

**TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
MARCH 21, 2011**

7:00pm: Stuart Thompson, DOT

7:15pm: Sylvia Simon-Minnick

7:30pm: Kevin Frye

7:45pm: Police Chief R. Simpson

ATTENDING: Selectmen Matthew B. Dworman, Richard S. Poelaert and Mark A. Cook.

Others Attending: Stuart Thompson, Bill Oldenburg, Trent Zanes, Doug DePorter, Bill Lambert, Dave Walker, Sylvia Simon-Minnick, Kevin Frye, Marissa Novella-Seacoast Newspaper Reporter, and Police Chief R. R. Simpson.

Mr. Dworman called this Selectmen's Public Meeting to order at 6:30PM, welcoming Mark A. Cook and welcoming back Richard S. Poelaert as Selectman.

Mr. Poelaert **MOTIONED** to appoint Matthew Dworman as Chairman. Mr. Cook seconded. Motion carried 3-0.

MINUTES: The Board reviewed the Selectmen's public & non-public meeting minutes dated 3/07/11. Chairman Dworman **MOTIONED** to approve the meeting minutes as written. Mr. Poelaert seconded. Motion carried 3-0.

REGISTER: The Board reviewed the check register and police special details. Mr. Cook **MOTIONED** to approve and sign the check register dated 3/09-3/18/11 in the amount of \$82,215.48. Mr. Poelaert seconded. Motion carried 3-0.

Mr. Poelaert **MOTIONED** to approve and sign the Police Special Detail list totaling \$960. Mr. Cook seconded. Motion carried 3-0.

APPOINTMENTS: The Board reviewed appointments. Mr. Cook **MOTIONED** to approve and sign the following:

Dennis G. Quintal, Conservation Commission member through 3/31/2014

David G. Miller, Conservation Commission member through 3/31/2014

Conrad V. Moses, Alternate Trustee of the Library through 3/31/2012

J. Peter Stein, Alternate Trustee of the Library through 3/31/2012

Ronald F. Morales, Planning Board member through 3/31/2014

Peter C. Gilligan, Planning Board member through 3/31/2014

Kimberley I. Casey, E-Government Committee member through 12/31/2011

Vanda Moore, E-Government Committee member through 12/31/2011

Ronald F. Morales, E-Government Committee member through 12/31/2011

Ronald F. Morales, Agricultural Commission member through 3/31/2012

Bradley Rice, Agricultural Commission member through 03/31/2013

Stephen W. White, Agricultural Commission member through 3/31/2014

Linda A. White, Agricultural Commission Alternate member through 3/31/2012

Christopher E. Castonguay, Agricultural Commission member through 3/31/2014

Mark A. Cook, Planning Board Ex-Officio through 3/13/2012

Richard S. Poelaert, Planning Board Ex-Officio Alternate through 3/13/2012

Matthew B. Dworman, Planning Board Ex-Officio Alternate through 3/13/2012

Mr. Poelaert seconded. Motion carried 3-0.

MS-2: The Board reviewed the MS-2, Report of Appropriations Actually Voted, noting it is the budget of \$2,449,000 plus all the approved warrant articles for a total of \$2,548,150 for 2011. Mr. Dworman **MOTIONED** to approve and sign the MS-2 as presented. Mr. Poelaert seconded. Motion carried 3-0.

ABATEMENT: The Board reviewed an in-house abatement recommended by the assessing company for MBL #10-04-08-A, noting it is open space. Mr. Cook **MOTIONED** to approve and sign the abatement as recommended, reflecting an abatement of \$28.00. Mr. Poelaert seconded. Motion carried 3-0.

EXEMPTION: The Board reviewed a Veterans' exemption application. Mr. Poelaert **MOTIONED** to approve and sign the Veterans' exemption for MBL #08-02-46-20A, 14 Country Lane, for \$500, noting all the required criteria has been met. Mr. Cook seconded. Motion carried 3-0.

TC/TC REQUEST FOR DISBURSEMENT OF FUNDS: The Board reviewed a request submitted by the Town Clerk/Tax Collector. Mr. Cook **MOTIONED** to approve and sign the request to reimburse Litton Loan Servicing for an overpayment of taxes on MBL #08-02-03 in the amount of \$46.92. Mr. Poelaert seconded. Motion carried 3-0.

CORRESPONDENCE: The Board acknowledged receipt of a letter dated 3/09/11 from H. F. Lewandowski, Jr., responding to the Board's request for information regarding the personal use of the Kubota tractor by a Cemetery Trustee. The letter offers that the complainant meet with the Cemetery Trustees, rather than the Board of Selectmen, to discuss the matter.

