**TOWN OF EAST KINGSTON BOARD OF SELECTMEN**

MEETING MINUTES

May 15, 2023

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| Town Offices  24 Depot Road  East Kingston, New Hampshire  6:30PM | Robert Caron, Chair  Joseph Cacciatore, Vice Chair  Robert Nigrello |

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

Others Present: Town Administrator Grace Ruelle, Conservation Commission Chair Dennis Quintal, and Planning Board Chair Josh Bath.

Chairman Caron called the meeting to order at 6:30pm with the roll call.

**APPROVAL AND SIGNING OF DOCUMENTS**

***Meeting Minutes***

The Board reviewed the May 1, 2023 public meeting minutes.

**MOTION: Vice Chair Cacciatore motioned to approve the public meeting minutes of May 1, 2023; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Accounts Payable Check Registers***

Chairman Caron presented, for board review and questions, accounts payable check register dated May 9, 2023 in the amount of $26,366.91.

**MOTION: Chairman Caron motioned to approve and sign the accounts payable check register dated May 9, 2023 in the amount of $26,366.91; seconded by Vice Chair Cacciatore. The motion passed 3-0-0.**

***Payroll Registers***

Chairman Caron presented, for board review and questions, payroll register dated May 12, 2023 in the amount of $38,895.89.

**MOTION: Chairman Caron motioned to approve and sign the payroll register of May 12, 2023 in the amount o $38,895.89; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Police Special Detail***

Chairman Caron presented, for board review and questions, police special detail payroll register for the period of May 1 – May 3, 2023 in the amount of $3,520.00.

**MOTION: Chairman Caron motioned to approve and sign the police special detail payroll check register dated May 1-3, 2023 in the amount of $3,520.00; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***First Half of Tax Warrant***

Town Administrator Ruelle presented the first half of the tax bill amount collected for board review.

**MOTION: Chairman Caron motioned to accept the first half of the taxes collected in the amount of $4,541,206.00; seconded by Vice Chair Cacciatore.**

Discussion: Mr. Nigrello noted this amount represents half of the taxes collected for the 2022 year with the full year amount to be trued up in November/December as prescribed by statute.

**VOTE: The motion passed 3-0-0.**

**CORRESPONDENCE**

***Conservation Commission – Morning Bird Walk***

Town Administrator Ruelle informed the board the Conservation Commission is hosting a bird walk on Saturday, June 3rd from 7:30-9:30am at 10 Autumn Lane. Conservation Commission Chair Dennis Quintal stated the homeowner and expert bird watcher, Mr. Kirk Elwell, will serve as host to educate participants on both birds and their habitat. Flyers have been posted on Facebook, the town’s website and the Carriage Towne News. He then extended a personal invitation to the members of the board.

***Appointments***

Town Administrator Ruelle informed the board Paula Newcomb has expressed an interest in serving on the Solid Waste Committee and that Committee Chairman Morales endorses the appointment. It was noted this is a one-year term expiring December 31, 2023.

**MOTION: Chairman Caron motioned to appoint Paula Newcomb to the Solid Waste Committee for a one-year term expiring December 31, 2023; seconded by Mr. Nigrello. The motion passed 3-0-0.**

***Town Beach Restoration Project***

Conservation Commission Chair Dennis Quintal spoke about the town beach restoration project noting the warrant article to fund this project was not approved by the voters in March. He stated the Conservation Commission, at its last meeting, discussed the proximity of the beach to the railroad tracks, and subsequent calls were made to the railroad about fencing. The railroad offered to install fencing with the stipulation the fence be maintained by the town once installed. He would like to present this fencing proposal for Selectboard consideration.

Discussion ensued on scenarios where fencing would benefit and not benefit beach goers, on liability issues, and on the need for specific details on the type and size of fencing that would be installed. Conservation Commission Chair Quintal will obtain the necessary information and bring it back to the board for consideration. He then left the meeting at 6:45pm.

