

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
February 3, 2010**

I. CALL TO ORDER

Chairman Strube called this meeting to order at 6:30 p.m. on Wednesday February 3, 2010, in the large meeting room in Citizens' Hall.

Those persons present were as follows:

Members

Present: Lorraine Strube, Steve Brown & Arnie Byam

Public

Present: Mike Decubellis

Staff

Present: TA Jim Bingham, FC McQuade, RA Perry, Trish Schultz, OIC Maxwell

Media

Present:

Recorder: Kate Thorndike

I. Agenda Items

6:35 Meeting Updates:

Budget Committee

6:50 Town Administrator Report:

Road Agent Report

Hot water heater -quote

Job Description for O.I.C. position

Town boundary issues

Resident letters

7:30 Citizens' Open Forum

7:45 Old Business:

Wetlands permit for Pettingill Hill Rd.-proposal review

Warrant Articles – proposed articles to date.

8:15 New Business:

Town policy on Long Term Disability

Auditor's Report for 2008

8:35 Non-Public RSA 91-A:3 II (a)

9:00 Approval Votes and Signing of Items

II. Adjournment

Meeting Updates:

Budget Committee: JB: Last Work Session. Review of all budgets. There was additional trimming on several budgets. Police had the most trimmed in the area of about \$2,300. Final budget is 3% over last year's budget. The detail of the Warrants is before you. Budget Committee does not support the purchase of another 4x4 this year. They are supportive of the library but want the trustees to make a strong case for the \$15,000 they are requesting. Cit. hall repair –they are going to support because of the assistance from the insurance claims. Some concerns on road repairs and priority of specific road maintenance. **PD Addition:** The BC is supportive unquestionably but they are questioning how to finance, when to do the addition and also they don't have anything concrete in terms of floor plan, layout and artist rendition. Burton Reynolds wants to look into bonding the addition. There is a difference of opinion between bonding and saving through CIP. It is on hold until the next meeting. **SB:** Is there an action out of that discussion?

KM: Don Sawin and IPAA French met with Jim and Phil Brooks. Jim had mentioned that he was going to look into getting someone to do a sketch. I don't know what the status of that is. I'm not really sure what the Board is looking for from us right now. **JB:** The prior plan doesn't have a garage and that is a critical piece. I spoke to IPAA French and Don Sawin mentioned that he knew someone who had cad cam and he was going to put something together. I was waiting for something to be given to me for the past couple of weeks. As time runs out, it gets more and more difficult. I spoke to **IPAA French** and told him to try and get something down on paper as to what the absolute necessities are and an overall footprint. Then we can get a more definitive cost estimate. **AB:** IPAA French did put out some rough room sizes. We need some working drawings that we can price out. **SB:** Let's get an action plan together, figure out who is doing what and when so we can go to BC with something to support this request. **KM:** We just need to know what we are supposed to be submitting. **LS:** The requirements of what you need within the walls are what we need. **KM:** I was not part of the meeting the other day with **IPAA French** and **TA Bingham**. Did he give you the information as far as inside details? **JB:** Again, I think we are envisioning a basic shell. I asked Mike French exactly what you would need for the next year. **KM:** So, is that what he provided to you? **JB:** Yes, that is what came out of that. **KM:** I am getting bits and pieces and I need to know what information the Board has and also want to know if the Board needs something more.

TA Bingham handed out the information from IPAA French to the Board. The Board reviewed the notes and discussed the space.

Selectman Strube will contact Phil Brooks and **Selectman Byam** will contact a design firm to get some firm numbers on drawings. **SB:** Budget Committee suggested that this project needs a champion. Let's make sure that communication is working well and that everyone is on the same page. **LS:** I don't think the board should be deciding some of these things. It should be coming from PD and let's check back in with OIC Maxwell to put some more meat on this for next week.

Road Agent Report:

It's been very quiet, few little storms, nothing major. John Deere went up for some repairs. Next repair on that will be the radiator. There is a possibility that we might be able to do the radiator in house. No other major repairs planned. All set on tires.

Hot Water heater: JB: There are three quotes. *There was a lengthy discussion on the quotes and options.* **Selectman Brown** would like to research the prices a bit more and will report back next week.

