

**LYNDEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES  
September 1, 2010**

**I. CALL TO ORDER**

Chairman Brown called this meeting to order at 6:30 p.m. on Wednesday, September 1 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

**Public**

**Present:** Jessie Salisbury, William Beard, Caroline Crooker

**Media**

**Present:**

**Recorder:** Kate Thorndike

**I. II. Agenda Items**

6:35 Meeting Updates

6:45 Appointment – Rick McQuade, Fire Chief –CIP requests & discussion

7:10 Town Administrator Report:  
Hazard Mitigation Grant applications  
Repair quotes on roof trim  
French Road – site meeting with NHDES & N.E. Forest Products  
Highway Dept. report

**7:30 Citizens' Open Forum**

8:00 Non-Public RSA 91-A:3 II (a)

9:20 Review & signing of warrants and documents

**II. Adjournment 9:30**

William Beard and Caroline Crooker came in to talk about interest in the town-owned property on Center Road.

-Septic issues

-Bid process

-Condition

**ACTION...Chairman Brown** asked **TA Bingham** to put it on the agenda for next week and then invite them back the following week to finalize.

**Meeting updates: Meetinghouse Committee:**

**JS:** As a member of the Historical Society, we were concerned about the Deacon benches being used and not put back. **JB:** The people using the hall were contacted and did lose their deposit. It brings up a bigger issue about fine tuning the use of the town buildings and better oversight.

**RM:** I would like to see inspections done prior to the events. I have enough fire personnel to do that. I think they should also submit drawings of how the set up will occur.

**JS:** The other concern is that we have not had two meetings in a row because there was no quorum. We are wondering if you could assign someone else to represent this Board or disband the committee and possibly combine it with the Historic District Commission.

**ACTION...TA Bingham** will contact Scott Roper to discuss.

Emergency light issue at Center Hall: **RM:** The buzzing is that it is trying to overcharge.

**SB:** Yes, we did discuss that, at least getting it turned off until it could be fixed.

**Appointment – Rick McQuade, Fire Chief –CIP requests & discussion:**

**RM:** FD CIPs haven't changed and I don't see them changing much. We are coming up on one in 2011. Substation is still a priority but will probably be a bonded project so not a CIP impact. \$250,000 is the number we are looking at. At least a 4-bay garage.

Rescue Vehicle body-2011. \$75,000 is adequate and I have a call in to Valley fire on numbers.

**JB:** Engineering/feasibility design research needs? **RM:** I don't see it happening too soon so I'm not sure we need to put any money into it right now.

Our mutual Aid support is having some difficulty parking in our facility.

**Tanker:** I thought they pushed this out to 2014. I think we'll be ok with that. Desired date of project needs to be changed. It is my understanding that Kent has expressed some interest in that truck when it goes. He could maybe put a sander on it or something.

Engine five: Just keep plugging away on. We are going to need to do some maintenance on this vehicle over the next 15-18 years.

We need to look at a Warrant Article in 2012 to get some repairs done on this vehicle. It has been rock solid. We are thinking about switching four and five to give five a break.

Engine Four: We want to continue to fund it and hope it goes the distance.

Most of the equipment is incorporated in the operating budget. We might be looking at a Warrant article for possibly 10 full sets of gear.

I have a PO for Scene lights which run off the truck and both of them have failed. I would like to replace the two lights and the money is in the budget. They are 800.00 each.

**Town Administrator Report: TA Bingham**

There is a Forbearance agreement memo indicating that everyone is meeting their agreements in your packets.

**Hazard Mitigation Grant applications:** I went to a grant workshop and there is 1.5 million dollars available. **TA Bingham** updated the Board on the specifics of those funds and also discussed options for how the town is going to work with Holden Engineering on projects and the grant application which is due on September 30<sup>th</sup>. **SB:** It costs \$2,000 for the grant application and there is no guarantee of receiving funds? **JB:** That is correct. Repair quotes on roof trim in the packets for Citizens' Hall. *Discussion on the grant proposal and projects continued.*

**Repair quotes on Citizens' Hall roof trim:**

**Selectman Brown** moved to select Perham Builders for the roof work at Citizens' Hall. **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).

**Citizens' Open Forum**

*Linda and Donald Anderson were in attendance*

**Donald Anderson:** How would the Board feel about volunteers doing jobs in buildings around town? What about insurance coverage? **JB:** I believe that volunteers are covered by our Liability Insurance. **DA:** Center Hall needs a lot of work. There are a lot of senior people around who would be willing to help out. I see a huge cost savings to the town. **SB:** The trick is putting the right person to the right task. I think it is a great idea with the provision that we have the people doing things that are right for them to do. Sometimes, we can stretch it too far where it doesn't come out the way it should.

