

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
March 17, 2010**

I. CALL TO ORDER

TA Bingham called this meeting to order at 6:30 p.m. on Wednesday March 17, 2010, in the large meeting room in Citizens' Hall.

Those persons present were as follows:

Members

Present: Steve Brown, Arnie Byam & Donnie Sawin

Public

Present: Mike Decubellis

Staff

Present: TA Jim Bingham, RA Perry, FC McQuade

Media

Present:

Recorder: Kate Thorndike

I. Agenda Items

6:35 Appointment - Rick McQuade, Fire Chief

7:00 Appointment – Holden Engineering, Inc.

7:30 Citizens' Open Forum

7:45 Town Administrator Report:
Road Agent Report
Debris management -FEMA

8:00 New Business:
Strategic planning & goal setting for this year

9:00 Review & signing of warrants and documents

II. Adjournment 9:30

Selectman Brown was nominated for Chair of the Board of Selectmen.

Appointment: Rick McQuade:

1. We have received several bills from surrounding towns for the HazMat event. (Milford Fire - \$8,600, Peterborough Fire - \$2,882, Dublin - \$240, Mt. Vernon - \$1-2,000 and I am expecting one more from Amherst. We will tabulate all of our expenses and one bill will go out from the Town of Lyndeborough covering all of the bills we have received.

JB: Suburban has 30 days from the date of receipt of our bill to respond. All of the towns will have been notified and will know the timeline. If they don't get their bills in then it is their loss.

RM: I want to bill for expenses only. Suburban has been very helpful to this town in the past. At the same time, I do want to capture expenses such as gas and meals. I want to bill for consumables as well as a "wet suit" and some gloves that the personnel needed on that cold/wet day. As long as I have the approval of this Board, I will not be billing for hours of the personnel or equipment. That is just what we lost. Paid employee time will be included. Highway hours, personnel and materials should also be included. I'm also concerned about how this will all be handled in terms of my budget. The Board realizes that I will be overspending the budget by whatever the amount is of these expenses. **JB:** I would prefer since this is a special HazMat situation that we set up a separate liability account and we will charge all the bills to that account so it stays out of the operating budget. **TA Bingham** will email the specific code to **FC McQuade** for use on all associated paperwork.

RM: I'm also wondering if we should be speaking with the Tarn Road association to remind them to be a little more aware of their road conditions where it is a private road. Had the road been properly sanded we probably wouldn't have had this situation. **SB:** The fact that the town had emergency apparatus there gives good cause for that.

AB: We need to go back and check that dry hydrant there which needs service and the access road to the hydrant needs to be kept clear and accessible.

SB: **TA Bingham** will draft a letter to the association re: municipality liability waiver, the hydrant and road maintenance. The office will check the files as well.

Cemetery Road is still closed.

Discussion continued on the billing specifics and budget impact of this incident.

Appointment: Peter Holden and Bill Rossignol

There was a lengthy discussion re: the planning of the Pettingill hill culvert/bridge design/expenses which included the following:

- A Hydrolic study was done several different ways.
- A Wetland application is in process but is contingent on the final design.
- A Drainage report was given to the Board.
- Review of four different designs
- Bridge components/materials
- None of the designs will include the expense of raising the road.
- Holden will return with a couple of more scenarios after the Board has had an opportunity to discuss the financial implications.
- Holden will harden up the numbers including all associated expenses pertinent to each design so the Board sees the full financial picture.
- There are several challenges going on at that location but the Board agrees that fixing the immediate problem and DES issue is the priority.
- Future meetings with landowners/Coach Road residents as well as DES
- Different options for raising the money.
- Holden will revise the schedule and present a total cost report to the Board on April 7, 2010.

Citizens' Open Forum

Mike Decubellis was in attendance

JS: The Library trustees are requesting that the water trough be moved down in front of the library. Please pass it on to the committee that is studying where all these historic items belong. Other thing is that the Heritage is short 2 Alternates and we would love to have **Lorraine Strube** stay on the committee. Would one of the Board members like to serve as the Selectmen's Rep?

MD: Town Report: It looks great and I want to commend the office on the job. Also, the Jerry Rand Memoriam was great. **KT:** Lorraine wrote that. I am also looking for information on French Road.

JB: I have a new version of the letter based on some of the comments that you sent me. I have some copies and if there is time I can hand them out. **SB:** Mike, for your edification The Board had a lot of things to address tonight but it is on my list of Open Items/Closure and I expect we will be taking it up shortly. **MD:** I just want to clarify if the Board is going to make an agreement with Dave and get him in here for a meeting if necessary to get some forward progress? **SB:** It is my desire to close it out as soon as possible.

TA Report:

FEMA events:

Windstorm: Apparently there is enough damage that Hillsborough County will be reimbursed for the wind storm. **SB:** Please add the school generator which was 20 gallons.