The Board reviewed a letter of response for signature addressed to the complainant suggesting he meet with the Cemetery Trustees, as Mr. Lewandowski has suggested, to discuss his issues and concerns. Mr. Cook **MOTIONED** to approve and sign the letter as written. Mr. Poelaert seconded. Motion carried 3-0.

The Board acknowledged a letter dated 3/06/11 from the Trustees of the Trust Funds regarding a complaint about what was printed in the Town Report for the Trustees. The Board noted that nothing changed; the same format has been used since 2007, and that they did not convey their decision to change the format this year to the Selectmen's Office. Mr. Poelaert **MOTIONED** to sign a letter of response. Mr. Cook seconded. Motion carried 3-0. Mr. Cook stated that it was a lack of communication on Roby's part.

E911: Chairman Dworman explained an E-911 issue with 216 Haverhill Road, East Kingston. It was acknowledged the subdivision was approved by the East Kingston & Newton Planning Boards in 2002. The driveway access is 128 North Main Street, Newton, and the house is situated in East Kingston (216 Haverhill Road-rear).

The Board acknowledged receipt of a letter from the Fire Chief stating his support that the address remain at 128 North Main Street, Newton; where the actual physical access to the property is in Newton. The Police Chief also agreed. Mr. Cook suggested that Rockingham County Dispatch be notified to flag the property as access is in Newton, and the house is in East Kingston. It was further noted other surrounding towns have similar cases, including a house in Kingston with the access through Casey Road in East Kingston.

The Board of Selectmen agreed to support the Fire Chief and the Police Chief, to request that E-911 not make any change. It was further acknowledged that the homeowner is also not in favor of making any changes either. They all agreed making any change would make it more confusing.

Mr. Cook **MOTIONED** to have the address remain the same (128 North Main Street, Newton, NH), and to notify Rockingham Dispatch and all Department Heads, noting the Fire Chief and Police Chief also support making no change. Mr. Poelaert seconded. Motion carried 3-0.

The Board received a letter from the previous Board of Selectmen for their review.

LIAISON: The Board reviewed an updated Areas of Responsibility for the Board of Selectmen. Mr. Poelaert **MOTIONED** to approve the Areas of Responsibility Liaison list with the minor changes discussed. Mr. Cook seconded. Motion carried 3-0.

AGRICULTURAL COMMISSION: The Board acknowledged receipt of the Agricultural Commission meeting minutes dated 2/10/11 for their review.

CALENDAR: 4/4/11 next Selectmen's Meeting.

ANNUAL TOWN TOUR: The Board discussed conducting the annual town tour as required by RSA 75:8. The Board agreed to conduct the annual town tour on Friday, March 25, 2011 at 8:30AM.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 6:55PM 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: Matthew B. Dworman –Yes, Richard S. Poelaert – Yes & Mark A. Cook –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 21, 2011. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert – Yes, & Mark A. Cook – Yes.

Chairman Dworman **MOTIONED** to adjourn this Selectmen's non-public meeting at 7:10PM. Mr. Poelaert seconded. Motion carried 3-0.

NONPUBLIC SESSION: Chairman Dworman **MOTIONED** to go into a nonpublic session at 7:12PM 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: Matthew B. Dworman –Yes, Richard S. Poelaert – Yes, & Mark A. Cook –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 21, 2011. The results of the poll were: Matthew B. Dworman –Yes, Richard S. Poelaert – Yes, & Mark A. Cook – Yes.

Chairman Dworman **MOTIONED** to adjourn this Selectmen's non-public meeting at 7:28PM. Mr. Poelaert seconded. Motion carried 3-0.

DOT: At 7:30PM, members from the Department of Transportation (DOT) Mr. Stuart Thompson, along with Bill Oldenburg (Project Manager), Trent Zanes, Doug DePorter (Highway Maintenance), Bill Lambert (State Traffic Control) and David Walker (RPC), met with the Board to discuss the dangerous intersection of Routes 108 & 107A.

Mr. Oldenburg provided a large map of the intersection for the Board members to review. Mr. Oldenburg noted that a number of accidents have occurred over the past few years. He noted between 2002 and 2009, eleven crashes have occurred. He added there has been a spike in accidents, including a fatality and several serious injuries.

There is a Highway Safety Improvement Program and the purpose is to reduce serious accidents, and it was established to provide improvements to reduce accidents.

He noted this intersection was flagged for improvement at a minimal cost. They are looking for the Board of Selectmen's support to look into this. They would like to do it in 2011. They will look into it and come back to the Board to discuss their recommendations for improving the intersection.

