

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
April 14, 2010**

I. CALL TO ORDER

Chairman Brown called this meeting to order at 6:30 p.m. on Wednesday April 14, 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: **Jessie Salisbury**

Staff

Present: TA Jim Bingham, RA Perry, FC McQuade

Media

Present:

Recorder: Kate Thorndike

I. Agenda Items

6:35 Meeting updates: (none)

6:35 Appointment- Officer Kevin Maxwell

7:30 Citizens' Open Forum

7:45 Appointment – David Buxton N.E. Forest Products

8:00 Town Administrator Report:

Perambulation confirmation date set

Hazard Mitigation update

Weekly financial report

Community service at Citizens Hall

8:15 Old Business:

Review Purchasing Policy

Review Action Item list (cont.)

8:45 New Business:

O.I.C. position job description– comments from town counsel

Historic District Commission – candidates needed

9:15 Review & signing of warrants and documents

II. Adjournment 9:30

Meeting updates: (none)

TA Update:

Perambulation: We will meet here at 8am on Saturday, April 24th. **AB:** Let's get Mike Decubellis too.

Hazard Mitigation Update: Memo on FEMA meeting.

We will receive reimbursement for damaged equipment plus the furnace relay plus propane. Next two weeks we will get that all together. There will be FEMA money coming in next year for hazard mitigation to eliminate this happening again in the future. I am looking for the Board to authorize me to send in the letter of Intent focusing on Pettingill Hill and Johnson Corner. The money will be available during the construction season of 2011/2012. Dick Verville mentioned we might want to involve Holden in the application process.

SB: Do we have an ongoing list for trouble spots? Combine with road list and rank them in terms of priority.

SB: Consensus of the Board was that **TA Bingham** files the Letter of Intent on behalf of the town.

6:35 Appointment- Officer Kevin Maxwell: OIC Position

There was a discussion re: PD that covered the following:

- Communication between PD/the Board and the TA
- Future non public re: discipline and division of responsibility between the Board and OIC Maxwell. (**Selectman Brown** would like OIC Maxwell to work on giving the Board an idea of the time required to accomplish the different responsibilities of his position so they will know where to pick up some of the slack, offer support and help to shape the position)
- Officers being deployed and the need for additional part timers.
- Firearms Safety course
- PD Files including moving some back into PD
- OIC Job description: (OIC Maxwell asked that the description remain fluid so it can be changed as necessary. The Board agreed)
- Week-long prosecuting school for Donnie Sawin
- PD Addition: Donnie has taken the lead on that but OIC Maxwell will be involved in preparing all the necessary materials to present to the town in a timely manner.
- OIC Maxwell will meet with the Board twice a month and everyone will work to keep the lines of communication open.
- Finalizing the OIC job description within the next couple of weeks.
- The Board would still like weekly PD reports. They will also review the monthly report that was suggested by **IPAA French** and finalize that document. They will meet again with OIC Maxwell on the 28th to discuss the final job description and the monthly report.
- Memorial Day; location, organization, monument location and coordination with the Artillery.
- The Board agreed that **Selectman Sawin** can sign pistol permits.

TA Update continued...

JB: Weekly report in your packet on finances. We can run this right off of QuickBooks. The best time to do this is on Thursday after payroll hits the books. We can put down the checking account balance as well. I can email this to you. We are starting to run into a tighter time right now. Need to be careful in the next six weeks. **SB:** Typical week what do we expend. **JB: ACTION...**I was planning on doing that and I'll get that to you tomorrow. **SB:** Might be worth having a discussion with Dpt. Heads re: the cyclical nature of purchasing and the need to be careful.

KP: There has been an outburst of people cleaning up the roads, getting community service. I would like to thank the folks who are doing it. It is fantastic. We got a couple of tires for the grader. We saved some money on truck repair. It took 16 hours to replace the kingpins. And we saved \$1,800 bucks.

-Septic system has been pumped and the roofing work cleanup is done.

-Destination Imagination...request to get some school teams to a competition. I told the woman that I spoke with that I would mention it to the Board to talk about potential donations. **AB:** They have asked to use the Fire station for a car wash. **JS:** They have said they will probably be able to raise the money by the end of school but they need it up front and can reimburse.

