TOWN OF EAST KINGSTON, NH
SELECTMEN'S PUBLIC MEETING MINUTES
MONDAY, JANUARY 4, 2016


Chairman Morales called this Selectmen’s Public meeting to order at 6:30PM.

MINUTES: The Board reviewed the Selectmen’s Public and Non-Public Meeting Minutes dated 12/21/15.

Chairman Morales MOTIONED to approve the Selectmen’s Public and Non-Public Meeting Minutes dated 12/21/2015 as presented. Mr. Dworman seconded. Motion carried 2-0.

CHECK REGISTERS/POLICE DETAILS: The Board reviewed the check register dated 12/22/15 – 01/01/16 in the amount of $72,983.80 and the police special detail list in the amount of $1,420.00 dated 12/16/15 – 12/23/15.

It was noted that Chairman Morales reviewed the accounts payable prior to its approval at this meeting.

Mr. Dworman MOTIONED to approve and sign the check register dated 12/22/15 – 01/01/16 as presented based upon Chairman Morales’ prior review. Mr. Poelaert seconded. Motion carried 3-0.

Chairman Morales MOTIONED to approve and sign the police special detail list as presented. Mr. Dworman seconded. Motion carried 3-0.

VETERANS’ EXEMPTIONS: The Board reviewed the following applications for Veterans’ Exemptions noting all the criteria has been met for approval:

Anthony Delvecchio, 23 Autumn Lane, MBL #16-02-04-23, $500
Christopher Hawkes, 4 Rodam Road, MBL #10-04-08-04, $500

Chairman Morales MOTIONED to approve the above applications for Veterans’ Exemptions based upon all the criteria has been met for approval, as presented. Mr. Dworman seconded. Motion carried 3-0.

WINGOLD GRANGE #308: Chairman Morales read aloud a thank you letter to Wingold Grange #308 for a generous donation of $100 for use with the food pantry.

Chairman Morales MOTIONED to approve and sign the thank you letter to Wingold Grange #308 for a generous donation of $100 for use with the food pantry, as presented. Mr. Dworman seconded. Motion carried 3-0.

APPOINTMENT: The Board reviewed an appointment for an interim Health Officer for one Selectman until a replacement Health Officer can be appointed. It was noted in the absence of a Health Officer, one Selectman must be appointed in the interim according to the State of New Hampshire.

Chairman Morales explained he researched the State statutes and they revealed the Board can continue to try to appoint another Health Officer. He added if the Town has no recommendations, the Commissioner shall appoint any qualified person to act so they can fill a vacancy and that person could serve several towns and share expenses amongst those towns.

Mr. Dworman stated he would rather have a Town resident fill the position and suggested posting the vacancy on the Town website and Facebook. He added he would also speak with the Kingston Selectmen for more information.
Mr. Poelaert stated he is OK with continuing as Health Officer in the interim.

Chairman Morales thanked Mr. Poelaert and suggested that he and Mr. Dworman serve as Deputy Health Officers.

Chairman Morales **MOTIONED** to approve and sign the appointment for Mr. Poelaert as interim Health Officer and Mr. Dworman and Chairman Morales to be appointed as Deputy Health Officers until a replacement Health Officer can be appointed. Mr. Dworman seconded. Motion carried 3-0.

**2016 WARRANT ARTICLES:** Mr. Dworman asked if the other Board members read over the proposed warrant for 2016.

Chairman Morales offered a suggestion of changing the second line of warrant article #10 that asks the voters to change the office of Road Agent from an elected position to an appointed position . . . to “Such appointment shall be made bi-annually (2-year term) (instead of annually) to offer the Road Agent a bit more continuity of office after investing a large amount of money in equipment.

Mr. Brinkerhoff stated they should place it on the ballot and let the voters decide as he had already made the initial investment in equipment.

Chairman Morales suggested possibly using the wording of “up to 3 years,” and Mr. Brinkerhoff replied they just need to pick a number.

Chairman Morales stated they want to make the person doing the job feel that it is worth investing in.

Mr. Dworman suggested they ask for a 2-year appointment.

Mr. Dworman **MOTIONED** to change the wording from annually to bi-annually (2-year term). Chairman Morales seconded. Motion carried 3-0.

**SB-2:** Mr. Dworman asked if they should include a warrant article to rescind SB-2 again this year.

Chairman Morales replied he did not think it could be included beyond two years in a row adding the residents keep voting it down year after year.

Mr. Dworman gave residents credit for at least showing up to vote on it.

