

**LYNDEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES  
October 6, 2010**

**I. CALL TO ORDER**

Chairman Brown called this meeting to order at 6:30 p.m. on Wednesday, October 6 2010 in the large meeting room in Citizens' Hall.

Those persons present were as follows:

**Members**

**Present:** Steve Brown, Arnie Byam & Donnie Sawin

**Staff**

**Present:** Jim Bingham (Town Administrator), FC McQuade, RA Perry

**Public**

**Present:** Jessie Salisbury, Burton Reynolds

**Media**

**Present:**

**Recorder:** Kate Thorndike

**II.**

6:35 Appointment – Kent Perry

7:00 Appointment – Patrolman candidate

7:15 Appointment – Patrolman candidate

**7:30 Citizens' Open Forum**

7:45 Town Administrator Report:

Hazard Mitigation Grants status

1645 Center Rd. Appraisal & status

13 Grove Road – drainage issue

8:00 Old Business:

Review calls for service from Hillsborough Co. Dispatch & LPD

PD Addition – review bid specs and RFP

8:45 New Business:

Budget Committee meeting schedule – discuss Burton's email.

9:00 Non-Public RSA 91-A:3 II (a)

9:20 Review & signing of warrants and documents

**I. Adjournment 9:30**

**Appointment – Kent Perry and Jim Newman from Nortrax**

**JN:** Outside you have a 2007-710J Backhoe, 1641 hours on it. There is existing warranty on it. Jim Newman gave a brief presentation on the machine and they discussed the specific details of the machine and the lease. **JN:** We are proposing a five year municipal lease with annual payment of \$21,627.00 with a \$1.00 buyout after the 5<sup>th</sup> year. 4.75%. The sale price includes the trade in at \$12,000.00. A new machine would equal approximately \$158,000 but that's estimate. It has brand new tires, recently repainted. Will do full 2000 hour service for whoever purchases the machine. Included in the price, is a hydraulic thumb. It comes with four buckets. Emissions requirements will be changing as of 2014 so bear that in mind and after one of our technicians took a look at your machine for trade in purposes, I doubt you will hit 2014 without some major mechanical issues.

**SB:** Do we have to wait until town meeting? **KP:** Let's wait until you see the final numbers. **JB:** It could be done.

Buckets might be exchangeable. I can investigate it and it would have a minimal impact on cost. Average annual use is 1500 hours approximately. For its age it has low hours.

**Burton Reynolds:** Copy of the lease in the packet? I want to make sure that it is a municipal lease, non appropriation clause is included.

**Town Administrator Report:**

**Hazard Mitigation Grants status:**

**JB:** It will be at least 30 days before we get a sense of where we sit on the priority list. This was a shared project between me and Bill Rossignol at Holden. The numbers that Holden pulled together will be useful with the bridge Aid program with Nancy Mayville. **ACTION...I will be contacting her** to request that these two sites be included and I will send her the information. Tomorrow I'm going to another seminar for grant money. Copies of both grants are in the read file.

**1645 Center Rd. Appraisal & status:** Joan Lemire is going to go do an appraisal. I also contacted our town attorney re: some issues that Arnie raised.

**13 Grove Road – Drainage issue:** Spoke with Joanne Woods and she has called her contractor. Kent and the contractor came up with a plan that is acceptable to all parties. **ACTION...TA Bingham** will put together a letter of understanding for signing.

**French Road/DES letter of closure.** Deb Buxton will be sending a letter to the Board looking at the overview of what happened and how we can all avoid anything like this in the future.

**JB:** There are a couple of things that I will be bringing up for next week. We have some quotes on the furnace which is the next step.

The Board reviewed the three quotes for guardrails. **KP:** Deluca is the most experienced and works in two states. Work will probably take 2-3 days and we will supply the flaggers. **ACTION...TA Bingham** will call for some references and confirm timeliness of one of the quotes. Burton Reynolds stated that New Boston uses CWS without any problems.

**Appointment – Patrolman candidate: Rick Sprankle,**

OIC Maxwell gave the Board an update on this Officer. Recently retired, Full time certified prosecutor and detective experience & presently working part time. He is looking for approximately one or two 7 hour days.