Purchasing policy:

SB: Written quotes will not be required for purchases under \$1,000. A verbal quote (hand written on the PO) will be accepted. We will discuss any and all changes specifically when we meet with the Department heads.

JB: Kent looked at it and he didn't seem to have any issue and Kevin didn't mention anything of concern. I will double check with Kevin. **RM:** I don't have any issue with it. Let's post it and get it on agenda for the 28th.

AB: I spoke to the state guy about the culvert. They did a make shift repair & put a culvert in a culvert. He is working on DES permits to get it fixed sometime this summer. **SB:** Let's follow up. **AB:** In terms of the driveway-there is nothing we can do. It is a private driveway and we have to leave it alone. He said he doesn't have jurisdiction on a private drive.

Citizens' Open Forum

JB: The Monument's committee met. They are meeting again on Sunday.

Historic District Commission – candidates needed

Jessie would prefer to not be on the Commission. She feels she would be more effective as a reporter.

Appointment with the Dave & Deb Buxton:

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Deb B: Is Mike coming? **JB:** I sent him a copy of the agenda and I said that it would be on the agenda if he was interested in showing. I am surprised that he's not here. He usually has an interest in what is going on in regard to French Road. **SB:** We are still a little early so let's go through some Action Items while we wait for Mike.

Action Item List:

TA Bingham discussed his items and his target completion dates.

The meeting began with the Buxtons.

Dave B: DES doesn't have jurisdiction on dry land. I think that Emily over reacted initially and now she is just kind of backing out and wants us to take care of this thing and do a reasonable job. **SB:** So, what do we do next? **Dave B:** As I mentioned the last time we were in here, this is the seventh time we've been in there over many years. We'll go in and fix the roads and take pictures but what do we do if someone comes in the next day? We always back drag the road and until now it has been fine. It is always the commercial entity that has the deep pockets to take care of it. Emily doesn't seem to have a problem with the culverts as long as they work. Well, they will work as well as did. The culverts will work fine and just the same way they did before we went in there. We certainly haven't damaged them...which was the point when Kent wanted the stone put over them-to protect the existing culverts. It is not our responsibility to make them better than what they were. In terms of rutting, the ditch needs to be cleaned out. Ditches need to be maintained! The town doesn't want to maintain it so what do you do? What does fixing that road up bring to us? When roads aren't maintained they build up. When hunters go in there no one complains but when a logger goes in it's a big problem and someone complains. So, that is the issue that Jim, Kent, Deb and I have talked about getting some kind of agreement that everyone is happy with. I think it is coming down to doing what we normally do any way. I don't think the resolution is going to be any different than it would have been had this never happened.

SB: Was your intention to have Mike here to participate in discussion so he would not throw a flag.

Deb: Yes, but we have another issue with Mike. **SB:** Should this be in Non Public?

Deb: Yes, probably. In fairness to Mike and that is why we requested specifically that he be here. **SB:** Lets hold that thought. In terms of coming to a meeting of the minds and what allows us to move on, do we here have a consensus on what exactly that is? **Dave:** Yes I think we are very much on line as we were last fall. The problem is that DES keeps sending the same old letter back to us. **JB:** DES is requiring erosion controls and photographs. The washed stone can stay. **Dave:** There is no reason for that stone to be removed even during a high water event. That is exactly why that stone is there. If that stone can be a permanent fixture in prime wetland, it can certainly be a permanent fixture on a roadbed. **JB:** When I look at the BMPs, when they talk about using the stone they also talk about putting a very small box culvert in so that at some point, there is a stream channel. **Dave:** Washed stone is an accepted practice as a stream crossing so it certainly should be good to use on top of an existing culvert. That example was for an actual stream crossing. **Deb:** May I suggest that the three people involved, go on site make an agreement put it in writing and bring it to the Board. We don't want to find ourselves back here because someone is mad and has an agenda. We are not going to go through this again. **Dave:** And, we will be going back out

there again. **SB:** What is the process to close out the DES complaint? **JB:** My understanding is that if Dave goes in and addresses some points then it will be fine. The key issue here is the ditch. Is it in the town's best interest to get in there and clean it out every once in a while. I think if we get the other points done, take pictures, and get it off to DES that would satisfy things. **Dave:** So, can Kent, Jim and I revisit and get specific about what we feel is going to be done and send that up to Emily informing her.

