

DRAFT

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
AUGUST 17, 2011**

Members Present: Chairman Arnie Byam, Donnie Sawin and Kevin Boette

Staff: Town Administrator Burton Reynolds and Police Capt. Tom Burke

Media: Jessie Salisbury

Recorder: Pauline Ball

Chairman Byam called the meeting to order at 6:30 p.m. on Wednesday, August 17, 2011 in Citizens Hall.

Appointments:

6:30 p.m-----Captain Tom Burke, Police Department

Captain Burke requested that the first issue be discussed in a non-public session.

Non-public Session RSA 91-A: 3 II () *Reputation*

Selectman Arnie Byam made a motion to go into a non-public session regarding reputation under the provision of the Non-Public Session RSA 91-A: 3 II (). **Selectman Kevin Boette** seconded the motion, so moved.

VOTE: Selectmen Byam, Sawin and Boette voted in favor and the motion carried unanimously (3-0).

The Board then went into Non-public session, as recorded separately, at 6:35 p.m. The Board returned to public sessions at 6:55 p.m.

At this time, Captain Burke continued with his discussion on the following items:

Tasers:

First, Capt. Burke explained his plans to retrieve weapons that, over the years, have been filed with the court and sell them to a dealer or dealers. The revenue generated will be used to offset some of the unexpected cost recently incurred by the department. The tasers, which have been approved by the Select Board and budgeted, have been ordered and should be received within two or three weeks. With the assistance of a certified

instructor, he will set up training for his officers so that they can receive their certification.

Capt. Burke said, for the informational benefit of the town's residents, a reference to the acquisition of the tasers will be mentioned in an article to be published in the Milford Cabinet. Kevin Boette asked if this acquisition will also be included in his article for the upcoming issue of the Lyndeborough View. Capt. Burke replied no, but he will put it in his "Letter to the Residents" article for the next issue.

Burton Reynolds asked how many tasers were being purchased and the cost. Capt. Burke replied that the cost was \$809 per taser. There are additional costs for the accessories. The total package will cost \$4528. This includes two training cartridges per taser, plus two heavy penetration cartridges for use in the winter months. Small cross-draw holsters will also be included.

Strict pursue policy:

Capt. Burke said that the police department has a strict pursue policy in place which limit pursues to serious felonies. He has started a general order book to document the everyday type of events and will discuss standard operating procedures in a non public session at a later date. Donnie Sawin explained that any proposed policies or amendments to existing policies must be submitted to the town administrator and then approved by the Board of Selectmen.

Search warrants:

Capt. Burke stated that they have been busy in the courthouse; requesting a search warrant for a burglary; seeking an indictment, and a successful prosecution.

AED (automatic emergency defibrillator):

Capt. Burke said that there is a program that test older model AEDs to see if they are still effective and in return, they are being given refurbished AEDs. He said that he plans on doing a trade. Arnie Byam said that the Board plans on purchasing two new AEDs, one for Citizens Hall and one for Center Hall. Donnie Sawin asked if all officers were certified in the operation of an AED. Capt. Burke replied that they would need to schedule instructional time for those who were not certified.

Crown Victoria cruiser:

Capt. Burke said that they did not receive any legitimate bids for the Crown Victoria cruiser. Referring to an idea brought up at the last Selectmen's meeting, Capt. Burke said that he could accommodate the need for the town to keep the cruiser by installing a black cover over the lights, placing "out of service" signs on the front & back of the vehicle and

using magnets to cover the police shields on both sides of the cruiser. In this way, the vehicle could be use for any type of errand; such as picking up a part for highway dept., checking on burn permits by the fire dept. or for training seminars. This would eliminate the need for mileage reimbursement. He stated emphatically that it was not anyone's intention to take the cruiser home and the only reason for the vehicle leaving the town would be to assist an adjoining town on a detail. He also noted that the light bar has no trade in value and it is not transferable to the Tahoe. He also stated that the vehicle cannot be sold, as is. It would need to be painted and stripped.

Donnie Sawin responded that there's a liability issue to be considered, for example, volunteer fire dept members are not municipal employees and are not covered. Then there are expenses for vehicle maintenance and gasoline purchase.....whose budget would be expensing the cost?

Arnie Byam, referring to the March 2011 town meeting, said there was some concern about how the cruiser would be disposed; traded-in or sold. At the time, it was decided that the town would not keep the cruiser. If in the future when another vehicle is to be replaced, and there is sufficient data to show that there is a need to keep it, then a request can be placed before the residents at a town meeting. If it is approved, a municipal budget can be established to expense the maintenance and fuel cost. The Selectmen agreed that this would be the proper procedure to follow. Capt. Burke asked when another opportunity would arise. Kevin Boette replied that police vehicles are on a four year replacement cycle and that another replacement would be purchased in two years.