**Appointment – Patrolman candidate-Andrew Lanou**

OIC Maxwell gave the Board an update on this Officer. He has a Masters in Criminal Justice, working at Superior Court and also as a security officer at the Southern NH Regional Medical Center as a security officer. He would like to do federal law enforcement in the future and is looking to get as many hours as possible.

*The Board interviewed both candidates.*

**Officer Maxwell:** So, what can we do next to get these guys hired?

**SB:** The Board will have a discussion. We need the help and we would like move on this as fast as we can.

**Citizens' Open Forum**

*Mr. Devirs, Linda & Don Anderson were in attendance*

Apple Festival is on Sunday at 12:00

**Jessie Salisbury:** October 29<sup>th</sup>-Kent is going to talk about his Lyndeborough glass collection and there will be Cider and donuts. **KP:** There will be a little history talk and people should bring any glass that they have.

**Mr. Devirs:** I went to a meeting re: internet which wasn't all that informative.

**New Business:**

**Budget Committee meeting schedule –JB:** Burton Reynolds has suggested starting after Thanksgiving. He would like the Board to take a look at the schedule and decide whether it is acceptable or not.

**Warrant Articles:**

1. Rose Farm Road accepted as a public road. **JB:** a necessary formality of the PB's acceptance of the subdivision.
2. Exemption articles from last year need some review.
3. Police Cruiser

**Appointment: Rick McQuade:**

**RM:** Touch base on budget...Rick gave the Board a graph to show where his budget is. We ended up not doing full inspections on vehicles to hopefully pull a full set of gear out of that. I'd really like to get 3-4 sets of gear this year. I'm pretty comfortable with the numbers and it incorporates all current POs. Might keep one dry hydrant but looking at firefighter safety as the priority. I'm going to Bergeron to see if we can get some better pricing. The question is whether we can use the operating budget versus warrant article for the gear. Third option would be to start a CIP to avoid things like this in the future. I don't want to drive my operating budget up.

**JB:** Yeah, but you've been pretty good about managing the FD budget. Let's do the Warrant Article to get caught up this year and then work it into the budget.

**RM:** We are looking at around 4 news sets/year which is \$6,000. Ten years is the anticipated life of the gear.

**RM:** Engine Five has some serious deficiencies within the pump. We are probably looking at a 10-15 thousand dollar rebuild on the pump. Burton Reynolds suggested the possibility of changing the wording on the CIP language...to allow dipping into the fund if necessary

**Forest Fire bill:** Can we have a separate line item for these types of expenses? **JB:** We talked about crediting that line when the money comes in. As long as we can show a paper trail the auditors should be fine with that. **SB:** The problem is that is that is a cash flow issue. **JB:** What about setting up a separate account like we do with FEMA? **SB:** It is easier for the town to absorb that than a single department whose operating budget is being impacted.

**RM:** Five out of six firefighters completed SCBA training.

Ryan McQuade, Bill McCoy, Rich Ballou, Deven McEntee and Rob Maserowski

**SB:** Congratulations to all of them from the Board

#### **Old Business:**

**PD Addition** – review bid specs and RFP

**JB:** Motion to approve from the Board? **ACTION...TA Bingham will check with Town Counsel on ownership of the plans. ACTION...I will email a newspaper version out to the Board for comment and get it in the paper for next week.**

**Selectman Byam** moved that the Board approve the RFP as presented for the Police Department addition. **Selectman Sawin** seconded the motion, so moved.

**VOTE:** Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

#### **Review calls for service from Hillsborough Co. Dispatch & LPD: Officer Maxwell**

**KM:** This report doesn't include motor vehicle stops and it does include all the calls that we go to that County doesn't dispatch us to or we handle here at the station which makes it a little more accurate. *The Crimestar report from LPD was presented to the Board for discussion.* **JB:** The question at hand here is what are we doing after that second shift is over? What is the call out rate during that time? For example this report shows that on average, one call a month for the after second shift.

