Chair and Vice Chair for a term of one year.

Mr. Cacciatore opened the floor to nominations for Chair and then nominated Mr. Caron. Mr. Caron expressed a willingness to serve as Chair. With no other nominations put forth, the board, by show of hands (3-0-0), elected Mr. Caron to serve as Chair.

Chairman Caron then opened the floor to nominations for Vice Chair. Mr. Nigrello nominated Mr. Cacciatore. Mr. Cacciatore expressed a willingness to serve as Vice Chair. With no other nominations put forth, the board, by show of hands (3-0-0), elected Mr. Cacciatore to serve as Vice Chair.

**DISCUSSION ITEMS**

***Request for Rehearing***

Board members acknowledged a letter from Attorney Jonathan Flagg, on behalf of his client, Bradley Poole (BWP & Sons Excavating) requesting a rehearing of the board’s decision to deny a home occupation permit. Chairman Caron indicated he supports both the Planning Board’s decision to not recommend a home occupation and the Zoning Board of Adjustment’s (ZBA) decision to deny the Poole’s appeal from administrative decision. Mr. Nigrello read aloud an excerpt of the Home Occupation Ordinance that was included in the request for hearing letter and noted these provisions do not apply to Mr. Poole, as Mr. Poole has indicated on numerous occasions, he started his business in 1999. In order for Mr. Poole to claim grandfathered rights, the business would have needed to be in operation in 1989. Additionally, since Mr. Pool has never held a Home Occupation permit, these provisions do not apply. He then inquired if the other board members feel they missed anything when reviewing the application.

Mr. Cacciatore stated the Poole’s could have applied for grandfather status back in 1989; however, the business was not in existence back then. Mr. Nigrello stated the Planning Board and ZBA did not miss anything either. Board members concurred.

**MOTION: Chairman Caron motioned to accept the final decisions of the ZBA and Planning Board and to deny Attorney Flagg’s request for a rehearing; seconded by Mr. Cacciatore. The motion passed 3-0-0.**

***Senior Banners***

Amanda Allen spoke to the Selectboard’s earlier approval to hang high school graduation banners in town. It has since been determined the project is cost prohibitive ($200 per family). She then proposed another option for lawn signs, which would cost families $20 per sign, and then requested permission to display the signs on town property (Town Offices and Pound School). She indicated there would be a maximum of 40 signs.

Discussion ensued on the timeframe for display (month of June), concern for safety distraction for passing vehicles, lawn mowing issues, DOT right of way restrictions, including Ye Old Cemetery on Main Street, and possibly asking property owners along the town center corridor to display signs on private property.

Police Chief LePage entered the meeting at 4:48pm and noted the DOT will remove any signs within the right of way, and further expressed his concerns with the proximity of the Willow Road corner and Pound School as well as the possibility for parents to stop along the roadway to take photos of the signs. Mr. Nigrello stated his concern over the DOT allowing political signs along the state right of way but not such signs as being proposed.

Mrs. Allen responded she can provide a directive to parent about taking photos.

It was noted the hill slopes at the Town Offices, Pound School, and Ye Old Cemetery would allow for good display of the signs. By general consent, the board approved the plan to display graduation signs on these three properties, conditional that placement of the signs meet the DOT right of way restrictions.

Mrs. Allen thanked the board and left the meeting at 4:53pm.

**APPROVAL AND SIGNING OF DOCUMENTS**

***Meeting Minutes***

The Board reviewed the March 6, 2023 public session meeting minutes.

**MOTION: Mr. Nigrello motioned to approve the public session meeting minutes of March 6, 2023; seconded by Mr. Cacciatore. The motion passed 3-0-0.**

The Board reviewed the March 6, 2023 nonpublic meeting minutes, sessions I, II and III.

**MOTION: Mr. Nigrello motioned to approve the nonpublic meeting minutes, sessions I, II and III of March 6, 2023; seconded by Mr. Cacciatore. The motion passed 3-0-0.**

***Accounts Payable Check Registers***

Chairman Caron presented, for board review and questions, the March 8, 2023 accounts payable register in the amount of $98,344.93.

**MOTION: Mr. Cacciatore motioned to approve and sign the accounts payable check register dated March 8, 2023 in the amount of $98,344.93; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Payroll Registers***

Chairman Caron presented, for board review and questions, the following payroll registers:

February 2, 2023 - $35,450.44

February 17, 2023 - $55,150.83

March 3, 2023 - $44,876.12

**MOTION: Mr. Cacciatore motioned to approve and sign the payroll registers dated February 2, 2023 ($35,450.44), February 17, 2023 ($55,150.88), and March 3, 2023 ($44,876.12); seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Police Special Detail***

Chairman Caron presented, for board review and questions, the following police special detail payroll register dated March 1, 2023-March 10, 2023 in the amount of $3,685.00.

**MOTION: Mr. Cacciatore motioned to approve and sign the police special detail payroll check register dated dated March 1, 2023-March 10, 2023 in the amount of $3,685.00; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Renewal of Town Appointments***

Board members reviewed the annual March appointments as follows:

Animal Control:

Deborah Marston – 1 year term expires 12/31/2023

Richard C Marston – 1 year term expires 12/31/2023

Assistant Town Clerk/Tax Collector:

Judith Cash – 1 year term expires 12/31/2023

Building Inspector:

Kip Kaiser – 1 year term expires 12/31/2023

Cemetery Sexton:

Mark Brinkerhoff – 1 year term expires 12/31/2023

Code Enforcement Officer:

Kip Kaiser – 1 year term expires 12/31/2023

Conservation Commission:

Dennis Quintal – 3 year term expires 3/31/2026

Vicki Brown – 3 year term expires 3/31/2026

Brooke Petrucelli – 3 year term expires 3/31/2026

Deputy Treasurer:

