

**LYNDEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES  
January 5, 2011**

**I. CALL TO ORDER**

Chairman Brown called this meeting to order at 6:00 p.m. on Wednesday, January 5, 2011 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), RA Perry, Officer Maxwell and Hervieux

**Public**

**Present:** Jessie Salisbury

**Media**

**Present:** Nick Martin

**Recorder:** Kate Thorndike

**I. Agenda Items**

6:05 Review & signing of warrants and documents

6:35 Appointment- Officer Kevin Maxwell

7:00 Appointment - Officer Keith Hervieux

**7:30 Citizens' Open Forum**

7:45 Town Administrator Report:  
Contract for architect's services  
Milford / Lyndeborough boundary  
Greenfield / Lyndeborough perambulation – Jan 8.  
Citizens' Hall Generator inspection – Jan 6

8:15 Non-Public RSA 91-A:3 II (b) conditional offer, interviews

9:00 Non-Public RSA 91-A:3 II (a) Performance Evaluations

**II. Adjournment 9:30**

**Appointment – Officer Kevin Maxwell**

Discussion covered several items including:

- shift coverage/schedule discrepancies
- personnel procedure/policy review and updates

**SB:** Will you be able to support the hours in the January schedule?

**KM:** Yes, I should be able to I have some questions when I have back to back schedules and get held up on an evening call then it's either OT or back in with a short turnaround. What does the Board want me to do in that situation?

**SB:** My expectation is that you should alter the following shift if you need rest. However, let's try and adhere to the schedule as much as possible. It is our expectation that the officers will come in and leave at their scheduled hours. *The Board discussed the fact that Kevin has some personal obligations on Sundays and had asked them to review the schedule to make some changes if possible. Chairman Brown was in support of that.*

**ACTION...**Kevin will provide the Board with some data on call volume to assist with scheduling. He also shared his concern about having back to back shifts, the lack of two days off in a row and the overall logic behind the schedule itself in terms of activity.

**SB:** This is a difficult situation given the fact that we have one person on board right now and I told you that it is our hope to have someone on board relatively soon. So I wouldn't see this schedule running for too long.

**SB: Mike French** has had a request in for some time. Is there an issue in supporting that request? **KM:** Some of it is confidential and shouldn't go to an outside consultant. In addition, some of this is clearly an Administrative responsibility and I've been instructed to do patrolman duties only. I think there also needs to be some clarification regarding notification when an officer is out of commission since there is no OIC and no senior designation. **SB:** It would be just like if you weren't scheduled. He should call dispatch. You don't need permission from the Board. Put a call in to dispatch and notify them we are out of commission.

**K Perry:** Is there any flexibility in a storm and or accident situation so we can have our own PD on? Can we arrange it so our officers are around during a major storm?

*The Board was in agreement that there should be flexibility in the schedule in the event of any serious weather related situations.*

**SB:** Sure. **ACTION...**we will get you a more formal answer on how to handle the accident situation. Back to the other topic, Mike French is an agent for the BOS. He is acting on the directive and on behalf of the Board and I'm not sure confidentiality is an issue.

**JB:** I think it had to do with police logs, correct? Mike French led me to believe that the two of you had agreed that if you looked at the logs together that would be ok. **KM:** I don't remember having that conversation with him.

**SB:** If there are specific RSAs preventing you to do something that's fine. It is not our intention to ask you to do anything illegal. However, please share that information with us.

**KM:** Again, what he's asking for is a responsibility of an Administrator or OIC and not a Patrolman's job. You have asked me to be reassigned as a Patrolman but out of convenience now you ask me to do these Administrative tasks as well. **SB:** Can Jen do it? **KM:** Jen has

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the administrative ability to do it but I'd feel more comfortable if it came from whoever is running the PD and that's where it should come from. **JB:** Well, the Board is running the DPT. And I can certainly ask Jen for the information. **ACTION...**I will talk with Mike tomorrow and verify that what we're asking for isn't confidential and confirm exactly what he wants.

**SB:** We will look at the schedule and get back to you in the next day or so with whatever changes we make.

**Appointment – Officer Keith Hervieux**

**SB:** You know we're shorthanded...PSTC needs to happen. When do you want to jump back in? **KH:** I was thinking around the 10<sup>th</sup>.