*Discussion followed on the two reports and correlating the data.*

**KM:** We don't get a lot of calls after hours. **SB:** We are trying to figure out whether it is appropriate to have a cruiser out of town for one or two calls a month. **KM:** I'm not here to say it's a volume issue but when someone needs a police officer that is the point.

**LA:** Is it possible to get copies of the information that you're reviewing?

**SB:** I'm not sure whether it's public. I'd be a little reluctant to give them out.

**KM:** I would have to check to see if it is public.

**JB:** The shift officer that I spoke with said we could choose a month and get copies of the actual logs to see exactly what kind of calls came in. These reports are logging calls differently. **AB:** What about state police involvement call logs? Could we see that data as well? **KM:** Yes, you can get the data but their criteria will be different from ours. They are not coming out for medical calls unless specifically requested. I'm not sure what you're looking to do with it. **AB:** It would help us understand the number of calls that are being answered by another agency. **JB:** The issue here is...are the residents safe? Medical issues are covered by fire/EMT.

**LA:** It is about home security.

**JB:** State police data might be helpful.

**KM:** Cost versus benefit issue. We know we don't get a lot of calls and we don't know yet what the minor cost is but we certainly will have a hard time putting an objective number on a subjective peace of mind. That will be tough to compare a cost versus what the town has clearly indicated they want.

**SB:** We have confirmed that it is not a chronic problem. We are not getting a lot of calls at night. Is the incremental cost of having a vehicle at home philosophically what we want and what we believe in? Is it actual added security of the perception of security?

**Jim Devir:** What was the policy before?

*Selectman Brown gave an overview of the recent change to the policy and what it used to be.*

**SB:** There is data to be reviewed and it has been a recent change. First we're going to see what the data tells us and then discuss the philosophical side of what this Board believes is the right thing to do. Maybe we should consider a warrant article to ask the town whether 112 hours is what they want/need for police coverage. Certainly, there have been a hundred and something people...

**LA:** A hundred and seventy. How many people attend town meeting?

**SB:** Two or three hundred.

**LA:** Can we have 300 people upstairs? I don't think so. A 170 people have said we want to have this reconsidered.

**SB:** ...to reconsider. I have had several people email me to say they signed the petition not because they thought one way or the other but because they thought it should be discussed.

**Devir:** So, what is the situation now? Prior to this change the officer on call had the vehicle at home?

**JB:** The other issue that motivated this was an issue of staffing. Kevin has already tried to split his shifts so he is doing some coverage that he considers critical time. It was motivation for the Board that until we get full staffing it is tough to have someone on all day shift and also on call. That is what prompted the need to look at the actual call numbers.

**KM:** Can I be recognized? The data was asked for after the policy was changed. Let's be clear on that. Staffing was brought up much after the policy was brought up to be changed. That was the tail end that was added on to support a policy change. **JB:** I disagree, if you look at the minutes...**KM:** ...as I was saying, the issue was brought up in May. It is in the minutes of a May meeting which was brought to the Board's attention, I believe by Donnie. I don't think staffing was brought up until recently after the reasons were stated over and over in the minutes of looking at the cost versus the benefit. That is the main issue. It is the cost versus the benefit. Look at the data. It isn't a staffing issue, coming from the person who runs the Police Department and handles the calls; I don't believe it is a staffing issue.

**SB:** A couple of corrections, I understand what you said however; the BOS runs the police department. It is always the prerogative of the BOS to do what they deem necessary in terms of the operation of any department. The specific timing we can debate. We can certainly go into Non Public if necessary but I don't think we need to. I recognize your point of timing and I accept your comment. Additionally, I'm not clear as to whether or not the concern is focused on On Call or is it a broader thing about not cutting police service.

**LA:** The issue was about allowing the on call officer to take a cruiser to his residence in order to be able to respond quickly when a call comes in. I called state police but they wouldn't give numbers out about how many troopers were on duty.

**KM:** I'm not trying to portray that I can always beat state police here.

**Devir:** Staffing is temporary, right? Do we really want to disturb something that's working due to temporary staffing issue?