**NONPUBLIC SESSION**

**MOTION: Mr. Nigrello motioned to go into nonpublic session under RSA 91-A:3, (a) the dismissal, promotion, or compensation of any public employee and 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 Vice Chair Cacciatore.**

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

**Vice Chair Cacciatore – yes**

**Mr. Nigrello – yes**

The board entered nonpublic session at 6:46pm.

Planning Board Chairman Bath left the meeting at 7:17pm. The board re-entered public session at 7:21pm.

**MOTION: Mr. Nigrello motioned to seal nonpublic 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 Vice Chair Cacciatore. The motion passed 3-0-0 (2/3 vote required).**

**FOLLOW UP ITEMS**

***Use of Highway Grant Funds (Block and Bridge)***

Mr. Nigrello reported on both new and used bucket loader/backhoe research he has been conducting for possible use of the highway block and bridge grant funds. Using last winter’s calculations, he presented cost savings scenarios in purchasing the equipment outright versus contacting the equipment each year. Discussion ensued on the number of equipment hours, fuel, insurance, and tag costs, equipment operator availability, liability, and costs, utilizing the equipment for salt and sand during the winter months and road/bridge repair and maintenance for the rest of the year; on the need for the equipment to have both a cab and heat, using the cemetery tractor for other projects in town, purchasing a small dump truck, and adding to the equipment inventory over the years as feasible. The board agreed the intent of this research and potential purchases was to save the town money in the future. Projects for consideration include culvert work, South Road repair, and handicap striping at the Town Offices. Board members agreed there needs to be an ongoing plan and schedule for town roads and infrastructure and that purchasing the aforementioned equipment could serve as a cost savings on these and other future projects. As such, Mr. Nigrello would continue moving forward with his research on a bucket loader/backhoe and Chairman Caron would research costs for a small dump truck.

***Work Period Determination***

Town Administrator Ruelle reported on legal counsel’s advice on work period determination for the fire and police departments. Noting a 14-day work period, it is suggested the board accept FLSA exemption 7(K) and maintain separate work periods for the fire and police departments and further update and clarify town policy for both departments.

Discussion ensued on adopting a work period which would be between 7 and 28 days, establishing an effective date, and amending the policies as appropriate. By general consent, board members agreed the work period should be consistent with the pay period of 14 days. They discussed keeping the police department work hours at 80 per work period before overtime is paid or increasing it to 86 hours as well as setting the fire department hours to 106 per work period before overtime is paid. They noted legal counsel’s clarification that all hours worked count towards the 106-hour calculation for the fire department (training, duty, and calls – only on-call when not at the station would not count towards the 106-hour calculation). The board noted this matter originally became an issue due to the lack of policy updates over the years and that employee benefits are a separate matter which are addressed in the employee manual.

**MOTION: Vice Chair Cacciatore motioned to create a work proposal that would establish a 14-day work period, establish an hourly max of 106 hours per work period for the fire department while keeping the police department at an 80-hour per work period; seconded by Chairman Caron.**

Discussion: Clarification of the motion was provided in that this was to establish a work proposal only (not adopt these standards as of yet) and that work hours in excess of the 106 and 80 hours would constitute overtime pay.

**VOTE: The motion passed 3-0-0.**

***Emergency Management Structure***

Chairman Caron stated he is still in the process of drafting a new structure plan for the Emergency Management Department for the purpose of clarifying the department’s organization. This item will be tabled to a future meeting.

***Health Officer Appointment***

Town Administrator Ruelle reported the town’s health officer’s state appointment expires at the end of June and inquired if the board wished to renew his appointment.

**MOTION: Mr. Nigrello motioned to appoint Dr. Peter Maher as Health Officer for a three-year term and to further sign the state appointment; seconded by Vice Chair Cacciatore. The motion passed 3-0-0.**

***Notice of Hearing***

Town Administrator Ruelle informed the board that a date has been set for the matter of Poole v. Town of East Kingston (August 22, 2023 at 10am) and, per legal counsel’s request, to designate a Selectman to attend on behalf of the town. Chairman Caron agreed to attend.

With no other business before the board,

**MOTION: Mr. Nigrello motioned to adjourn, seconded by Vice Chair Cacciatore. The motion passed 3-0-0 and the meeting ended at 8:09pm.**

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

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