AB: Photos will be critical in the process. You might want to burn a disk and put it in the road file.

Dave: I think where it is going to end up is exactly where it would have been. **AB:** There will be a little more control of that water coming down that hill with some ditching. Back dragging with a skidder on your way out creates a trench and that's what everyone wants to get away from. **Dave:** Driving in and out with pickup trucks during hunting season does the same thing. Future logging will happen in midsummer if it is dry enough.

Deb: There is another issue that is not a public issue but Mike needs to be here. I didn't know the protocol. **SB:** Right to know laws determine what we discuss. Would this discussion have to do with someone operating in their official capacity? We can certainly have the discussion. We did invite him. He doesn't have to be here for the discussion. **Deb B:** I would rather he be here so there is no question ever. **Dave:** So would I. **SB:** That is fine. We will schedule a Non Public and get back to you with the time.

Workforce housing discussion:

SB: ACTION...I will call Dwight to discuss his thoughts and recommendations and report back next week. **AB:** The PB pretty much thinks things are fine and until the law is improved things will remain as is. **SB:** Let's be sure that we're not at risk. Let's check with Amherst to see what they are doing with WF housing.

JB: We need to complete the emergency operations plan and it will open up opportunities for funding in several areas. **ACTION...Selectman Brown** is going to check into his emergency paperwork and will discuss it further once he gets some more information and greater clarification. **SB:** Boilerplate is good but I want to be sure that it fits the needs of Lyndeborough.

Wooden chairs in Citizens' Hall: JB: I have asked Jessie to have the Historical society request the chairs so they can use them for a fund raising. **DS:** I spoke to an antiques dealer and he is interested in the whole lot of them.

DS: Court community service opportunities are available.

Ordinances: Selectman Byam will give the Planning Board a head's up that the BOS is going to be looking for some help on getting these books together. **ACTION...**The office will start taking stock of what documents are in the office, how they are controlled and where they are. The project requires the cooperation of the BOS, PB and the office all working together.

AB: Can the Town take a donation for the FD and donate it to the Fire association. **DS:** I am scheduled to go to one of those LGC dinners tomorrow night and I will ask. **JB:** **ACTION...** I will check with the auditors on that as well as look into the RSAs.

Repeater: AB: ACTION...I will talk with Mickey and get him to do some legwork on the associated costs and report back to the Board.

Class VI and V: discussion on emergency lanes/roads, etc. The Board will pick this up again in a month.

DS: Looked into ambulance. Gary is all set but they have been having some issues with MACC base. Spoke with Peggy in Wilton. I asked if there was going to be any discounts. She wasn't aware of any but said she was going to check into it and get back to me.

Historic District: AB: ACTION...I will inform PB that they need to choose a representative to sit on that board. It is a standing committee that will meet as needed.

O.I.C. position job description– comments from town counsel

JB: A copy of Attorney Drescher's recommendations by email on further division of responsibilities is in your packet. **ACTION...**I will be calling the TA and Chief in Amherst because they have thorough policies in place. The Board needs to have policies that direct how the Board and the OIC interface.

ACTION...JB: Let me go back to Bill Drescher for any clarification and also check with Amherst on what they have. **SB:** Let's get something to discuss for next week. We need to hit this hard and get this done. **ACTION...Donnie** will talk with Captain Merrill re: OIC job description at PSTC.

ACTION...Jim will check with Mike French for a digital version of all of the directives.

*There was a brief discussion regarding the French Road issue and a Non Public will be scheduled with Mike Decubellis, Dave and Deb Buxton and the Board of Selectmen. **TA Bingham** will inform Mike of the meeting.*

Selectman Byam moved that the Board discontinue the second Building Permit book that has been maintained in the Citizens' Hall lobby. **Selectman Sawin** seconded the motion, so moved.

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

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Action Items will continue to be noted in the minutes. **Chairman Brown** will keep track of the ongoing **ACTIONS...**

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 10:00 p.m.

Date: April 14, 2010
Kate Thorndike, Recorder

Steven M. Brown, Chairman

Arnold A. Byam, III

Donald R. Sawin

APPROVED BY THE BOARD OF SELECTMEN ON 5-5-2010