**SB:** Good point. I have committed to you Linda that we are going to review this again and let you know what our thoughts are.

**LA:** The issue is allowing the Officer on call to have the cruiser at his home in order to be able to respond. To offer the perception of safety. The state police would not give me hard facts about the numbers of state police. They did say that they don't respond to medical calls. The other factor is

**Devir:** minimum call is for 3 hours.

**SB:** he took the town vehicle home every night including weekends.

**Devir:** So what are we looking at here? What is the Board's expectation now after hours?

**SB:** State Police will cover

**DS:** State Police cover Temple/Greenville, Greenfield, Frankestown and Mont Vernon where the murders happened. The only full time department in the area is...??

**SB:** There was a time when that was the "norm". Maybe that is not the thought any longer. Action on the table right now is to review our decision on stopping On call. I have committed to have a fuller discussion at next week's meeting.

**JB:** I just want to clarify that there was discussion about the cruiser being out of town as far back as April/May but it didn't become an issue until we only had one full time officer and one part time officer who only worked one shift a week. That was the trigger point of the decision made in July; the fact that you have one full time officer working 40 hours and now we expect him to be on call every night too.

**SB:** Right, but when I look at the data, it doesn't look like there were an abundance of off hour calls.

**JB:** If the Board decides to stay with this, then we need to look at how good the coverage is that does exist.

**KM:** A trooper is not assigned to a specific region. So a trooper could be anywhere so State Police will not be able to show accurate response time.

**AB:** We should be able to get numbers of calls to State Police from Lyndeborough. Linda, you're assuming that Kevin handles every single call that comes through. You're asking for somebody to be in Milford on call, 24/7, 365 days a year.

**LA:** The understanding is that there will be another officer on call. **AB:** May not be if they live far out of town.

**DS:** One of the applicants that came in tonight lives in Nashua. That's a bit of a haul.

**AB:** We can't assume that a potential applicant will even take On Call.

**Mr. Devir:** Isn't that a slippery slope when you start measuring calls and what's important and what isn't. We've got a luxury here. I don't know what it's costing the town but it seems like short money.

**SB:** This is the only vehicle that is used in this manner. There was a point when Donnie Sawin was on the PD and fielded calls as well.

**ACTION...**Let's see if we can get some information from State police re: Lyndeborough calls. I'm not sure it will tell us anything but let's take a look any way.

**JB:** I just want to be sure that I can get the information in time for the meeting.

**KM:** I just want to make sure we're clear that if **TA Bingham** doesn't get the information, I assume that the meeting isn't going to be postponed and people will have show up for nothing?

**SB:** Next week will be a regular meeting and it will be discussed.

### **Non-public Session RSA 91-A: 3 II (a) Personnel**

**Selectman Byam** moved to go into a non-public session regarding personnel under the provisions of Non-public Session RSA 91-A: 3 II (a). **Selectman Sawin** seconded the motion, so moved.

**VOTE:** Selectmen Brown, Byam and Sawin voted in favor, and Selectman Brown declared the motion to have carried unanimously (3-0).

The Board then went into nonpublic session, as recorded separately, at 9:23 p.m. The Board returned to public session at 11:00 p.m.

Selectman Donnie Sawin moved and Selectman Arnie Byam seconded that the Board of Selectmen seal the minutes from the just concluded Non-Public meeting. There being no further discussion, Chair Steve Brown call for the vote. Voting in favor: Selectmen Brown, Byam and Sawin. Chair Brown declared the motion carried.

### **BOARD OF SELECTMEN'S WORK SESSION**

The Board reviewed documents pertaining to the operation of the Town, approving various items as listed below.

**III. ADJOURNMENT**

All scheduled items having been addressed, Selectman Brown moved to adjourn; Selectman Sawin seconded the motion.

**VOTE:** Chairman Brown called for a verbal vote on the motion. All members voted in favor.

Chairman Brown then declared the meeting to be adjourned at 11:00 p.m.

Date: October 6, 2010  
Kate Thorndike, Recorder

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Steven M. Brown, Chairman

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Arnold A. Byam, III

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Donald R. Sawin