Kory Skalecki – 1 year term expires 12/31/2023

Historical Committee:

Evelyn Brace – 1 year term expires 12/31/2023

Historical Committee (continued)

Rose Fulk – 1 year term expires 12/31/2023

James Saucier – 1 year term expires 12/31/2023

Sharon Marston – 1 year term expires 12/31/2023

Linda Maclaren – 1 year term expires 12/31/2023

Recreation Committee:

Andrew Fulchino – 1 year term expires 12/31/2023

Andrew Herum – 1 year term expires 12/31/2023

Justin Lyons – 1 year term expires 12/31/2023

Melissa Lyons – 1 year term expires 12/31/2023

Bryan Wall – 1 year term expires 12/31/2023

Safety Committee:

Edward Warren – 1 year term expires 12/31/2023

Grace Ruelle – 1 year term expires 12/31/2023

Michael LePage – 1 year term expires 12/31/2023

Mark Brinkerhoff – 1 year term expires 12/31/2023

Solid Waste and Recycling Committee:

Robert Caron – 1 year term expires 12/31/2023

Daniel Guilmette – 1 year term expires 12/31/2023

Ronald Morales – 1 year term expires 12/31/2023

William Staples – 1 year term expires 12/31/2023

**MOTION: Mr. Nigrello motioned to a renew the appointments as presented except those for Emergency Management; seconded by Mr. Cacciatore. The motion passed 3-0-0.**

Chief LePage was excused from the meeting at 5:00pm.

**NON-PUBLIC SESSION I**

**MOTION: Chairman Caron motioned to go into non-public session under RSA 91-A:3,** **(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting; seconded by Mr. Nigrello.**

**The board was polled: Chairman Caron – yes**

 **Mr. Cacciatore – yes**

 **Mr. Nigrello – yes**

The board entered non-public session at 5:04pm.

The board re-entered public session at 5:09pm.

**MOTION: Chairman Caron motioned to seal non-public meeting minutes under RSA 91-A:3, on the basis that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself; seconded by Mr. Cacciatore. The motion passed 3-0-0 (2/3 vote required).**

**NON-PUBLIC SESSION II**

**MOTION: Chairman Caron motioned to go into non-public session under RSA 91-A:3, (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting; seconded by Mr. Nigrello.**

**The board was polled: Chairman Caron – yes**

 **Mr. Cacciatore – yes**

 **Mr. Nigrello – yes**

The board entered non-public session at 5:10pm.

The board re-entered public session at 5:30pm.

**MOTION: Mr. Nigrello motioned to seal non-public meeting minutes under RSA 91-A:3, on the basis that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself; seconded by Mr. Cacciatore. The motion passed 3-0-0 (2/3 vote required).**

**NON-PUBLIC SESSION III**

**MOTION: Mr. Nigrello motioned to go into non-public session under RSA 91-A:3, (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.; seconded by Mr. Cacciatore.**

**The board was polled: Chairman Caron – yes**

 **Mr. Cacciatore – yes**

 **Mr. Nigrello – yes**

The board entered non-public session at 5:31pm.

The board re-entered public session at 5:50pm

**MOTION: Chairman Caron motioned to seal non-public meeting minutes under RSA 91-A:3, on the basis that divulgence of the information would render the proposed action ineffective; seconded by Mr. Cacciatore. The motion passed 3-0-0 (2/3 vote required).**

**FOLLOW UP ITEMS**

***Salt Shed***

Mr. Nigrello spoke to replacing the salt shed versus repairing roads and purchasing a loader with the highway grant monies ($44k). He noted the town pays $20k per year for bucket loader services and purchasing one outright might be more economically feasible. He stated the town is losing approximately $1k of salt per year due to spoilage. The town could hold off on replacing the salt shed taking the loss of salt spoilage, and purchase a bucket loader saving $20k per year on loader services, or, the grant monies could be spent on repairing road.

Chairman Caron stated he was not opposed to applying funds to roads instead of the salt shed; however, they will need to address the salt shed at some point in the future. Additionally, they may need to move the salt shed when the back land is developed.

Noting a limited time for spending the highway grant funds, Mr. Nigrello proposed utilizing the grant funds for road repair now so they don’t lose the monies, and then deducting the cost to purchase or repair the salt shed and/or bucket loader from the road repair budget, thus allowing the board more time to decide how best to spend the $44k. He then agreed to research costs for purchasing a bucket loader, as well as associated costs (insurance, driver, etc.) as well as registration details.

***Town Offices Handicap Ramp***

Mr. Nigrello reported that as a follow up to the last meeting, he has confirmed the quote to purchase and have installed a reclaimed metal handicap ramp – this was the lowest of three bids received. It was noted that the Building Inspector needs to sign off on the project before finalizing the purchase.

**MOTION: Mr. Cacciatore motioned to move forward and purchase the reclaimed metal handicap ramp; seconded by Chairman Caron. The motion passed 3-0-0.**

***Selectmen Assignment of Liaison Responsibilities***

Board members reviewed the list of liaison responsibilities. Mr. Nigrello noted he has been Selectman for four years but has never served as liaison to the Fire Department and Ambulance. Mr. Cacciatore agreed to trade the Fire and Ambulance for Emergency Management. Mr. Nigrello accepted.

With no other information before the board,

**MOTION: Mr. Cacciatore motioned to adjourn, seconded by Chairman Caron. The motion passed 3-0-0 and the meeting ended at 6:04pm.**

Minutes prepared by Catherine Belcher. Approved on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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| Joseph Cacciatore |  | Robert A. Caron |  | Robert L. Nigrello |