

**LYNDEBOROUGH BOARD OF SELECTMEN
WORK SESSION MINUTES
April 13, 2011**

I. CALL TO ORDER

Chairman Byam called this meeting to order at 6:10 p.m. on Wednesday, April 13, 2011 at Citizens' Hall.

Those persons present were as follows:

Members

Present: Arnie Byam, Chair, Donnie Sawin, Kevin Boette

Staff

Present: TA Jim Bingham, Kent Perry, R.A., Fire Chief Rick McQuade

Also Present:

Recorder: Jim Bingham

Motion: Selectman Sawin moved to go into non-public session in accordance with RSA 91-A:3II (a). Selectman Boette seconded the motion. Byam –yes, Sawin –yes, Boette – yes, motion passes.

Board came out of non-public at 6:55 pm.

Chairman Byam moved to seal the minutes of the non-public session for one year. Motion was seconded by S. Boette. Motion passed 3-0.

Selectman Sawin was excused to attend the directors meeting of WLT Ambulance Service.

Appointment – Rick McQuade, Fire Chief

Rick came to the board with a few items. Rick announced that there is a mass casualty drill planned on Lyndeborough for June 5, 2011. First response teams from up to five neighboring towns will participate.

Bo Leavitt's burial services will be held on Sunday, May 1. The funeral procession will come up Forest Rd. from the fire station so Rte. 31 will be tied up for a short time. Rick will work with Capt. Burke to have police coverage for traffic control for the procession.

1645 Center Road- Rick is still trying to obtain definitive answers from the state regarding the procedure for collecting and testing samples for hazardous material from the proposed burn site. T.A Bingham informed those present that town counsel reviewed the documents pertaining to the tax lien and tax deed of this property and felt that there is little risk of legal repercussion from conducting the practice burn. The town officially owns this property. A memo detailing this was given to Board members and the fire chief.

Fire Inspection Report- Chief McQuade informed the board that he completed the annual fire inspection of the elementary school. There were a few minor, yet repeat, violations that need to be addressed and Rick will conduct a follow-up inspection in a few weeks to see if these have been

addressed. There was some discussion about how to garner support for addressing these infractions on the school district level so that there is greater awareness to prevent these infractions in the future. The SAU office will receive a copy of the inspection report as will the Select Board.

Burn Permits – Rick wants help from the board in developing a better way to issue burn permits in a more timely fashion for residents because Rick's work demands is not enabling him to be available to do inspections and issue permits. Kent Perry suggested that Mark Chase could respond to residents' calls during the week days as Mark is right in town and rainy days, which are the times people are requesting burn permits, are slow for road work and Mark could leave to handle the permit issuance. It was agreed that the on-call officer could contact Mark to handle burn permits and see how this method works. The Selectmen's Office will place a notice on the bulletin board instructing residents on how to obtain a burn permit.

Rick had asked about short term disability (STD) for firefighters. Kate Thorndike had sent Rick information on STD benefits offered by the town. Essentially STD benefits are offered to all employees working 20 +hours per week. Jim Bingham added that STD is based on a percentage of an employee's base wages and that would be difficult to determine for firefighters. Jim Bingham will look into short term disability options through AFLAC or other carriers for call firefighters. Currently call firefighters are covered under a life insurance policy for \$50,000.

Rick wanted to know the status of a firefighter's insurance claim. T. A. Bingham had investigated the matter further and discovered that an email was sent by the town's insurance provider for liability back in early December to Fire Chief McQuade stating that the claim was on hold at this time and it should be re-submitted as a worker's comp. claim. Jim Bingham was not copied on this email so consequently he was not aware of this action and did not know that there was delay. T. A. Bingham asked Rick to send him any such emails or correspondence in the future and he will do the follow-up right away, as that is what he is here for. Jim informed Rick that the claim has been re-submitted several weeks ago and should be closed soon.

Appointment – Kent Perry came before the board to offer a recommendation for hire.

Motion: Selectman Byam moved to enter into non-public session in accordance with RSA 91-A:3 II(b). Selectman Boette seconded the motion. S. Byam – yes, S. Boette- yes. Motion passed 2-0.

Chairman Byam moved to seal the minutes of the non-public session for one year. Motion was seconded by S. Boette. Motion passed 2-0.

Selectman Boette asked about consulting town counsel for legal advice; when does this happen and who decides when to use town counsel. There was discussion among the board members and the town administrator as to what kinds of matters are brought to town counsel vs. using LGC's legal services. Jim Bingham stated that his practice is to research the RSAs himself first and contact LGC for assistance if he can't find the RSA he needs. He contacts the town attorney as directed by the board or informs the board that he needs to on town specific legal issues, with which LGC will not give advice on such specific matters other than to contact town counsel. Kevin Boette suggested that the board make a motion regarding when the Town Administrator seek the advice of town counsel so that there is not some impression that legal service costs are not being incurred unnecessarily.

Motion: Selectman Boette moved to have the Town Administrator obtain authorization from the board prior to consulting town counsel. Selectman Byam seconded the motion. Motion passed 2-0.

The Board requested that T. A. Bingham investigate what the liability insurance coverage is for property acquired by the town through tax deeding.

Health Insurance costs: T. A Bingham presented the board with a spreadsheet comparing the costs for the town's present HMO plan offered by Primex with a proposed HMO plan from LGC as well as supporting documents comparing the specific health services covered including the deductibles and co-pay comparisons. The Board reviewed and discussed the information. T.A Bingham will be contacting private carriers for health insurance plans from firms outside the municipal services arena in a couple of weeks.

Selectman Boette thanked Jim Bingham for being copied on the email regarding tech support for the Selectmen's Office. Selectman Boette asked T. A. Bingham to present a cost analysis and budget needed to have more complete I.T support for the town's I.T. system. It seemed at first review that the town could see some significant savings by switching to the LGC plans, but further review is needed. T. A. Bingham stated that a meeting with a vendor is schedule for the next day and we should have some idea of the costs for services.

Selectman Byam called for a motion to adjourn. Selectman Boette so moved and the motion passed unanimously.

The Work Session was adjourned at 9:12 p.m.

Date: April 13, 2011
Jim Bingham, Recorder

Arnold A. Byam, III, Chairman

Donnie Sawin

Kevin Boette

APPROVED BY THE BOARD OF SELECTMEN ON 4-20-11