*Chairman Brown explained some of the things that had transpired while Keith was deployed.*

**KH:** Don't need health care for another six months. **JB:** **ACTION...**I will contact you in May to make sure you get set back up for coverage. Do you still have keys, Code? **KH:** No

**SB:** Do you have part time certification?

**KH:** No

**SB:** The Board is trying to figure out how to best use your services and getting some advice on how to best proceed. We want to take advantage of talents of yours as well as limiting the town's liability.

**Keith:** Scheduling is important because my wife needs to work her schedule around mine. Not that I'm not flexible but I just need to know what it is a head of time. 2<sup>nd</sup> shift worked really well and weekends are flexible. What time?

**SB:** We are working through some things and there may be some bumps along the way. Please bear with us.

**JB:** Certification issue? **SB:** Enrollment for the May class had to be in when? **JB:** I'm not sure. However, Kevin completed the application form, I signed it and we faxed it up. So we're shooting for May and we need to find out exactly what the deadline is to get everything in.

*TA Bingham explained the challenge of getting Officer Hervieux up and running ASAP for the benefit of the PD and the town while at the same time not exposing either you or the town to any liability issues with regard to these Certification issues.*

**KH:** So, figuring out exactly where and how I fit in is something the Board is working on right now?

**SB:** Yes. Obviously, it is a serious need right now but at the same time we have to be careful. **KH:** I understand.

**SB:** Jim, let's make sure that we do everything we need to have in place to make sure that Keith is enrolled.

**Citizens' Open Forum**

**JS:** Stella Abbot was in an accident in FL but she is going to be ok. There are interviews this week for four candidates for the OIC position. Another part time candidate has

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expressed interest. Budget Committee has completed all of the town budgets. Town Meeting is March 12<sup>th</sup>. **JS:** Date for the Budget Hearing yet? No

**Historic District Commission letter:** Re: maintaining the historic nature. Not in support of repair on windows. **JS:** Heritage backs this decision. **SB:** I would like to acknowledge the receipt of this letter. **JB:** The Board and more importantly, the town needs to make a decision on how important is it to maintain the historic character of that building. In order to do it right will be expensive. Rare to have a building that has been relatively untouched for over 100 years and the town may have real interest in supporting that. State funds are available for a building like that. However, that is a year or so down the line and the more immediate concern is that we have a building that is not weather tight. We have encumbered the funds but no work has been done.

**Appointment – Mike Petrovik**

*The Board met with Mike Petrovik and reviewed the PD addition drawing, made some changes and discussed several things including:*

- Better layout with this new drawing
- less expensive to construct
- better functionality
- Works better with the contour of the land
- Too big? Scale it back? Additional kitchen space?
- Camera system requirements
- mechanicals upstairs
- Historic District commission involvement?

**TA Report:**

- Contract for Architect's services
- Milford / Lyndeborough boundary: The Board reviewed some paperwork that was submitted by Milford and discussion followed.
- Greenfield / Lyndeborough perambulation – Jan 8.
- Citizens' Hall Generator inspection – Jan 6
- Budget: Executive: Recommendation made to increase Selectmen's Assistant hours to 40 hours. Kate is in agreement with that. With this change, all full time positions will fall within the same hours/parameters. This will allow her to dedicate Friday hours to minute production which will provide an opportunity for greater focus and improve on the timely turnaround. The copy machine and postage machine are also in need of replacement and were discussed.

**Non-public Session RSA 91-A: 3 II (b) Conditional Offer/Interviews**

**Selectman Byam** moved to go into a non-public session regarding personnel under the provisions of Non-public Session RSA 91-A: 3 II (b). **Selectman Brown** 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 9:00 p.m. The Board returned to public session at 9:40 p.m.

*The Board discussed Police department issues re: scheduling and administration of the Police Department.*

### **Non-public Session RSA 91-A: 3 II (a) Performance Evaluations**

**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 9:50 p.m. The Board returned to public session at 10:30 p.m.

### **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.

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Chairman Brown then declared the meeting to be adjourned at 10:35 p.m.

Date: January 5, 2011  
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

***APPROVED BY THE BOARD OF SELECTMEN ON 1-20-2011***