

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
January 6, 2016
Draft 2

Members Present: Chairman Fred Douglas, Selectman Lee Mayhew and Selectman Mark Schultz.

Staff Present: Town Administrator Russ Boland and Chief Rance Deware

Public Present: None

Media Present: None

Recorder: Kathleen Humphreys

Chairman Douglas called the meeting to order at 6:03pm.

Consent Agenda:

Review and signing of consent agenda items

- a. AP Warrant 1/6/2016
- b. Payroll 1/6/2016
- c. Purchase Order for Northpoint Engineering #20500 and 20501
- d. Purchase Order for Tritech (Police Department)
- e. Purchase Order for MHQ #61430 (Police Cruiser)
- f. Northpoint Engineering Agreement (*Will be discussed in this meeting*)
- g. Meeting Minutes 12/23/15

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to accept the consent items. Motion passed 3-0-0.

Appointments:

6:05pm Senator Andy Sanborn

Sen. Sanborn visited to answer questions the Board has about the Police Standards and Training Council funding issues.

Chairman Douglas referenced a letter dated Nov. 30, 2015 which put law enforcement agencies on notice in which there are concerns. In 2009, \$1.3 million has been removed from the Police Standards and Training Council's budget. Last month they had \$250,000 in their account. There has been dialogue between agencies and on Dec. 28, 2015 a letter was sent by staff member Anthony Caruso stating "...That after many calls and meetings the legislation has assured us they have identified a solution for the Police Standards and Training Council and we are confident this issue will be resolved shortly."

The Board is under the impression the council is funding by the Penalty Assessment Program. Chairman Douglas asked if it was true the Governor's Council can move money around. Sen. Sanborn confirmed it is.

During the protracted recession, law enforcement has not been writing as many tickets or have been negotiating down tickets or working with people to resolve their problem but keep it a learning lesson such as a lower fine according to Sen. Sanborn. On the other hand, the government voted to raise the ticket amount and either people are just being better by their own volition or officers find a way to reduce the ticket if the person can't pay it.

Chairman Douglas asked what the second letter means and what is being done. Sen. Sanborn said the outreach from chiefs has been widespread and very inclusive that Police Training and Standards may not have the money to do their job. We have been operating with this budget for three months and there are already problems. We have made a commitment we are going to find the money and the conversation is taking the money from the general fund.

Chief Deware mentioned there was talk about a 50 cent vehicle registration increase to help fund the academy. Other funding options include an increase in the gas tax.

Sen. Sanborn said from a business standpoint they have to look at if the Police Standards and Training is spending the money they are getting today as frugally as possible.

Chairman Douglas discussed the Police Department's line item for training and how it has increased their budget. Chief Deware explained the department now has to pay for courses such as Accident Reconstruction which could run \$595 and grants to attend classes at outside agencies such as Roger Williams or IBTM are no longer available. Fees will be charged to the municipalities if an outside vendor is needed to teach a class at the academy. Sen. Sanborn was surprised about this police decision and has concerns if agencies have the ability to raise fees without going to the legislature.

Fish & Game's ability to now set their fee and license cost was used as an example. It was also discussed the Fish & Game make-up has shifted and they now are responsible for search and rescue.

Chairman Douglas said that the Police Training and Standards' training is essential to the baseline of law enforcement and future officers coming up in the ranks. Without them what will we have in the future? Selectman Mayhew said the classes need to continue, even if there is a fee for it.

Sen. Sanborn said he has suggested that individuals should be able to pay the expenses if they want to attend the academy, which is currently prohibited. It is being debated in the legislature and also with the Board tonight. Chief Deware said the

problem is the certification expires in 30-days if the officer is not hired anywhere. Selectman Schultz commented this could be extended.

Sen. Sanborn will support the funding mechanism to continue to fund the Police Standards and Training. His preferred choice is from the general fund. He mentioned the state is expected to take in \$6,000,000 more and that a couple of thousand dollars to fund this program should be available.

Selectman Mayhew wanted to go back to the audit process and suggested an audit takes place for the Training and Standards.

On-line forms for all state agencies was moving forward. Sen. Sanborn said it has saved \$3 million but the program has since been killed. He said the government's #1 priority should be to process and they can do a better job and do better with the money they have.

