

MINUTES OF THE SELECTMEN'S MEETING - April 6, 1992

Present for the meeting which began at 7:00 p.m. were Selectmen Dodge, Johnston and Pimenta with Sandra Gendron taking minutes.

In for his regular monthly meeting with the Board of Selectman was Chief of Police James McLaughlin.

He began by informing the Board that he had promoted part-time Police Officer Tim Lamy to the status of Senior Patrolman so that he might carry out the duties of the Department's Training Officer. Continuing to keep the Board abreast with regard to personnel issues, Jim stated that the training of newly hired part-time officer Roger Stearns was going very well and he would soon be qualified to perform his duties on his own. Jim went on to state that part-time officer Lloyd Barnes had submitted his letter of resignation which Jim had accepted. Lloyd had recently been placed on a five day suspension for failure to obey orders. Jim reviewed the history that led up to the suspension, and stated that Lloyd chose to resign rather than serve the suspension as well as an undetermined probationary period. Jim considered the letter of resignation submitted by Lloyd to be insulting to the other police officers.

Discussion continued with Jim listing the duties of all the officers in the Department for the benefit of newly elected Selectman Michael Pimenta.

The posted weight limit for the bridge on Lyndeboro Road was the next item discussed. The Board told Jim it was posted according to the requirements of state inspection in order to avoid an issue with liability. The Board also stated that they were aware that it was occasionally crossed by heavier than posted vehicles, noting that structurally the bridge is capable of handling these heavy loads. They pointed out; however, that they would not allow this to become a regular practice, further stating that most vehicles crossing this bridge were not loaded.

Discussion turned to how the determination is made by Road Agent Lee Murray as to when heavy trucks might use the roads during the spring thaw and the roads have been posted.

Jim gave his monthly statistics which included 19 criminal complaints, 10 of which were criminal mischief, the balance spread between telephone harassments and minor thefts. He did state that he was currently involved with a child abuse investigation. He continued with his statistic report relating there were 109 requests for service and there had been 95 motor vehicle stops for the month of March. He reported having spoken to Dana Lorden concerning the dumping on his lot on Arrowwood Drive.

Jim told the Board of Selectmen that he would have the Town Ordinances in print ready for review and signatures soon. Selectman Johnston brought up for discussion the need to create a form to be used when an organization is proposing to allow the consumption of alcohol at an event in the Tom Mansfield Gym. Jim commented that he would like to have it stated on the form in some fashion that his Department requires a thirty day notice prior to an event in order to schedule police officers for duty. Along this line of

discussion, Jim stated that he had been working closely with Recreation Director Sandy Gallup in an attempt to give her department relief from police costs for scheduled events; however, he did point out that his 1992 budget did not allow him too much latitude. Specifically discussed was the fact that Jim required her to have two officers at her upcoming dance on 04-11-92 and would have to charge accordingly, a situation which Sandy understood and Jim wanted the Board to be aware of.

Before Jim left, Selectman Pimenta asked if Lloyd Barse would be replaced and Jim responded that he would not be at this time, unless someone so qualified applied then, he stated, he might reconsider his decision.

Next in to meet with the Board were Cemetery Trustees Bob Todd, Jerry Kennedy, Walter Houghton, and David Woodbury, along with interested parties Harold Strong and Howard Towne.

Discussion began on the proposal that the Trustees were preparing in order to hire someone to do maintenance work at the Cemetery. There was the decision to be made as to whether the records would be kept by the Town Office and whether the job put out to bid would only entail the landscape type maintenance. David Woodbury commented that the Trustees viewed the Cemetery Superintendent position as being involved with the day to day workings of the cemetery and would include record keeping, and he further commented that if this job description did not work out then they would have to look to bringing a portion of the work "in house." Selectman Dodge stated that it would make a difference as to how the bid were put out. David continued by stating he was of the opinion that the job should go to a local person and the Town Office would be a desirable location for the cemetery records. Selectman Dodge contended that a decision would have to be made then carried out. Selectman Johnston offered his opinion that the cemetery records should be kept in the Town Office contending that there would be more control; and, the record keeping should not go out as part of the proposed bid. He further contended that the bid would most likely attract landscaper types who would not be versed in cemetery record keeping.