OIC Job Description: JB: I have contacted LGC and am waiting to hear back from them. **LS:** Have you seen that description, Kevin? **KM:** No. **LS:** Jim, will you get him a copy of that? Please contact us by email when you get a response from LGC because I don't want that to be delayed. **JB:** Yes.

AB: If LGC gives us the thumbs up on that are we going to implement it? **SB/LS:** Yes. **AB:** So, will we be cutting back on MRI? **LS:** That is a separate issue. **AB:** It would be nice to go into town meeting and be able to tell the town that. **SB:** I don't see any issue with that. It is more about how quickly we phase out and how. It is a month to month contract at this point. **AB:** Should we inquire if they would be interested in an on call/consulting basis? **LS:** Yes, Jim would you inquire with Mike about the minimum number of hours he would be willing to commit? **AB:** We need to know exactly what we are paying per month. **LS:** Let's get November/December/January bills and come up with a plan for how we are phasing this out. **JB:** Kevin is coming in next week and that would be the time to hammer out some of these details as well as discuss training, etc. **AB:** We need to initially inquire as to what their minimum hour requirement is if there is one. **TA Bingham** will email the monthly MRI numbers to the Board immediately. **MD:** Right now you are paying MRI a consulting fee. Is it possible to find an individual or a volunteer that might serve in that capacity? **LS:** We are trying to be successful here with the department transition and that is the main objective. This is not meant to be punishment. We are working hard toward success.

Town Boundary:

Carnival Hill: The town of Milford is looking for financial support for a survey from Lyndeborough. **TA Bingham** will contact Milford and ask them to come to meet with the Board.

Greenfield: Census is asking whether the steps in Greenfield are what the town is willing to accept. **LS:** We will perambulate the rest of the line in spring.

Two Letters from residents: JB: I will respond to them but wanted to bring them to the Board's attention. They are in the read file.

-Damage from snow removal

-Potential water damage on private property.

Citizens' Open Forum

RM: I understand there was a problem here with the circuit breaker panel from a power outage last week and that breakers wouldn't reset. Could Jim explain what happened specifically? **JB:** There were some breakers that were old and Beauregard came by to pick up his daughter and said he would fix it. He checked it out and found two faulty circuit breakers. He came back the next evening and fixed it. As a follow up, I think we should follow up with an electrician. **RM:** That was going to be my suggestion; to follow up with an electrician. **KM:** Procedurally, for the future I would like to know exactly who to contact to avoid any unsafe situations. **SB:** There should be a list of preferred vendors in the town office. **RM:** I am also very concerned that we had a public person working on the town's panel. He isn't a licensed contractor/electrician and the town liability and risk with that is pretty big. Can I get a key to the fire panel because there isn't a key in the box? Can I get an access code to the building? **LS:** Yes, absolutely! **TA Bingham** will get a code for Rick set up in the system. **KM:** Fire alarm panel key is in the grey box but we don't have access to that box either. We used to have access to the master key box but I think it is locked now. **JB:** I can get a key for PD. **KM:** Are we all set on the generator maintenance schedule? **JB:** I called Mark several days ago but haven't heard back from him. I'll call him again tomorrow. **LS:** Any issues? **KM:** No, I just want to make sure that it is being serviced.

School generator: KP: It is not starting on its own in below zero weather. I called them today and am getting it serviced. **SB:** Let's put an extra set of keys in the box here at citizens Hall. **KP:** I have some keys that I'll hand out.

MD: I am looking for an update on French Road and wondering if Jim has one. **JB:** I spoke with Emily from DES today. She has been away for about a week and a half. I explained that we all need to get on the same page because there is still disagreement over who is responsible for what. We are looking at having another site walk. **AB:** I thought that we were going to put everyone in the same room. **JB:** We are talking about a site visit that would involve all parties. I would be there to take notes. **SB:** Are we at risk by not coming to closure more quickly? **MD:** Yes, every day that goes by we are at risk. The road needs a lot of work to get off the hook with DES. It is clear about what needs to be done but not who is going to do it. If you can't come to an agreement with Dave Buxton than certainly everyone needs to sit down. **SB:** For whatever reason, we seem to be having difficulty coming to closure on this. If we can all meet then everybody will understand clearly what is going on. **LS:** What is the possibility of getting Emily here for a meeting at night? **JB:** There is a difference of perspective on what needs to be done. **AB:** Yes, but there is still a deficiency and Dave was named on it as well. So what has changed in terms of his opinion of responsibility? **JB:** Dave is maintaining that he has performed Best Management Practice and there is still a lack of agreement of who is responsible for what. **MD:** I thought that Dave and Kent were willing to work together. I think that the BMPs clearly state what needs to be done and that they apply to him. Written document signed stating that they must follow all BMPs as stated by DES which will protect the town. **JB:** I have a call in to Dave and we all need to meet. **LS:** Ok, let's see if we can get Dave Buxton in for a meeting. Let's contact Emily and verify with her that we are going by the letter sent unless she wants to update/change anything. **TA Bingham** will contact all parties and set up the meeting. **AB:** we should probably ask her for her GPS points exactly.