Sen. Sanborn and the Board also discussed Medicaid and the opiate problem. Doctor's prescribing too much is a concern and utilizing a database prior to prescribing control substances. There is a forum on Jan. 12, 2016 that Sen. Sanborn invited the police chiefs to attend and share their situations.

Community Forum

None

Old Business

Rose Mountain Discussion

Tom Jones from the Piscataquog Land Conservancy (PLC) and Conservation Commission Chairperson Sharon Akers were present to review the Rose Mountain purchase. Conversation Commission Member Mike Decubellis was unavailable tonight.

The purchase was recorded at the Hillsborough County Registry of Deeds: Book 8818, Page 0078. Plan #38740.

At a previous meeting in June 2015, the Selectmen requested the opportunity to review the purchase agreement language and document prior to any transaction occurred which did not happen. The Board asked about passive recreation and easement and the previous meeting. Currently, there is no easement on the land as purchased. Mr. Jones apologized and was not aware this has been discussed.

A series of emails from Conversation Commission Member Mike Decubellis mentioned a Management Committee which the Board wanted to know more about.

Gating off the access to the property to help reduce the erosion of the land from off-road vehicles was previously discussed. Chairman Douglas is in agreement this is positive but has concerns about residents who own abutting land who need access to their

property. Bob Johnson and Peter van Ham own property on Rose Mountain. He wanted to know if a dialogue has happened with them and will they have a key to the gate?

Ms. Akers said she didn't realize the Board wanted to see the easement language. Chairman Douglas reminded her he brought up if hunting would be permissible on the land after it was purchased, which it is, and asked if the easement land use could be reviewed. He wanted to know if the organization that will manage the land can change the use at any time. Ms. Akers said that the way the grants were acquired by PLC it prohibits that and Mr. Jones agreed.

Mr. Jones said that this is a fee purchase from Jane Hager to PLC and never was a conservation easement project. If PLC ceases to exist Land and Community Heritage Investment Program (LCHIP) will take over land management. The state will make sure PLC maintains the deed and the use of the land it's a standard deed and it has been recorded in perpetuity. Hunting, fishing, snowmobiles, hiking, mountain bikes are allowed and the intention is to restrict access to trucks that have caused damage to the land

PLC closed on Dec. 23, 2015 and will be talking to all the abutters and anyone who wants to be involved. They received a \$15,000 grant to develop a property management plan and they envision a stakeholder's group of anybody who wants to be part of it. They can talk about what trails are there and if there should be any separation of the trails and if there needs to be new trails developed and access.

Mr. Jones mentioned that Scout Camp Road, on the western boundary, is a Class VI Road and they can't put a gate on that road until it is declassified. It is on the maps and DOT maps. Chairperson Akers said there is a possibility to reroute access to Rose Mountain through the town-owned property and reclassify Scout Road to a Class V Trail or subject to gates and bars, depending on the outcome with abutters and the town. There is a piece of property that is landlocked except for the Class VI road.

Mr. Jones noted that the scout building is still there and has asbestos in it. They plan to knock it down and have to handle it with care. Most of the building is down, except one wall where the fireplace is.

Chairman Douglas discussed a blueberry trail and he wanted clarification that from the intersection of Pinnacle Road to the scout camp is a Class VI Road and he was told it is. The town can work with PLC to put a gate there.

Chairman Douglas mentioned a road that developed due to 4-wheel traffic that is not really a road. Access from French Road will be difficult to manage.

They are viewing the property as recreation. Money will help pay for timber crews, wildlife habitat and eco-system assessment on the entire property. They will make sure new trails do not cause environmental problems.

What caught Chairman Douglas' attention in the email was the word "posted" and wanted to know about that. The property will not be posted except at access points a posting stating no wheeled vehicles are allowed. PLC and LCHIP signs will be on the property.

The Board requested to be made aware of when the management group is being organized.

Chairman Douglas discussed the snowmobile trails and mentioned many trails in the area.