The question was asked in general if any Cemetery Trustee was interested in taking over the record keeping portion of cemetery responsibility or do they agree with Selectmen Dodge and Johnston that the records should be kept at the Town Office. General agreement was expressed by the Cemetery Trustees that the records should be kept at the Town Office. David Woodbury also stated that the Trustees of the Trust Funds have control over some Cemetery monies, further stating it was not a large amount, in fact, the Cemetery Trustees had not taken receipts of those monies in the last few years.

David described the current situation with regard to the entire operation of the cemetery as a historical accident based on how local communities have come to take care of the cemeteries. Speaking for himself, he stated that he would be just as happy if the Trustees of the Trust Funds and the Town would assume the responsibility for the cemetery, contending that the Town would be better served. Selectman Dodge looked to the other Cemetery

Trustees to see if they agreed with David's sentiments. Jerry Kennedy agreed that the records should be kept in the Town Office as did Bob Todd. It was then pointed out that there would always be the need for Cemetery Trustees regardless of the final disposition of the cemetery responsibilities; once again, it was discussed that the public would be better served if the records were kept in the Town Office. Further, the possibility of lots being shown and sold from the Town Office was bantered about. Selectman Dodge pointed out that the Trustees would act as an advisory board. David Woodbury stated that the cemetery would have to be turned over to the Town and then the Trustees would most likely have to be elected.

Selectman Dodge asked if the Trustees had given any thought to the Highway Department adding personnel so that they might assume the maintenance responsibility. Bob Todd contended that the work might be done less expensively if it were put out to bid. Selectman Dodge stated that the real issue is that of the record keeping and Walter Houghton offered his agreement that this process should be handled by the Town Office.

David Woodbury discussed last year's maintenance budget and how it was spent contending that the proposed \$15,000. for 1992 maintenance was a relatively accurate estimate. Selectman Johnston brought up the issue of perpetual care by stating that the price of all lots sold currently included perpetual care and that the monies raised by taxes served only to supplement the cemetery budget. A breakdown of the present selling price of \$750.00 was offered as including \$200.00 for the lot, \$400.00 for perpetual care and \$150.00 for incidental related expenses. It was noted that this price has not been studied to determine how it might relate to the selling prices of cemetery lots in surrounding communities. Selectman Johnston suggested that investigation was still needed into the entire issue of perpetual care.

Discussion ensued as to the need to find a method whereby the records could be maintained within the Town Office and possibly a portion of the Trustees job turned over to the Trustees of the Trust Funds. David Woodbury suggested that all of this might involve a legal formality, but did not envision a major problem. Bob Todd contended that someone still may be found who could take over the entire responsibility. Again, Selectman Dodge offered support for the idea that the records be kept in a central location and went on to state that he was of the opinion that the general consensus seemed to be that the maintenance work would go out for bid as opposed to the possibility of the Highway Department assuming the responsibility. Bob Todd stated support for a contractual arrangement with regard to the maintenance and the bid process received support from all.

Selectman Johnston asked if the wording of the bid would include the digging of graves. Walter Houghton expressed support for leaving this aspect of the duties to Harold Strong who had done this for many years. At this time Harold spoke up offering the opinion that the Town should be working towards taking over the responsibility of the cemetery which would include someone on the local payroll to do the maintenance. He went on to contend that the Highway Department should be in charge and that the Road Agent would be expected to

advertise for the necessary additional help. Jerry and Bob were still of the opinion that the work could be done for less money if it were put out to bid. Discussion continued as to the issue of liability should the Town take over the responsibility; and, if the work were to be contracted, proof of Worker's Compensation and liability insurance would be required.

Selectman Johnston suggested that the proposal be re-written to only include the maintenance of the cemetery. Harold Strong asked if a landscaper would be opening and closing graves and contended a landscaper would most likely have to hire someone to do this job. He stated that the cost of opening and closing graves would have to be known in order to put together a bid package, and whose responsibility it would be to open and close the graves would also have to be known. Bo expressed his concern and opposition to the fact that the successful bidder might come from outside New Boston. Selectman Dodge reminded Bo that the lowest responsible bidder would be given the position, further suggesting that the length of any contract might be for one year at first and then possibly be renewed annually, if the contractor were satisfactorily performing his duties, by the Cemetery Trustees. At this point Bob Todd was asked to re-write his proposal so that the position could be advertised as soon as possible.