Flooding: We now have more estimates to get up to Concord for the flooding incident. That information will go up Monday by noon. **SB:** I have some pictures of the rain which I will get to you.

SB: Let's get real number from Highway, Fire and Police.

Road Agent: The basic problems we had were that Emory Road had a sink hole. Cummings lane has a culvert that broke and fell in. I think I can save that. Johnson's Corner was high water. Curtis Brook had a much smaller washout than anticipated. Dutton, Cemetery, Herrick and New Road all had high water but the damage was not that bad.

DS: There has been a lot of positive response from the residents driving around about the road conditions and how quickly repairs were being made.

AB: We should talk about doing some USGS analysis cad work/water shed ourselves to determine that needs of the problem areas.

KP: I have one for Johnson Corner but you're right we should do some for some others.

JB: How do we capture the public and individual assistance from the flood expenses? **TA Bingham** will follow up on the pumped cellars.

New Business:

Strategic planning and Goal setting:

SB: Jim has come up with some goals for himself/Selectmen's office as well as for the BOS. I would like to hear everyone's thoughts. I would rather come up with a few goals, focus on them and get them done.

JB: I split them up because some goals focus on the Selectmen's office and how it is run and managed. **Office Procedures Documentation:** The overall goal that I would like to see is that we have the office functioning in such a way that anyone could walk in, find what they are looking for with proper procedures in place and documented. So, these goals really focus on making it accessible to any new employee or selectman.

Joint loss mgmt. committee: The State requires it and we are supposed to be meeting at least four times a year. The first mtg. for this year will be on March 30th. They don't have to be long meetings but they need to be participatory with mgmt and staff.

IT Maintenance Plan: This will be tied in to inventory which I am starting to develop.

SB: How about you pick two or three things and get them done.

JB: -IT maintenance Plan
-Update inventory of town property
-Joint Loss Mgmt. Committee

AB: I know that the office received a very big list from FC McQuade/Fire dept. last year with a complete inventory. So, I didn't know if we were now going off to another department or exactly what. **JB:** The Fire Department is pretty much done. Kent has supplied a lot of his equipment as well and I want to get some sort of inventory of what we have here. **SB:** It would be nice to get it in electronic form, possibly Excel.

JB: Suggested Board items:

- Structure and organization of the PD
- Applying for grants for Emer. Prepar./hazmat programs. This work does take some time and I want to make sure that the Board wants to direct me to put time into that area.
- Review of storage needs/vital records – in tandem with TC/TC who is responsible according to RSAs. Neal and Trish submitted a grant a while back for Vital Records storage/retention. Trish followed up on it and it looks like there is \$10-12,000 dollars available for record retention.
- Class VI Road policy for the town
- Updated inventory of town owned-real estate
- Establishing strong regular communication/support for board communication. There is repair money for both town halls in our budget and I would like to use Meetinghouse committee as the first evaluator for review of projects. In that way, some of the work is spread out a bit and legitimizes the purpose of that committee. **JB:** There is a charter for the MH which I will run off and send a copy of that to Andy as the Chair. I think it is a very vital committee and can go a long way in helping the Board and the town make good decisions about what we want to do with our buildings.

SB: We have had some communication issues between boards and we certainly can improve that.

AB: I do think we should ask both land use boards to put any votes in writing to the BOS in the future so nothing falls through the cracks. Possibly, a whiteboard in the office.

KT: I think it is extremely important to have an Action item list that is included in your minutes every week. We really need to keep track of items, who is doing them and when it will be done.

SB: I agree. I am going to go through the minutes...**ACTION**...and come back next week with a list of all of the things that we were going to do.

The action items will be stated by the chair for notation then transferred onto the form.

DS: Some thoughts:

- retool the website with a general comment area. People might feel a little more involved if they could regularly make comments to specific Boards.
- town ordinances should all be reviewed
- Wi-Fi; Open one up here at Citizens' Hall for the public. Put a separate line in for public service. Nice thing to do for our residents or for emergency.

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- Radio: larger scale
- Community Board for local use on Center and Route 31
- Add the town hall rental forms on to the website with cost.

KT: I believe that they are there

SB: Site map? I would like to see exactly how the office directory is set up with information.

AB: Some Thoughts:

-Help Kent by looking at highway problem areas and come up with a good plan. Work with the Board. It is the single most expensive dept. but also the one which everyone gets the most use out of...Class VI Road Policy, Paving Plan, Hydro cad studies, etc..

KP: GPS culvert ID, traffic counts. We were talking about a master monthly road form that would detail exactly what was done and on what road.

-Put a computer out into the lobby for the public to access for tax cards which would save the office staff a lot of time. Vision would need to establish a basic access for the public.