Chairman Dworman explained to the gentlemen that the Board had sent correspondence in 2007 through 2009 asking for action to be taken at this intersection. He added the DOT are the experts and they need to look at it. Mr. Poelaert and Mr. Cook agreed that it is a dangerous intersection, they have seen a lot of accidents over the years, and would like to hear the DOT's recommendations for improving it.

Chief Simpson added he is not in favor of a 4-way stop sign.

Mr. Oldenburg replied, if the Board agrees for them to move forward with a safety improvement, they will measure and conduct a full review and make recommendations to the Board this summer. The Board agreed that they will wait to hear back from them with their recommendations.

Mr. Poelaert explained his thoughts on another bad intersection at the corner of Willow Road going out onto Depot Road, another State Road. He informed them that originally there was a picket fence, new owners of the property have installed a high stockade fence, he thinks the sight distance is very bad, and others have expressed their concerns about it, too.

Mr. Doug DePorter responded the fence may or may not be in the right of way of the State Road. Mr. Poelaert asked them to look at it and offer suggestions.

At 8:52PM, they thanked the Board and Bill, Stuart, Trent, Bill, and Doug left the meeting.

K. FRYE: At 7:53PM, Mr. Kevin Frye met with the Board to discuss his interest in being assured that the Road Agent will be repairing Forest Drive this year.

The Road Agent is unable to attend tonight, but asked Ms. Gallant to convey that Forest Drive is his top priority for 2011.

Mr. Frye noted he is afraid that there is no money in the budget for maintenance to repair roads, especially Forest Drive, as the snow removal costs were high this year and the Road Agent will need money for any Nov./Dec. 2011 storms.

Chairman Dworman stated the Road Agent will be conducting repairs to Forest Drive as his top priority in 2011. Mr. Frye expressed his concerns with the Town getting further behind in road maintenance. He noted Forest Drive was originally listed to be done in 2007. He added Sanborn Road has been done three times, and Forest Drive has not.

Mr. Cook noted that Forest Drive is deplorable, and everyone agreed that the roads should be repaired the right way and to spend the money to do it right.

It was again noted Forest Drive is the Road Agent's top priority for 2011.

Mr. Frye added, as a taxpayer, he would rather spend money on road maintenance versus some of the other areas like the library, ball fields, and school.

It was also acknowledged that of the \$312,000 budget, \$40,000 is allocated for maintenance, \$150,000 for snow removal, and \$122,000 for capital road improvements. Mr. Frye encouraged increasing the Road Agent's budget next year, because if you don't, in a couple of years you will be too far behind.

Chairman Dworman responded during budget season for 2012 they will look into increasing the Road Agent's budget for road repairs.

Mr. Frye inquired about the cost of the mowing the sides of the roads during the summer months, and what is the purpose? He was informed the cost is about \$3,000 per year and it is to keep the site distance for vehicles.

At 8:15PM, Mr. Frye thanked the Board and left the meeting, along with Chief Simpson.

Chairman Dworman explained the next meeting will be to review a renewal contract with Comcast and noted the Board members will be provided a copy of the draft for their review.

Chairman Dworman also explained that they should look at the possibility of merging South Hampton & East Kingston fire departments further. Currently, they have mutual aid, but no official written agreement in place.

It was noted the Fire Chief has agreed to review the payroll expenses at the end of the first quarter and determine the cost per call. Chairman Dworman acknowledged that Chief Warren is doing a great job and does not doubt his ability to do the job. They just need to justify the combining of the departments if they decide they should move forward with it.

RECREATION COMMITTEE: Mr. Poelaert noted that the Warrant Article passed to spend \$25,000 for the improvements to Foss Wasson field. He thinks the Board should find out the specs from the Committee and it must go out to bid, the sealed bids submitted to Deb, and the bids will be opened at a public Selectmen's Meeting and awarded by the Board of Selectmen. The other Board members agreed with this as the proper procedure.

LIBRARY: Mr. Poelaert noted the library building has scheduled interior repairs by the contractor to fix water damage sustained last year. It was noted the Building Inspector would be inspecting the repairs.

LEGAL: It was noted in a case that the appeal has been withdrawn. No action is required by the Town.

Mr. Poelaert **MOTIONED** to adjourn this Selectmen's Public Meeting at 8:35PM. Mr. Cook seconded. Motion carried 3-0.

Respectfully submitted,

Deborah G. Gallant
Administrative Assistant

Matthew B. Dworman

Richard S. Poelaert

Mark A. Cook