Selectman Mayhew plans to attend the February Conservation Commission meeting to discuss Putnam Pond. He suggested the commission review funding options and to look at how other towns funds their operation. He suggested looking at Milford. To date, the check for Woodmont Orchard conservation has not been written pending the feelings of the owners and the town's and other's ability to raise funds.

The warrant for the town forest needs additional information such as the correct lot and map number. Selectman Schultz would like the town to do their due diligence and inform the public of the value of the property if the town voted to sell it. Town Administrator Boland will talk with the assessor.

Mountain Road Reconstruction Discussion:

Bond Funding:

The document added, "The client has final right of refusal." It was also added, "The client has the final right of refusal for all advertisement." The document has been reviewed by town counsel.

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to accept and approve to sign the document, Agreement of Professional Services, P140441-R1 for Northpoint Engineering for \$7,000 to conduct the building procedure for the proposed preconstruction bid of Mountain Road dated December 31, 2015. Motion passed 3-0.

Kevin Leonard from Northpoint Engineering requested a meeting Wednesday, Jan. 13, 2016 to review any changes before submitting the advertisement to the newspaper and to review changes prior to it going to bid.

Holding the Bond Hearing on February 9, 2016 was up for discussion with concerns that is the same evening the Budget Committee meets. The Board decided to keep the outline as presented by Northpoint.

It was determined the Pre-Bid Meeting will be mandatory for all bidders.

Selection of Bond Bank or other Institution:

The Bond Bank run could be 2.54% to 2.8% for 15 years.

TD Bank is not willing to go beyond 10 years. Lake Sunapee will go 15-years but with the condition the town transfers their business to their bank. They can do 2.8% for 10-years and 3% for 15-years with no closing costs.

Attorney fees could range from \$5,000-\$7,000. The Bond Bank is willing to visit on Jan. 20, 2016 to explain the process.

VOTE: Selectman Mayhew moved, Selectman Schultz seconded, to go with the New Hampshire Municipal Bond Bank for the Mountain Road Project and to authorize the Town Administrator to coordinate with Devine, Milliment & Branch for Bond Council. Motion passed 3-0.

The Board decided on a 10-year bond length.

Interest for a 10-year bond is \$128,000. Interest for a 15-year bond is \$203,000.

The Board discussed if the warrant can be reduced on the floor. The roads are in the jurisdiction of the Selectmen.

MACC Base Discussion

VOTE: Selectman Mayhew made the motion, Chairman Douglas seconded, to appoint Mark Schultz to be the MACC Base Representative. Motion passed 2-0. Selectman Schultz abstained.

VOTE: Selectman Mayhew made the motion, Selectman Schultz seconded, to allow the following purpose for said funds to be paid by the treasurer from the Police Revolving Detail Account 2080-12. Funds are: Software to Tritech for \$3,750, Operating Cost to MACC Base for \$6,700. Motion passed 3-0.

The documents were signed.

New Business

2015 Budget and Revenue Review

Russ Boland reviewed the finances. It was discussed to review increasing the senior citizen and veteran tax exemption. The Town Administrator will report back at the Jan. 20, 2016 meeting.

2016 Warrant Article Discussion

The defibrillator will be removed. Fire Department stipends will be reworked and resent to the Budget Committee with responsibilities and functions. The fire chief will be asked to attend the Jan. 20, 2016 meeting. The Budget Committee Chair will be made aware of the potential changes.

Town Administrator's Report

Lorraine Carson reported the fee to resolve the Milford/Lyndeborough town line is \$2,500 for survey costs next year. This will come from legal budget.

Attorney John Hayes inquired about the last date for a petition warrant article from registered voters. T/A Boland provided the information to Atty. Hayes.

Chairman Douglas asked the Board members to review the bridges and box culvert bridges. There are three new wooden bridges in Francestown to look at.

Adjournment:

VOTE: Selectman Mayhew made a motion, Selectman Schultz seconded, to adjourn at 9:15pm.

All scheduled items having been addressed, the public meeting was adjourned at 9:15pm.

Date:

Kathleen Humphreys, Transcriber

Fred Douglas
Chairman

Selectman Lee Mayhew

Selectman Mark Schultz

APPROVED BY THE BOARD OF SELECTMEN ON JANUARY 20, 2016