Projects:

- SB:**
- PD addition & PD standup: roles/responsibility of OIC, Board involvement, etc.
 - Perambulation plan; whole town every seven years.
 - Review/amend policies

ACTION...TA Bingham will get the list of policies for the Board

-Grant pursuits: good because there is a revenue problem. I will pursue from the EOC side

-Planning for Johnson Corner Road culvert

-Web work

-Citizens' Hall cleanup

-Center Hall cleanup: **DS:** I have started that. It is a little more complicated but I'm working on it. The town could possibly have a raffle or a yard sale to get rid of stuff and make a little money.

DS: ACTION...I will organize the coordination of the clean out of Center Hall

-Cross Training: **SB:** Who is fluent in what? I want to understand how that is all working and where we are at. I would like to see a list of job functions with who the primary and secondary people are. It might be good ideas to have someone do a different job from what they normally do just to reinforce the training. **KT:** Neal and I created that Primary/Secondary responsibility form when Kay was being hired to see exactly where and how she was going to fit into the office. It exists in the master file.

Closure:

- Ambulance contract
- Carnival Hill Marker
- Gulf road easement

French road logging
Pending litigation
Unregistered animals
Town forester
C & W junk car numbers/limit
After Basinas settlement: Have the files been purged and finalized
United Church of Lyndeborough

SB: After speaking with Lorraine, she said that she would bring her keys up and asked that you have her name/code removed from the security system. **ACTION...** I am willing to put this down on paper and send it out to you. Then we'll work it through next week.

Committee/Liaison assignments:

Liaison roles:

AB: Police

DS: Highway/ambulance

SB: FD

Committee assignments:

AB: Planning, Meetinghouse

SB: LEPC, Recycling

DS: Budget

JB: There is now a Historic District Commission which will need a Rep. as well.

-Any others will be determined next week.

SB: I would like to close out an issue with a former employee who still owes the town some money. **JB:** I wrote him a letter and I gave him a call. Now, he needs another follow up. **ACTION...TA Bingham** will send another letter.

SB: Donnie you are in a unique position re: the PD and BOS roles. What is your view of this situation and how the Board handles issues when it comes to the PD?

DS: I don't see any problem voting on anything except that which has to do with money. As far as policies and management go, Kevin defers to me more often than not, long before I entered this race. He has no issues working with me on projects. Mike French assigned me to multiple tasks and I don't have an issue working with Kevin and helping him get where he needs to be. I don't think there will be any issue but if there is, I will certainly defer to the two of you in situations where I can't have a vote. I believe that I can have an opinion and I am looking out for the town's best interest. I will make sure that you are aware of things through Kevin as the appropriate chain of command and will not be putting us into a position where litigiously we have a problem.

SB: What are your thoughts on how you participate in the development of the role of OIC?

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DS: I think I can help a lot to narrow that down quickly and make it a little sharper. I understand what needs to do on a daily basis and I understand what Kevin needs to do versus what should be done at this table. I think I can help in that process. I wasn't privy to the OIC job description. **ACTION...TA Bingham** will get a copy of the OIC Job Description to **Selectman Sawin**. My understanding is that the OIC is basically the same as a Chief with the exception of monetary/budgetary issues. The general day to day will be left in the OIC's hands. However, that position will lose any protection from RSA 105 due to non -"Chief" status. One thing I thought of is that if the OIC was sworn in as a Sheriff they will be protected by RSA 105.

AB: The OIC makes a recommendation for discipline but the BOS would carry out that discipline.

DS: Nobody in the department has any issues. I have spoken to all of the guys and even if I was in a disciplinary role, I have seniority over all of them, including Kevin.

SB: Would you be offended if I got a reading from legal counsel?

DS: No, absolutely not! Mike French did call PST to check and there are no issues whatsoever. The only issue is with a full time certified officer. **SB:** Ok, I wasn't aware of that and if it has been vetted up through that channel that is fine. I think it is important to have the discussion so that everyone understands the ground rules. **DS:** This is a board of three not just me. I have no problem with you telling me that there is an issue with me participating and I'll back off. I will be very mindful to follow the appropriate procedures of communication and if I need to recuse myself on issues that appear to have a conflict, I will do so.

SB: We still need to do Jim's review. That has been a while and we need to get it done.

SB: Jim, have we gotten all the paperwork to OIC Maxwell that he needs for FMLA? He is facing a very difficult time right now and we need to do everything we can to help him.

JB: The Family medical leave act will guarantee his placement with the town. It seems that Kevin has had difficulty accessing a fax number but I will keep on it. **AB:** Should we do something on the personal side?

ADJOURNMENT

All scheduled items having been addressed, Selectman Byam 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 9:45 p.m.

Date: March 17, 2010
Kate Thorndike, Recorder

Steven M. Brown, Chairman

Arnold A. Byam, III

Donald R. Sawin