KM: Joint drill, Sunday morning at 8am with PD and FD, good learning skills. Thanks to Kevin for setting it up. John Lenotte is on a leave of absence right now and can't work for anyone else during that time. We will be running a command center as well and invite all the selectmen to attend. The mule has been used three times over the winter.

Auditor's Report:

Selectmen's office cash box will be included in a weekly deposit going forward. **TC/TC Schultz: (TS)** I spoke with Sandra O'Rourke at DRA today. She is baffled by "the appeal to DRA for alternate deposit schedule". She doesn't know anything about it and asked me to send her a copy of it. I just got this report on Monday and I'm uncomfortable with this information going in the Town Report for everyone to read. In my opinion, the information is wrong and there is "draft" printed on this report. We are not open on Fridays. We do up every deposit every day but Friday. The deposit has to wait until Monday if it comes in on Friday. It gets locked in my safe. You could get another person to fill in for her if necessary. I don't know how the Board feels but I don't think that either Ellen or I should have to come in on a Friday or the weekend to make deposits. Is this auditing firm generalizing the rules for all size towns? *Lengthy discussion on TC/TC depositing and general process.* Trish explained to the Board exactly how it works. **LS:** I think the Thursday deposit thing needs to be rectified. Let's find out what do other towns' like us do? Let's call the auditors and explain the situation with the deposit/schedule challenges and get the exact RSA information. *TC/TC Schultz read the RSA.* **LS:** So, one of the things that you are concerned about is that some of this information will be in the Town Report where people might think that something funny is going on. **TS:** It is not just this deposit one. I am concerned about some other items on this letter as well. I spoke to the auditors and brought everything to their attention, particularly the discrepancies with the Warrant. On February 9th, I met with the Board and explained the warrant changes that were essentially "housekeeping" issues. Then on May 27th, I met with the Board again explaining that the issue with the Warrant still existed and you, Lorraine instructed me to prepare a letter from the Board approving the corrections. I prepared that letter the same day and kept a copy but unfortunately it disappeared in the Selectmen's office. I never got it back and it was never found. I met with the Board and we were all in agreement. *TC/TC Schultz presented her unsigned copy of the letter to the Board.* I did everything I could to ensure that the auditors would understand that the Board was totally aware and in agreement with exactly what was done. It just sounds like there was some funny business going on. **LS:** Why are we getting 2008 complaints now? **JB:** These issues were brought up when they did the audit in late summer but for some reason they delayed in getting the draft report over to us. I had to call them up. They sent some of the spreadsheet information and they told me they were going to work on it and then it would come through. I went through old emails and then contacted them to inform them that we hadn't gotten what we were supposed to get. We needed the information for the Town Report. That is when they said they would get it over to me. So, it came to us later than we would expect. **TS:** I really take offense to the statement regarding the Tax Warrants appearing to have been amended without Board approval. I have proof that is not the case. This information doesn't have to go in the town report. I think it is optional. If the auditor's would revise it then that would be different. **LS:** There is no issue with the warrant thing. We were all here and we all remember it.

SB: If we have weaknesses in the system then we should fix them. If we believe they are pushing us to do something we feel is unnecessary, we don't have to take action on it. We can take a look at them individually.

Warrant item: Will be clarified.

Warrant done: Semi-annual billing: May 15th and the bills out a month later.

TS: Last year was the first year that I did the entire tax warrant and it has been a learning experience for me. Neal Cass always did it. **LS:** Well, he shouldn't have been doing it. **TS:** I understand. Kate and I have communicated a lot on this issue and feel confident about the transfer of assessing data and the timelines.

There was a lengthy discussion about the tax billing software and customer service.