**JB:** Insurance they will be covered but I would like the Board to consider coordination and the impact on the Board and the office. This is something that the Meetinghouse would be wonderful at coordinating and overseeing.

**DA:** A volunteer group like this could be productive for private citizens' as well.

My other inquiry is: Over the years that we've had a Town Administrator, Is it part of the job description to apply for grants and how many grants has Mr. Bingham applied for and gotten approved for the town?

**SB:** I don't know if it is formally in the job description but I think during the time that Jim Bingham has gone after reimbursement money. **JB:** Mostly it has been FEMA reimbursement money. I have looked into some grant money and there were other prerequisites that needed to be done prior to applying to funds. Hazard Mitigation Plan, National Flood insurance, Historical District Commission, and Emergency Operations Plan.

We are going after Grant money that the town would have to pay for anyway. We do have to jump through some hoops.

**SB:** We can certainly get the job description but I'm not sure if it specifically says, "seek out opportunities for grant money".

**DA:** You're going to check?

**SB:** I will take that as an **ACTION...we will check.**

**DA:** So, how is the E911 program coming, Steve? I'm not bringing this up to be a pain but this has been going on for over a month. I think this is a problem.

**AB:** Exactly what properties are mismarked?

**DA:** Some of the properties are now properly marked but at the time I was looking they weren't.

**JB:** We do now have the postcards that can be dropped off at houses.

**Officer Maxwell:** We were told at the last meeting to put them on hold though. I'm not sure what the holdup is.

**JB:** I think part of the idea was to do an education push first verbally and on the website first.

**SB:** I promise that we will get everything up on the website within a week and get the cards finalized and ready for handout.

**DA:** Last week there was a discussion about Officer Maxwell's use of the cruiser and On Call status. May I ask how that was dispositioned?

**SB:** Yes, we have asked/directed the OIC to not take the vehicle home. We have had some on-call/vehicle use discussions. The memo that was written stating...cease on-call, don't bring the vehicle home. In hind sight, maybe it should have stated stay on call but don't bring the police car home. Officers are not paid unless they receive a call. The Board is trying to understand the cost benefit to the vehicle use. We are looking into some data to really review that.

**AB:** If we had a full roster of officers that might make more sense. But I don't think we can expect one officer to be on call 7 days a week.

**Officer Maxwell:** That has absolutely nothing to do with it and you know it.

**DA:** I don't disagree with that. We just had an incident last week where a gentleman died and we had no police coverage and state police didn't respond. They are now coming out of Bedford and that is not very reliable. Chances are if they are in Bedford...they are going to be patrolling in Bedford. We have over \$100,000 worth of motor vehicles that we can't even secure. I would much rather see one parked in his (*referring to Donnie Sawin*) yard and the other one in his yard (*referring to Officer Maxwell*). At least they are secured in their yards and in bad weather they can much more easily clean them off or possibly even garage them. I think it would be an excellent idea for the BOS to go back, rethink this and give it a little clearer thought. It has been a concern with a lot of people and I would like to present a petition signed by 48. **Linda Anderson:** That is only about 1/3 of the town covered so far.

*The Petition is in support of allowing the cruiser to go home and to be ON Call.*

**SB:** I don't have any problem with this at all.

**LA:** I was also told that there was a resolution (change) to the vehicle use policy that an officer could use a vehicle between 10 miles outside town.

**SB:** It is town policy, at the discretion of the BOS. Sometimes, it is situational. Thank you for this. The BOS will take a look at this. I still would like to understand from a fact based position how many times an officer has been called out when the vehicle was going home and what the costs are. If the answer is that everyone on this petition doesn't care about the cost then that is a different message.

**LA:** I can tell you that that is the message. The concern is not about the cost. It is about the safety of the residents in the town of Lyndeborough. There are more people willing to sign. If you need more people to put your minds at ease, then I'll get them for you.

**JB:** To pick up on what Arnie is talking about. The concern was about a shortage of officers and putting the existing officers we have on extended coverage.

**LA:** Yes, everyone needs a break but if he is willing to be on call

**JB:** There is concern about safety and DOT laws in terms of law and safety.

**KM:** Can I ask when the discussion took place about the correlation between staffing and on call. This has nothing to do with manpower. What was looked at was the cost. No one has asked me for anything. This wasn't about manpower.

**SB:** There was a concern about cost benefit. We discussed getting the data and you have not been asked to do it. The concept of how often we go out and taking the cruiser home was discussed. Certainly having this petition helps to get the temperature of the town.