Capt. Burke acknowledged that the present vehicles are being used more often because of the increase patrol of back roads, travel for court preparation, arraignments, probable cause hearings; as well as an officer returning to active duty. Kevin Boette replied that as the department grows and more time is spent prosecuting, then it may be time to think about sharing a prosecutor. He was satisfied with the way the department is functioning and he thought that the citizenry was happy to see the additional police presence. There has been nothing but positive feedback on how the department is functioning. He would prefer to have it stay the way it is rather than see it grow too quickly. Capt. Burke responded that with more patrolling and enforcement efforts, the work load will naturally increase. He added that he did not like the idea of using another prosecutor from another jurisdiction. As young officers are trained in the field, it is beneficial to having his prosecutor serving a dual role. Kevin Boette said that it may make economical sense to have a joint prosecutor rather than hire a part time officer to cover duties when court appearances increase.

Arnie Byam, returning to the subject of the cruiser, thought that the Board was in agreement that the cruiser should not be kept and should be put out to bid again. If there isn't any reasonable offer, the Board will revisit the issue. ACTION....Kevin Boette agreed to put the cruiser on Craig's List.

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Capt. Burke asked, in the interim, if the cruiser could be used to travel to court or training. Because the cruiser is still insured, the Board agreed with the request.

7:30 –Citizens' Open Forum

Present: Jessie Salisbury and Karen Holland

Karen Holland was present to take a photograph of the Selectmen for the Lyndeborough View. She said that preparations were underway for the Community Days event on Saturday.

Jessie Salisbury told the Board that the Historic Society has been busy cleaning out the second floor of Center Hall. All the broken chairs have been taken away. The deacon benches, grange furniture, wood stove and all the back stage items that belong to the Historic Society have been inventoried. She also stated that a stack of bicycles belonging to the police department remain. Donnie Sawin thought that the bikes were to be auctioned off.

She told an interesting story about a program that was started years ago in which broken tombstones were to be repaired, a few at a time each year. One year the broken pieces were collected and left in a shed in the South Cemetery and forgotten. While preparing to repair the shed, workers found three broken stones and a plaque. With the aid of Ginny Christenton's computer program on cemetery history, they were able to find out their proper location, fix them and put them back in place. Recently, the cemetery trustees, while visiting the Perham Corner cemetery, noticed that a whole row of tombstones were deteriorating. Burials in this cemetery have not been performed since the late 1940s. The trustees have developed a program on how it can be fix and with the assistance of prison workers, they will try to remedy the situation.

Approval of Minutes, Manifests and Items for Signature

Old Business:

Minute Taker:

Burton Reynolds said that Pauline Ball agreed to take minutes for the Board.

Right to Know Handout:

Burton Reynolds distributed copies of the Right to Know regulations. He stated that these regulations were passed out in 2009 by the former town administrator and after reviewing

them himself, he thought it would be beneficial to have all town committees review the regulations as well. He will try to distribute other copies to the various town committees.

New Business:

Department Head Monthly Meetings

Burton Reynolds asked if the Board was in agreement with department head monthly meetings. Kevin Boette said that it would be beneficial to all departments to meet and find out what is going on in town. B. Reynolds felt that there is more interlap between depts. than one realizes. These meetings help to draw teams together and improve communication. In September, he would like to begin a program on safety as well as a discussion about workers compensation.

Credit Card

Burton Reynolds told the Board that he has ordered one credit card, in his name and for the Town of Lyndeborough. This card will be used for purchases, emergencies, etc. Kevin Boette asked about an approval process and whether a credit card policy was needed. Donnie Sawin state that the amount of purchase must be approved by the Board of Selectmen; cash, check or credit card payment was not that important. Arnie Byam asked the amount of the credit card limit. Burton Reynolds replied that the credit card company makes that determination. He added that when the limit is established then the Board can have a discussion on a policy which will address the amount of any one purchase.

Selectmen Read Folder Sign-Offs

Burton Reynolds explained that he could like the Board to initial any materials in the read folder that have been reviewed. Arnie Byam responded that the Board had already signed and initialed items left for their review, but he did not see anything in the Read Folder. After looking through the file again, Arnie Byam found additional material that would be read and initial later in the meeting.

Employment Evaluation Process

Burton Reynolds asked if the Board was satisfied with the present evaluation process or would they like to look at something different. Donnie Sawin commented that the process was cumbersome, lengthy and not to the point. Arnie Byam agreed, adding that most of the language is wordy and doesn't apply; it could be cut down to one sheet.

ACTION: Burton Reynolds will review the present evaluation format as well as the one used in New Boston. A new form may be developed that is more suited to the town's need.

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Addressing a time line for evaluations, Burton Reynolds preferred doing them in the Fall so that the Board has a better idea what to budget for payroll because cost of living and raises are taken into consideration after the reviews have been completed. Arnie Byam stated that their present evaluation process usually does not start until December. Burton Reynolds agreed that it is too late into the budget process. He stated that in March, another evaluation is performed but more conversational, in nature. During the September evaluation, goals are set and March is a good time to update those goals.

Prior to the evaluation in the Fall, each employee is given a list of questions, by the department head, that must be completed before the review; this is repeated again in the Spring, but it is an optional request.

He addressed the rating system next, the categories are "meets expectations" and "exceeds expectations." For example, "meets expectations" would justify a 2% raise and probably a cost of living increase; "exceeds expectation" would mean a 3% raise and only given under exceptionally conditions and must be approved by the Board of Selectmen.