TA Bingham will review the contract, speak with Trish and then contact Interware to speak with them about making sure that everything is working properly and also to reinforce town expectations in terms of customer service. **LS:** You have all of us behind you on this, Trish but you need to be the primary. Jim can back you up but you need to be in charge of it. This is your department. I am a little concerned that you brought this information to the auditor's attention and then they turned around and pointed the finger at your practices.

Treasurer: *Discussion of the reconciliation process...* **JB:** I am going to sit down with the Kay and Ellen to discuss exactly what is being done. At this point, they reconcile monthly. **LS:** I would like to know that they are in balance now.

A request has come in from a town employee to use Center Hall along with a Fire Truck for a wedding celebration. The Board discussed reducing the fee and will consider the use of the truck at a later date.

Selectman Byam moved that the Board of Selectmen reduce the Center Hall rental fee to \$25.00 as an acknowledgement for their service to the town. Selectman Brown seconded the motion.

VOTE: Selectmen Strube, Brown, and Byam all voted in favor, and Chairman Strube declared the motion to have carried unanimously (3-0).

Candidate's night on March 3rd during Open Forum. Kate will get the invitations out. BOS meeting will be at 6:00-7:30 then straight into Candidates night.

Town Election: Tuesday, March 9th. The Board discussed their scheduling availability on that day. Steve will be there from 12:00-4:00, Arnie will be there from 4:00 or 5:00 to 7:00. Lorraine will be there all day.

Town Meeting is on the following Saturday, March 13th at 10:00 am.

Warrant Article Review:

The Board reviewed all of the articles, made some changes and reviewed two petition articles as well.

There was a brief discussion on the Budget Committee's thoughts on the library warrant article.

JB: The auditor's letter further on mentioned about the discrepancy in library funds which was attributed to the lack of gross budgeting. I will bring it to Sally Curran's and Bob Roger's attention.

Pettingill Hill: JB: I would like the Board to make a decision on the proposals. Does it make sense to go with a known entity? **SB:** I took a look through them and the price difference was not enough to overcome the familiarity/comfort factor. Lowest is not necessarily the best way to go. *There was a brief discussion on the various proposals.*

Selectman Brown moved that the Board of Selectmen accept the proposal from Holden Engineering for the Wetlands permit on Pettingill Hill Road and the work covered within the proposal. Selectman Byam seconded the motion.

VOTE: Selectmen Strube, Brown, and Byam all voted in favor, and Chairman Strube declared the motion to have carried unanimously (3-0).

LT disability: JB: I would like to table that until I get some more information.

Town Report:

Work Session on Monday at 6:30 to finalize the merit pay chart and finalize evaluations. The Board will get figures to **TA Bingham** by Tuesday morning.

JB: I would like to bring up something that you've encouraged me to do when I was hired and that was if there are any issues coming up that we take some time to address them. There are some issues that are affecting my work performance and in turn office performance as well. **LS:** Next Wednesday we will set a time to discuss that.

Selectman Brown moved that the Board of Selectmen close PO Box 373, effective immediately and keep PO Box 6 for all town business until further notice. Selectman Byam seconded the motion.

VOTE: Selectmen Strube, Brown, and Byam all voted in favor, and Chairman Strube declared the motion to have carried unanimously (3-0).

LYNDEBOROUGH BOARD OF SELECTMEN Meeting Minutes
February 3, 2010

RFP for Statistical Update: The Board opened the proposals for the Statistical Update. There were two proposals received.

1. Granite State Proposal: \$26,750. \$55/hour for litigation
2. Vision: \$29,000, litigation support is 1,000/day

Selectman Brown moved that the Board of Selectmen accept the proposal from Granite state including the option of extending the 3-year contract for a total price of \$23,750.00 Selectman Byam seconded the motion.

VOTE: Selectmen Strube, Brown, and Byam all voted in favor, and Chairman Strube declared the motion to have carried unanimously (3-0).

TA Bingham will send a letter to Vision thanking them for their submission and also to Granite State accepting their proposal.

ADJOURNMENT

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

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

Chairman Strube then declared the meeting to be adjourned at 10:45 p.m.

Date: February 3, 2010
Kate Thorndike, Recorder

Lorraine A. Strube, Chairman

Steven M. Brown

Arnold A. Byam, III

APPROVED BY THE BOARD OF SELECTMEN ON 2-17-2010