Presumably these people are less interested in the cost and more interested in the service.

**DA:** All we are asking is that the Board reconsiders the decision.

**SB:** I have no problem and I'll put it on the agenda.

**AB:** Linda, are you comfortable with the current PD staffing and are you comfortable with that?

**LA:** Yes. However, Keith is coming back in a couple of months.

**AB:** Yes, but he still has to go back to school for 16 weeks of training. Are you aware of that also?

**LA:** Yes, but he knows the town. I want someone within 15-20 minutes to respond.

**DA:** We become a training ground for rookies which cost us a lot of money. Thousands of dollars of investment in training.

**SB:** We have discussed ways to try and curb that.

**DA:** I think if we have an officer who is willing to put the time and effort into doing what the town requires, we should be a little more supportive of him.

**SB:** Thank you. We will be looking at this again.

**LA:** We appreciate it and so will lots of other people.

**JS:** I understand that Mr. Sawin has taken a leave of absence from the Police Department? Is that open ended?

**SB:** Yes, it is indefinite.

**JS:** On behalf of the Historical Society I am returning two town ledgers which are from the 1880s and 1890s from a collector in Newport. One of them is a collection of list of notes and bills...money borrowed from residents of the town...to repay civil war debts. The other is a list of tax abatements. We paid \$50 for each book and we decided it was worth it.

**Jim Devir:** History of phone service in town? We have Fairpoint which doesn't provide

internet service. **SB:** Mike Decubellis has on numerous occasions communicated the

frustration and difficulty he has had talking with Fairpoint to try and get them to come out

and provide any kind of high-speed internet. **AB:** There is a NRPC meeting at the Milford

Town Hall on September 28<sup>th</sup> from 6-8 pm to deal with some holes in Broadband service in September. It would be nice to have some Lyndeborough residents there representing our needs.

**French Road** – There was a site meeting with NHDES & N.E. Forest Products involving Emily Lucas, the Buxtons and Kent who met to make some final clarification as to exactly what needs to be done in order to mitigate the violations. All parties are most interested in getting this closed. I have a call in to the Buxtons to make sure that everyone is on the same page. **ACTION...I have** to call Emily back to get some information on something that the Buxtons are waiting for. It is mainly between the Buxtons and DES and Kent has taken a back seat to it. August 30<sup>th</sup> was the deadline and I am seeing what more this office can do to get this closed.

**Cit. Hall generator/electric issues: JB:** Estimate from Norman E. Day to check the Citizens' Hall circuits which includes upgrading the grounding which is not up to code. **JB:** Mark Weissflogg left me a message that he did take a look at it. Some arcing is expected. However, he did say that he was going to send a technician to check it out. **ACTION...TA Bingham will ask** Mark about a 200 amp switch and also mention to him that the lights burn way too bright when the generator switches over.  
*There was Board discussion about some different electrical options for the building...*

**Selectman Sawin** moved to hire Norman Day to do the electrical upgrading/grounding work at Citizens' Hall. **Selectman Byam** 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).

**Emergency generator fence:**

**SB:** Why can't Kent do it? **JB:** Kent got a little nervous about using the backhoe to pull the fence and Crowe Fence basically indicated that you can do it but it won't be the right way. The installation is scheduled for October.

**AB:** That will free up Kent and his guys to get out there and do the shoulders on the road. I drive that section every day and there are no shoulders. When I asked him two weeks ago he said that he did it. He didn't. It is very important to back up that pavement. **SB:** Bring him out there and show him exactly what you're talking about. That is fair. **AB:** There are no shoulders on the new pavement and we will lose that pavement. It is very important to back it up. **JB: ACTION...I will let Kent know that it's got to be done.** He was able to get Asplundh to take down 8 dead trees down that we would have normally had to spend 1200-1500 dollars/tree. **AB:** Did an awesome job on Mountain Road. **JB:** I did forward an email to Kevin about getting in contact with their supervisors to make sure that he is made aware of exactly where they will be in the next week so there are no surprises. I will check with Kevin and if he didn't get a call today **ACTION...I am** calling the supervisors because I know that's been an issue.

**SB:** Health Officer? **KT:** There was another person who expressed some interest and I told them that time was of the essence.

**Selectman Sawin** moved to recommend Sharon Kenney as the Health Officer and Jackie Smith as the Deputy Health officer. **Selectman Byam** 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).

**JB:** I haven't had any contact from Jackie. Have you talked with her Donnie? **DS:** Yes, as long as Sharon is the primary she will take the secondary.

### **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 8:55 p.m. The Board returned to public session at 10:50 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: September 1, 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