

**LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
March 6, 2013**

Members Present: Selectmen Donnie Sawin & Kevin Boette

Staff Present: T. Admin. Kate Thorndike, OIC Rance Deware and R. Agent Kent Perry

Public Present: Lee Mayhew

Recorder: Pauline Ball

Approval of Minutes, Manifests, and Items For Signature:

The Board addressed items that needed their signature.

Selectman Boette questioned a letter received from Lori Jean Corrao requesting a refund or credit for a \$161.25 over payment in vehicle registration taxes on her 2012 Ford Explorer. **TA Thorndike** explained that Ms. Corrao, having earlier registered her lease vehicle with the town clerk, decided to purchase the vehicle instead; resulting in a lower cost in registration fees. Because the town clerk is not authorized to issue a refund for overpayment, Ms. Corrao was making a request to the Board of Selectmen who has the authority to return the excess amount. **VOTE:** After a brief discussion, **Selectman Boette** made a motion to authorize the refund of the \$161.25 overpayment. **Selectman Sawin** seconded the motion and the **VOTE** in favor of the authorization was unanimous.

Appointments:

6:30 p.m. Christine Lavery

Ms. Lavery was not present for this scheduled meeting.

New Business:

- **Center Hall Open/Close**

TA Thorndike said that Center Hall was being prepared for the March 12th Town Election. Fuel had been delivered; the furnace was turned on, the building cleaned and ready for the set up of voting booths. **Selectman Boette** and **Selectman Sawin** both agreed that the level of fuel in the tank should be checked again on Monday.

- **FEMA Reimbursement**

TA Thorndike said that the town will receive an \$1896 reimbursement from FEMA for expenses incurred during the Sandy storm event. She thought it would be a good practice exercise for the office to track how the funds are spent. Because this is unanticipated revenue, a public hearing will need to be scheduled before these FEMA funds are accepted.

- **Highway and Fire Accidents**

TA Thorndike said that it was a learning experience to see how the claim reports for the recent vehicle accidents were handled because it involved volunteer firemen. Under their Primex liability, the town's insurance doesn't cover a volunteer's vehicle; it only covers the \$500 deductible.

Lee Mayhew responded that volunteer's insurance is usually the primary, if they have insurance coverage. **Selectman Sawin** added that vehicle insurance is not required unless there is a first accident.

TA Thorndike continued that Kay Hopkins is still waiting for more paperwork from the other individual involved in the accident with Chief McQuade. She noted that the town's workers compensation policy only covers medical issues. Voicing some concern for injured volunteer fire members, it was suggested that supplement income coverage was needed. **TA Thorndike** said that she would look into this issue.

TA Thorndike also mentioned that the reports on a recent highway department accident that occurred on Center Road are not clear because the facts have been disputed. A meeting with both parties will be scheduled to discuss the incident. The Board agreed that a mandatory meeting of department heads should be scheduled to review the procedures for reporting accidents. **TA Thorndike** also agreed that this policy as well as the Alcohol/Drug Testing Policy should be reviewed and reread again with signatures from employees required.

7:00 p.m. OIC Rance Deware---Police Department Update

Lt. Deware gave the Selectmen his monthly report and stated the following:

- Court for February.....two arraignments, both guilty pleas; three pre-trial conferences; two case reviews; two follow-up investigations were completed on pending felony cases.
- Officer Zack Byam, who will graduate from the Police Academy on April 12th, is doing well and has passed exams to date and is #1 academically in his class.
- On track for a speed grant to be approved towards the end of April or beginning of May.
- 2009 Tahoe needs service on the traction control unit (right rear sensor issue). OK to drive and will make an appointment with dealership.
- Laptops are installed in cruisers and in full use. TriTech Records Management and CPI Mobile Messenger are being used on a daily basis.
- Submitted report to Selectmen on FBI's New England Law Enforcement Executive Development Seminar that OIC attended from 2-11 to 2-15.
- On 2-14 and 2-22 Officer Pepellis coordinated a lockdown drill at LCS. Faculty and students did a great job. Upon inspection of all doors, rooms and open areas, no one was visible and all locked doors were secured properly. Those doors that did not have locks were brought to the principal's attention and follow up was brought to the facility manager of the school district.
- On 3-14, OIC and Officer Pepellis have scheduled a presentation to the staff at LCS on active shooter response.