Selectman Dodge inquired as to whether the Trustees could handle paperwork involved in the sale of lots since so few were traditionally sold on an annual basis. David Woodbury questioned how they might know what lots were available for sale, to which Selectman Dodge responded that someone would have to learn. David felt the Trustees could handle this aspect and could also review what lots would be available for sale. Bob Todd agreed stating the only thing the Trustees would have to know is where the lots available for sale were located. It was determined that Harold Strong and Maureen Mansfield would deal with the upcoming issues and it would be logical to hire Tom Mansfield, Jr. to continue the landscaping maintenance in the interim at the rate of \$6.00 per hour and \$9.50 per hour for the mower. Tom would most likely be hired as an employee of the Highway Department, if need be.

Walter Houghton asked if Maureen Mansfield should be paid for what she continues to do with regard to the cemetery. Selectman Dodge stated that it was his understanding, based on previous statements, that the Trustees would take over the selling of lots, and commented that should Maureen have to expend additional time, she should be paid; but he did not feel a lot of additional time would be necessary. It was stated that the Board of Selectmen felt that the Cemetery Trustees would have to devise a plan immediately. Selectman Dodge considered it safe to say that the Trustees will stay in existence and will act in an advisory capacity and in the long term scheme of things a decision will have to be made with regard to the ownership of the cemetery itself.

Harold Strong suggested that a letter be written to Maureen Mansfield stating the intentions of how the cemetery will operate during this interim period. Selectman Dodge stated emphatically that Maureen was not interested in continuing to maintain the cemetery records or the cemetery grounds even though she

acknowledges those records and the care of the grounds have been maintained for many years by the Mansfield Family.

Howard Towne stated that he had sat in on the meeting, interested in hearing what the intentions were as far as who might be taking over the superintendent duties, for benefit of the Grange. He went on to state that the Grange, of which he was a member, was looking for a community project and had their sites set on the older section of the cemetery. He continued by stating that members would volunteer to do the manual labor necessary to refurbish that area. All agreed this would be a worthwhile project and discussion ensued. Selectman Johnston contended that the job description discussed previously would deal with maintenance not refurbishment. Harold Strong suggested that Howard might want to specify what the members of the Grange would attempt to do since that particular section of the cemetery is in quite a state of disarray. Also in the course of this discussion, Howard stated that he would like a map of the cemetery since it is increasingly difficult to locate the graves of veterans which are traditionally decorated with flags on Memorial Day.

Discussion turned back to the need for centralizing the cemetery records; and as the meeting wound down, Bob Todd stated that he was confident that he had originals of all the maps related to the cemetery, but does not have an up-to-date listing of those sites occupied nor of sites that might be available for sale. Howard Towne offered his assistance to anyone who might try to put together this type of information so that it is made readily available.

Next in to meet with the Board of Selectmen was Sandy Gallup, Director of the Recreation Department and Karen Hall, Chairman of the Recreation Commission.

Discussion began with the need for two new members to be appointed to the Recreation Commission. Selectman Dodge inquired of the two if they had considered expanding the Commission from five members to which Sandy responded she did not see the need for additional Commission members. Selectman Johnston, following the Commission's recommendation, suggested that the two members of the Friends of Recreation Deborah Billigan and David Hulick be placed on the Commission, further suggesting that Nancy Clark, who had expressed an interest in serving on the Commission to Sandy, be contacted by Sandy and told of the Friends of Recreation. It was Selectman Johnston opinion that involvement with this group would provide a foundation for future appointment to the Recreation Commission.

On another matter, Sandy wanted to discuss with the Board the fact that she had been contacted by a lady whose children would be cared for in New Boston during the summer and would like an exception made to the policy that opened the summer program to New Boston residents only. Selectman Johnston stated that he was of the same opinion as he had been last year, that the program be made available to New Boston residents only. Selectman Dodge concurred with the sentiments of Selectman Johnston contending that the line had to be drawn. After having explained the history of the policy established by the Recreation Commission with regard to the summer program, Selectman Pimenta supported the other Selectmen and Sandy Gallup

would contact the party involved to state that the policy would be strictly adhered to.

