ATTENDING: Richard S. Poelaert, Justin Lyon & Robert L. Nigrello.

Others Attending: Chief LePage, Illya E. Dixon, William Staples, Ron Morales and other members of the Solid Waste Committee and Becky Merrow.

Chairman Poelaert called this Selectmen’s Public meeting to order at 6:44 PM.

The WEX card application was signed for the police department. It was discussed that auto delivery for the gasoline tank will need to be turned off when the WEX card system is fully operational.

The Healthtrust Credentialing paperwork was signed. The authorization reversed the order as Becky Merrow primary user and Chief Michael LePage as secondary user.

The Police Special Detail log dated September 3 in the amount of $9,380 was circulated for signature. Motion by Richard Poelaert and second by Robert Nigrello to approve the detail manifest. Motion passes unanimously.

The manifests in the amount of $560,240.16 dated September 23 and Manifest dated October 2, 2019 in the amount of $26,802.43 were approved and signed.

MINUTES: Richard Poelaert made a MOTION to approve the Public Meeting minutes of September 23, 2019. Robert Nigrello seconded the motion. Motion carries unanimously.

MINUTES: Richard Poelaert made a MOTION to approve the Non-Public Meeting minutes of September 23, 2019. Robert Nigrello seconded the motion. Motion carries unanimously.

The MS-535 was briefly discussed. This document is prepared by the auditors and is necessary to set the tax rate. The MS-535 was circulated for signature.

Motion by Richard Poelaert and second by Robert Nigrello to nominate Robert Caron to the solid waste committee. Motion carries unanimously.

A Land Use Change Tax in the amount of $12,045 for MBL #15-3-6 Freeman, Matthew & Anastos was presented. Motion by Richard Poelaert to accept the bill. Motion seconded by Robert Nigrello. Motion carries unanimously.

Motion by Richard Poelaert and second by Robert Nigrello to sign the Selectmen Meeting Minutes of September 11, 2019. Motion carries unanimously.

A letter from the Rockingham Planning Commission outlining projects to date and presenting dues for 2020 in the amount of $2,425 was discussed. Dues are paid one time annually and will be included in the 2020 budget under preparation.

Two letters from the Department of Environmental Services discussing deficiencies in bacterial testing for the water supply at the library were discussed. If the library fails the testing again, they will seek a new water source.

Senator Morgan sent a letter with regard to the State Budget to the Selectmen. New and increased sources of educational funding will be forthcoming in the 2021 and future budget due to excess revenue (surplus). This revenue is unrestricted.

Chief LePage introduced Illya E. Dixon a new part-time police officer for East Kingston. Mr. Dixon also works for South Hampton on a part-time basis. Motion by Richard Poelaert and second by Robert Nigrello to appoint Illya E. Dixon as a part-time patrolman for the Town of East Kingston. Motion carries unanimously. The board congratulated Mr. Dixon and welcomed him aboard.

The Solid Waste Committee was present to discuss renewal of the Solid Waste contract with Waste Management Corporation. A letter dated September 26, 2019 was forwarded to the Board of Selectmen recommending renewal of the contract with Waste Management.
Ron Morales presented a Best Value Template Calculations sheet to the Board. When the contract was last evaluated 10 years ago, the price was not the only matter under consideration. This sheet shows that there were weighted factors taken into consideration in awarding the contract. For example, quality, performance history, safety record and the Financial Viability of the companies under consideration were evaluated. Waste Management Corp. had the highest score when all weighted factors were considered. The 2009 Solid Waste Removal Recycle Bid Analysis sheet was also circulated. This was used to further calculate companies under consideration in 2009.

In 2009, Best Way (company) was the only vendor who could provide the requested services. References were phoned. It is noteworthy that East Kingston is the only Town in the area that utilizes 100% automation in its service delivery in the area. In the contract under consideration there is a 4.6% increase in the year 6 provision. A Cost Analysis Sheet comparing costs of service delivery in East Kingston, Brentwood, Exeter, South Hampton and Kingston was circulated. Data for Stratham was discussed. Perhaps consultant Paul Deschaine can help obtain this data in the future.

Discussion of the relationship we have with our current vendor was initiated. A change in vendor could be disruptive to the customer. Who owns the barrels and carts? It was determined that East Kingston owns the barrels and carts. Waste Management has helped East Kingston lower costs in the past. They were the ones to suggest ways to streamline pickup of White Goods to lower cost.

Robert Nigrello discussed the current purchasing policy/ordinance. Pursuant to Article 3, contracts over $25,000 are required to go out for bid according to this policy and the Selectmen are bound to follow their own policies. Ron Morales brought up Article 4 of this policy which provides a waiver for “Professional Services.” Justin Lyons agrees that Waste Management provides a service and that the contract is not just for purchase of an item.

Robert Nigrello went on to say that the current contract was initiated in 2009 and renewed in 2015. Therefore, it’s been 10 years since the contract went out to bid. How do the Selectmen know that this contract is the best they can do for the East Kingston taxpayers unless they put the matter out to bid? In the end, even if the Selectmen bid the matter the outcome may be the same.

Conversely, the Solid Waste Committee shared worry that a low ball bidder might appear and offer a low price but not be able to provide the same level of service. This would create upheaval. The Board of Selectmen stated that they don’t have to just accept the lowest price that award of the contract is based on the lowest qualified responsible bidder. Waste Management has stated that if the matter goes out to bid, whatever they have offered for contract renewal will be “off the table.” The proposed renewal contract is $11,000 more than the existing contract in year one.

After considerable discussion the Board stated that they may need to hold a separate session just to discuss this contract. The renewal contract would go into effect on January 1 so if the Board of Selectmen is considering bidding the contract, they need to do so as soon as possible. A decision on the vendor should be made by December 1 at the latest. Selectman Poelaert asked the Solid Waste Committee to give the Board of Selectmen a week to “kick the matter around” before they make a decision to bid or renew. The Solid Waste Committee wrapped up by saying this concludes their work on the matter and if the Board of Selectmen decide to bid the matter, the Solid Waste Committee will not be available to assist in crunching the numbers provided by the bidders.

At 7:22 Chief LePage requested the Board of Selectmen go into nonpublic session under 91-A (c) personnel. Richard Poelaert made a motion to go into nonpublic session under 91-A (c) personnel. A roll call vote was taken. Poelaert-yes; Lyons-yes; Nigrello-Yes. The Board entered non-public session at 7:24.


Motion by Richard Poelaert and second by Robert Nigrello to adjourn at 8:49 PM.

Respectfully submitted,

Becky Merrow
Town Administrator

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Richard S. Poelaert  Justin B. Lyons  Robert L. Nigrello