**2016 BUDGET:** Chairman Morales stated he reviewed the budget and the numbers are what the Selectmen voted to approve.

Ms. Hurteau noted numbers for electricity and heat had been slightly amended at the Energy Committee’s request and the 2016 budget is up approximately 1.33% from the 2015 budget.

Chairman Morales agreed there were only slight changes to electrical and propane costs due to decreased costs and reiterated that the final numbers look to be the numbers voted on by the Selectmen.

It was noted the 2016 budget equals $2,792,808 and the 2016 default budget equals $2,809,339, which is actually higher than the regular budget number.

**COMMENTS FROM ATTENDEES:** At 7:00PM, Chairman Morales noted an item was recently added to the agenda under “Discussion Items” labeled “Comments From Attendees,” and asked if the group in attendance had any brief comments for them.

*Town of East Kingston, NH Selectmen’s Public Meeting Minutes-January 4, 2016-20160104selpubmin*
Mr. Schuler stated he first wanted to thank the Selectmen for all of the work they have done. He continued he received a number of calls from various citizens of Town who are concerned about the issue of the new Police Chief.

Mr. Schuler then asked if the Selectmen have hired a Police Chief.

Chairman Morales replied, yes we have.

Mr. Schuler replied good, congratulations and he doesn’t know about the Chief, but wants to inquire about certain end of year expenditures that may be going on like new rifles with silencers.

Chairman Morales replied he was not aware of that, but they did have sound suppressors on them to protect the hearing of the Police Officers.

Mr. Dworman agreed the sound suppressors were approved along with the new rifles.

Mr. Schuler stated this seems to be “a substantial move toward militarization” and he thinks the Chairman is well aware he is a retired federal agent and wonders if it is a step too far. He added flash suppressors might be better and this might be investigated further before they make such an expenditure.

Mr. Dworman replied he had a brief discussion with Corporal Charest about this and the cruisers are each equipped with a rifle and they are all different sizes, so in order to have continuity and them all the same they chose to go with 10” short barrel Sig 551 rifles and they are extremely loud, not that they are often discharged and require hearing protection or they will be dealing with concussions with the blast of the rifle, especially if they are discharged indoors.

Mr. Schuler stated this subject should have been investigated by the experts prior to the purchase and is “a concern to members of our Town.”

Mr. Schuler continued there is also the issue of a “bomb dog,” and in a town of 2,000 folks with a school, where is the threat, and this move should be threat based upon a “known threat.” He added surrounding sizeable towns don’t have a dog and smart resources are the State and County resources as were used in a recent massive response to a bomb incident to the school in Kingston from the ATF on down, so we as citizens are already paying for it.

Mr. Schuler asked if the dog has had training in explosives and what about the storage.

Mr. Dworman replied he was a little confused because Mr. Schuler’s first question to the Board was “if the Selectmen have hired a Police Chief,” so now you’re following-up talking about his dog so you knew we hired a Police Chief with a dog.

Mr. Carbonneau interjected he wants the Selectmen to answer the question about is it a bomb dog or a new chief, so do we or do we not have a dog?

Mr. Dworman replied the dog doesn’t cost the Town anything, the Chief is a certified dog trainer who raises and trains Belgian Mallamars, this is his personal dog and the dog is a certified Police dog, as well, so we’re getting it as a free added benefit.
Mr. Schuler replied after three years without a police chief at all, without leadership, are we adding additional duties as a dog handler or are we hiring a police chief.

Mr. Dworman replied he does not follow the question.

Mr. Schuler stated he wants to see a Chief 100% dedicated to being a police chief without the secondary duty of training and caring for a K-9.

Mr. Dworman responded he does not see it interfering with his duties, but the Board will address it when and if an issue should come up.

Mr. Schuler asked about the liability and what would happen if the dog bites someone, will the Town be liable or will the Police Chief be liable, adding he wants a 90-day moratorium on some of these decisions as he obviously doesn’t have all the facts and wants all the facts without maligning someone he doesn’t even know and he wants it from them in writing that insurance takes care of this. He added it could cost up to $50,000 to change the facilities to accommodate this dog.

Chairman Morales stated Mr. Schuler is well aware the Town hired a new Police Chief because it was announced both on the Town website and in the newspaper.

Chairman Morales asked Mr. Schuler not to BS him, come in and ask stupid questions and insult his intelligence.

Mr. Schuler complained about Chairman Morales’ language and demanded an apology. Chairman Morales apologized for using those words.

Mr. Carbonneau stated he has heard so many rumors and asked how many years the Chief’s contract is for.

Chairman Morales replied, two years.