OIC Deware said he was asked if the police department would be interested in applying for more DWI patrols because the State still has grant money. He suggested further discussion after the March town meeting. He also met with Jessie Salisbury who will put an article in the Cabinet prior to town meeting informing residents that information will be available on the elderly Call In program. He said that both Dispatch and Health Officer Sharon Kinney are in favor of this and it will be beneficial in updating the list.

Selectman Sawin, referring to the school lock-down exercise, asked about the remote panic alarms and whether or not the issue of recharging the batteries was addressed. **OIC Deware** said that he would follow up with the school principal on this issue.

OIC Deware said that he was recently asked if he could fulfill prosecutorial issues through the remaining year, if the proposed funding for a regional prosecutor is defeated at town meeting. His answer was yes, but it would mean less time on the streets and more time in court. Both **Selectman Boette** and **Selectman Sawin** agreed that it made more sense to have a regional prosecutor because of new court procedures, especially with DWI cases. The Board of Selectmen, the OIC and MRI are all in favor of this request. **Selectman Boette** said that he supports more police visibility in the community and creating a better relationship with the youth in town.

Old Business:

- **Audit**

TA Thorndike said that the office is in preparatory mode for the upcoming audit which will take place on May 6 through May 8.

- **Mailbox Policy**

TA Thorndike distributed copies of the updated policy concerning mailboxes and other structures within the highway right of way. She read the following: **“The Town of Lyndeborough is not responsible for damage and does not repair or re-erect boxes that are located within the highway right-of-way. These devices are located within the highway limits and are the responsibility of the property owner. As a courtesy to our residents, the Town of Lyndeborough will have a basic mailbox of the town’s choosing available through the Highway Department in the event of damage during snow removal but the Town assumes no liability or responsibility for the installation of any mailboxes damaged.”**

Selectmen Boette and **Sawin** approved and signed the policy which would go into effect on March 6, 2013.

- **Wilton/Lyndeborough Legal Update**

TA Thorndike, referring to the Wilton/Lyndeborough legal issue concerning the school apportionment error, said that she has received a structuring order; there will be no mediation because both parties agree on the facts. Both parties are to standby for tentative

dates. According to town counsel, Wilton's attorney had asked for reaffirmation that Lyndeborough wants to continue defending the law. Both Selectmen agreed that they were following the statutes; the window to correct the error was missed and a court decision was the only way to settle the issue.

Items not included in the Agenda:

RA Kent Perry-Highway Tire issue

RA Perry explained that the older tires used on the snow plow had blown because of the chains cutting into the tires. Block grant equipment funds would be used to purchase new tires. He said that the exceptional heavy snow event and conditions of the roads (potholes and slush) have had an impact on the trucks as well as on overtime and salt use.

Lee Mayhew- Milford District Court

Mr. Mayhew asked the Board of Selectmen to write a letter to the State Representatives voicing concern with the proposed closure of the Milford District Court. This closure will impact the surrounding towns and require additional expense in cost for travel and time spent for officers scheduled for court presentations, if the only location is Merrimack or Jaffrey. The Board agreed that their representatives should be contacted and these concerns noted.

United Lyndeborough Church Tax Appeal

TA Thorndike said that a date for March 14th has been set for the appeal hearing on the tax issue concerning church property located on Rte 31 (Forest Road.)

Adjournment:

The public meeting was closed at 8:10 p.m. but the Board and TA Thorndike went into a Non-Public session with Police Lt. Rance Deware to discuss a personnel issue.

Date: March 6, 2013
Pauline Ball, Recorder

Arnie A. Byam, III
Chairman

Donald R. Sawin

Kevin J. Boette

APPROVED BY THE BOARD OF SELECTMEN ON MARCH 27, 2013

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