Donnie Sawin named the five evaluation ratings presently used: (1) does not meet, (2) meets some, (3) meets expectations, (4) exceeds, and (5) excels. Because "meets" is such a broad category, a plus (+) or minus (-) rating could be included that would determine whether the increase would be for only 1%.

Burton Reynolds said that LGC prepares a wage survey of surrounding towns for distribution in October. He will then review all the categories and look at the different ranges in wages. It will be interesting data for future discussions.

Arnie Byam stated that the review sheets need to be streamlined, as soon as possible, so that they can be distributed to the department heads.

Recycling Center Report

Revenue is down, commodities are down and the spending line is decent. Burton Reynolds asked whether Kevin Boette was on the Recycling Committee. Kevin Boette replied no, but he did attend some of the meetings because of an invoice discrepancy that was finally settled. He also mentioned that the office did receive a quarterly report and has suggested reminding them again so the town is not forgotten when the next one is prepared.

2011 Goals

Burton Reynolds asked if the Board had any specific goals for this year. The Board noted several goals that have been met: (1) a new computer in the Citizens Hall meeting room has been installed and is functioning. (2) Mainstay has been

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contracted to give technical assistance. (3) A new copier has been installed and networking with all the computer systems.

Elected Officials Workshop

Burton Reynolds informed the Board about an upcoming LGC workshop scheduled for Saturday, September 10th for newly elected and experienced municipal officials, board members and staff.

Budget Guidelines for 2012

Donnie Sawin suggested a goal to establish a clear job description between offices.

Kevin Boette suggested that department heads push for level funding this year and come up with a flat budget. Burton Reynolds preferred to meet with the heads of each department and listen to their needs. This will enable the Board to make an educated decision on whether or not their needs are to be met this year or put off for a period of time.

Need For Either Parking or Trespass Ordinances

Donnie Sawin said that there is a need for a trespass town ordinance to discourage loitering on town property between the hours of 8:00 p.m. and 7:00 a.m.; anyone parked in specific areas would be trespassing. This would give the police the right to issue an ordinance violation for a fine or make an arrest. Primary areas of concern are the "docks" near the Fish and Game Club and the cemeteries. This type of ordinance would be designed to help stop underage parties, vandalism and drug deals. It would also give a reason to run plates and take an action. Burton Reynolds said that the Board should receive some input from Capt. Burke on this issue. He suggested reviewing the language from trespass ordinances already adopted by other towns. **ACTION:** Donnie Sawin will bring copies of other town ordinances for review.

Donnie Sawin recommended a town parking ordinance, mainly for winter months when snow begins to pile up along roadways. Right now, there isn't any technical ordinance that allows the Road agent or the police to take action. There should be certain areas and times, during a snow emergency that parking is banned on the roads. Parking along side snow embankments is a safety issue. Burton Reynolds said that he would see about language that could be used to ban parking during snowstorms.

Items Noted After Agenda Was Set

Arnie Byam asked for a highway dept. weekly worksheet which tracks a daily log of activity as well as goals for the following week. This worksheet would be submitted to

the town administrator, reviewed by the Board and kept on file. Kevin Boette explained that this type of data is acceptable to FEMA as documentation for work that has been completed after a flood or heavy storm event.

Arnie Byam mentioned that the end of vacation time is fast approaching and maybe a reminder should be sent out. Donnie also suggested reviewing the earned time policy because there is so much confusing with the process.

At this time, Chief McQuade joined the Board for a brief discussion on fire department activity. He said that he needed the password for the Fire Dept. gas card so that they can purchase fuel for their generator. Donnie Sawin was able to fill that request.

Chief McQuade said that the three gas meter which is used to test carbon monoxide, oxygen and explosive gases has stop working and is non fixable. The cost for a replacement is about \$4000- 6000. He said that he would get the best quotes possible but does not see it as an operating budget item; more likely a warrant article item.

Chief McQuade said that more research was needed on air packs; the tanks are coming out of hydro and the specs for NFPA codes are requiring integrated pass alarms and other safety features.

Chief McQuade said that all the radios have been upgraded and programmed to narrow band. The pagers are in spec and upgraded; they only need to be programmed to narrow band.

Arnie Byam said that he gave the job description for a Code Enforcement Officer to Dick Howe for his review. He will discuss it with Dick on Monday night and will be able to give the Board some feedback at the Wednesday meeting.

Burton Reynolds received an invoice for \$500 for the Center Hall stage curtain. Because there was some confusing about where the funds were to be taken to pay this invoice, it was suggested that Burton Reynolds contact Jessie Salisbury.

Adjournment

All scheduled items having been addressed. Selectman Sawin moved to adjourn; Selectman Boette seconded the motion.

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

Chairman Byam then declared the meeting to be adjourned at 9:27 p.m.

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The next regular meeting will be held on Wednesday, August 31st in Citizens Hall at 6:30 p.m.

Date: August 17, 2011
Pauline Ball, Recorder

Arnie A. Byam, III
Chairman

Donald R. Sawin

Kevin J. Boette