Mr. Carbonneau stated former police chief Reid Simpson had a year’s probation when he became chief, so how come the new Chief did not have the same thing. Chairman Morales responded, that is what they negotiated.

Mr. Carbonneau stated “people” don’t know what the contract is and they deviated from the common policy.

Chairman Morales replied just because probation isn’t in the contract doesn’t mean he can’t be terminated for just cause.

Mr. Carbonneau said he is trying to say that the people who are running their mouths have no idea what the contract is.

Chairman Morales replied they should come in and ask for a copy as it is public record.

Mr. Carbonneau stated he wants a copy, but before he gets a copy he wants to hear what the Selectmen have to say because if it deviates he is going to be “a little more than upset.”
Mr. Carbonneau stated the Chairman using the word BS on a citizen is out of line and he thanked God the
election is coming. Chairman Morales agreed it was out of line and he already apologized for it.

Mr. Schuler asked about the moratorium on spending he requested and Chairman Morales replied there is
no moratorium.

Mr. Schuler replied so there is “carte blanche spending,” and Chairman Morales replied there is never
carte blanche spending and all spending has to get approved by this Board for every department, that’s
how we run the Town, they have a budget and those line items are specific to what they are going to
spend them at, so if it’s something that they planned for in the budget and the Selectmen have approved it,
and the voters have approved the budget, then they can do that.

Mr. Schuler stated he would have felt better about that except Mr. Dworman just told him of a significant
change in rifle capability for those weapons and Chairman Morales responded so the Police Officers
going deaf is a good decision?

Mr. Schuler stated after 45 years of carrying and using firearms and a year in combat, his hearing is as
good as Chairman Morales’.

Chairman Morales replied his personal hearing is actually pretty bad.

Mr. Schuler stated utilizing “silencers” is a significant move and they might be the best thing since sliced
bread since times change and weapons change and they want a safe and secure community. He added
they want responsible decisions on things they don’t need so he is asking them respectfully to use other
resources that are already available like dogs that are three minutes away.

Mr. Poelaert explained that each Selectmen is a liaison to the various departments and Mr. Dworman is
the liaison to the Police Department so that gives him an overall perspective on this and the problem of
each of them having a different type of rifle in their cars, so they wanted to standardize them and have
them all the same. He used the example of Officer Rodolakis having one gun in his car and Corporal
Jervis having another type in his car, but he has to use the one in Officer Rodolakis’ car. He added the
Police now use AR15’s that are pretty powerful weapons so to bring them all the same, he could go along
with that, but he had no idea they had suppressors on them and with using shorter barrels, the new rifles
probably “roar,” there is no question about that.

Ms. Schuler stated there were a lot of variables and he wants to back it up a second and make a good
decision as he wants the Police Officers to be safe and the citizens to be safe, but they need to take a good
look at this because he doesn’t know if they are experts on this.

Mr. Poelaert stated the point that you made before, and we brought it up this morning, and I did not talk to
you about this, but I had wondered, we don’t own the dog and it’s a real cute picture, but we don’t own
the dog and if this dog bites someone are we liable or is the insurance company going to say it’s not your
dog or if the dog is home and bites somebody is the Town liable. He added I don’t know this so the
insurance company has to answer the question.

Mr. Schuler asked what if the dog is wounded or killed. Mr. Poelaert replied, I don’t know.

Mr. Carbonneau stated these are the things that people want to know about, do we get a big bill on the end
of it?
Mr. Poelaert stated we all raised the questions within the last 72 hours so we need answers to the questions.

Mr. Dworman noted his concern is that all of them are saying they got all these calls from the citizens and there are all these questions, but this is the first time he is hearing of any of it. He added no one has called me and no one has called the Police Chief.

Chairman Morales stated no one has called him either.

Mr. Carbonneau asked why put themselves in a circle of circumstances when the Town could be liable just because he’s got a dog when you can push in the mic button and have any one of eight dogs here in a heartbeat right over a Troop A? He added those dogs work on a regular basis, but for this dog to be worked on a regular basis, is there a training fee for the Chief and the dog.

Mr. Dworman replied no, the dog is trained, it costs nothing. Chairman Morales added the dog is trained and regularly in competitions.

Mr. Carbonneau stated he’d rather have the State Police respond with dogs and if the dog is owned by the Town and used by the Chief, then the Town pays for it.

Mr. Dworman stated the dog is not owned by the Town and assured Mr. Carbonneau the Chief is a State certified dog trainer and the dog is State certified, as well, so the Town’s liability coverage will cover both.

Mr. Schuler stated the Selectmen need to find out as all certifications are not alike, he is not sure what his certifications are, but before they buy into that they really should know so the Chief should be giving leadership and “haul off and go to the school” so how long does it take to go off and do a bomb search.

Mr. Dworman asked when is he going to have to do that and Mr. Schuler replied if there is a call or a need.

Mr. Dworman replied so if there is a call or a need, we have it.

Mr. Carbonneau stated he has heard rumors “on the street about this, that and the other thing.” Chairman Morales replied then have them call us for answers.

Mr. Dworman stated if any one of you had called me before this meeting, you already would have had the answers. Chairman Morales added he also would have had answers.

Mr. Carbonneau stated the stop sign on the corner of Rte. 107 and Haverhill Road is dangerous and the oncoming traffic from the Seabrook side does not stop at the stop sign so he does not know how many times he has almost been “clobbered.” He added he has asked the Highway Department so many times to put up a sign that says oncoming traffic must stop and he gets an answer of we can’t do that. He added, look at the Exeter Bandstand, there is now a stop sign and there is a sign saying oncoming traffic does not stop and a friend of his got “clocked” there by a woman.

Mr. Dworman replied Mr. Carbonneau should complain to the State as it is a State road and he replied the Town should get after the State highway department before someone gets killed there.
Mr. Brinkerhoff stated he already talked to the State, they did listen, and these changes do not happen overnight. He added as far as the State is concerned, the stop sign should not be there and there should be through traffic.

Mr. Brinkerhoff encouraged Mr. Carbonneau to call his State Rep. because the Selectmen cannot help him.

Mr. Poelaert commented it took four years just to get a stop sign in place and they told them they were crazy for the first three years.

Mr. Carbonneau replied if they call the Department of Safety, a traffic analyzer will make a decision and there are other ways to go. He said in one case the guy was there for ten minutes and within the week the sign went up.

Mr. Brinkerhoff stated if he gets him the number to call, he will call it. Mr. Carbonneau stated call the State Police in Concord, it is very simple.

Chairman Morales stated they will have the Road Agent continue to try to address it and if he has any contacts that will help, they appreciate that. He added all he knows is that when he’s at the stop sign he doesn’t go until he is sure everybody has gone because he can’t see when they have a signal on to go left, so he assumes the other car will go left until everybody is through.

Mr. Brinkerhoff agreed there shouldn’t be a stop sign on a through road.

Mr. Carbonneau replied people in Town know that but “Massachusetts people don’t know that.”

Mr. Ingham arrived at the meeting at 7:28PM.

Mr. Carbonneau stated it would be nice if the Selectmen put to rest rumors through word of mouth to people running their mouths that this has been done and that has been done and reiterated the Board negotiated a contract for X number of years with no probation and why not one year probation.

Chairman Morales stated they already answered those questions and they had to wrap this conversation up.

**TOWN ENGINEER:** The Board reviewed a cost analysis of the work required to upgrade Clark and Rodam Roads to Town standards prepared by the Town Engineer, Dennis Quintal. It was noted the proposed cost for upgrade is $40,500 and if the requirement for the deceleration lane is enforced by the DOT, the proposed cost is $44,200. It was also noted there may be additional costs associated with traffic control during construction, setting temporary signs and project supervision.

**PLANNING BOARD:** The Board acknowledged receipt of Planning Board Meeting minutes dated December 17, 2015 for their review and information.

**CALENDAR:** The following dates were noted: 01/05-Friends of the Library Meeting, 01/06-Bills Due 8:00AM, 01/08-Grange Meeting 7:30PM, 01/11-Conservation Commission Meeting 5:00PM, Selectmen’s Budget Hearing 7:00PM/Town Offices, 01/12-Fire Training 7:00PM, 01/13- Bills Due 8:00AM, Bi-Weekly Timesheets Due 8:00AM, Fire Officer’s Meeting, 01/17-Power of the Past Meeting, 01/18-Civil Rights Day Holiday Observed, Town Offices & Library Closed, 01/19-Selectmen’s Meeting 6:30PM.
Chairman Morales MOTIONED to adjourn this Selectmen’s Public meeting at 7:30PM. Mr. Dworman seconded. Motion carried 3-0.

Police Chief Connell arrived at the meeting at 7:32PM explaining he had been held up at a “domestic” call and stayed to assist Officer Almstrom.

Respectfully submitted,

Cheryll A. Hurteau  
Town Office Manager

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Ronald F. Morales                                Richard S. Poelaert                               Matthew B. Dworman