Discussion continued on the subject of the summer program and Sandy made the Board of Selectmen aware that her director from last year and possibly her assistant director would not be returning this summer. She expressed disappointment since she had been very happy with the 1991 summer program and had hoped to maintain the same directors for the upcoming year. This led to Sandy discussing with the Board that she did not want to loose her experienced staff, if possible, noting that she had two openings for the upcoming summer, and also noting that she had four staff members who do not live in New Boston who have worked to her satisfaction for the past two or three years, and who have expressed a desire to return. This issue of returning non-residents counselors was raised based on the suggested policy by the Board of Selectmen last year that all recreation hires be residents of New Boston. Sandy continued the discussion by stating that she fully understood that New Boston kids need jobs, but because she is loosing her director and possibly her assistant director, she is most reluctant to also loose her experienced counselors. Discussion ensued with Sandy stating that she would be hard pressed to give the kind of responsibility that is necessary to a novice sixteen year old when she might have retained a proven eighteen year old. She went on to state that when a counselor starts out with the Polliwog Program this experience provides a foundation for them to continue with the department for many subsequent summers. Sandy continued by stating that Julie, the former director, did exactly as she had been asked and that was to interview all the counselors at the beginning of the summer, evaluate them during the summer and make a final evaluation at the end of the summer program. Again, discussion ensued, with Sandy stressing the point that because she would have to hire a new director, it was especially important this year that she keep, if possible, her experienced counselors. The above discussion was reviewed with the facts being stated that Sandy wishes to retain four non-resident counselors and that she has two openings for this summer assuming that those who worked last year wish to return.

Selectman Johnston agreed with Sandy's reasoning and request that she retain the experienced counselors for the upcoming summer, and qualified that agreement by stating that he would like to see younger residents hired so that they might become experienced. Much discussion ensued with regard to counselors-in-training. Selectman Pimenta suggested that counselors-in-training might be brought in for three days per week. Selectman Dodge agreed with the theory for retaining experienced counselors especially this year, but qualified his agreement by stating that if qualified New Boston residents applied they be given the chance at the job. Selectman Pimenta agreed that the experienced counselors be retained, but that the New Boston applicants be looked at carefully.

Sandy next discussed the fact that Linda Freeman had called her stating that she has a sixteen year old disabled child who would like to work with the younger children enrolled in the program, further suggesting that she would not have to be paid. Sandy had told Linda that she would have to discuss the matter with the Recreation Commission as well as the Board of Selectmen. Selectman

Dodge stated that he felt Sandy would have to meet with the prospective candidate to determine what potential might exist, Sandy agreed with Selectman Dodge and also stated that she could contact school authorities for their input. Selectman Dodge supported the idea if the candidate qualifies. Sandy did have questions with regard to legal ramifications.

The next item to be discussed was the use of one of the lower school buildings by the Recreation Commission. Sandy had been notified by the School Board that the building would be available for the Commission's use, further stating that this notification had not come in time to incorporate the use of this building and the programs that might be started in her 1992 budget. She went on to state that since the times for opening and closing school will change beginning in September, she sees the need for whatever programs might be developed to be greater. She concentrated her suggestions to an "after school" type program including such things as arts and crafts, games, reading, and an area set aside for studying. She stated that she would also like to be able to use the building for other recreational programs such as those involving the senior citizens. The most immediate and obvious problem would be staffing which she perceives would involve at least one adult and maybe one teenager. She would like the Selectmen's permission to explore the possibilities. Going on, she stated that she envisions the procedure as being one whereby the youngsters would be signed up on a weekly basis and whatever charges might be assessed would be paid for also on a weekly basis.

Selectman Johnston asked if whatever programs developed, would be self-supporting; since, he contended, whatever monies might ultimately be left over from the 1992 budget should be returned to the general funds rather than spent on a program not in existence at the time the budget was voted on. He is of the opinion that the program should be presented to the Town. Sandy responded that the program could be self-supporting and suggested that she might be allowed to reimburse the Town for any overage in her budget, as she has done in the past, so that the program might get underway.

Selectman Dodge stated that no harm could come from exploring the idea and supports the intention, but wishes to give the matter more thought. There was much discussion on the idea of an after school program that took place before the meeting with Sandy and Karen ended, with no conclusions being reached.

Fire Chief James Dodge was in next to see the Board and informed them that the Board of Fire Wards had, this evening, asked for the resignation of a fireman. He stated that he felt there would be no repercussion. Jim reviewed for the Selectmen the background of what had led up to the action by the Fire Wards, stating that this man had joined the department without a valid driver's license and it turns out that he is a habitual offender. He continued by stating that he has also had problems with insubordination and had issued a letter of reprimand. Jim informed the Board that he had had a meeting with this man regarding the status of his drivers license and was told conflicting stories leading up to this evenings request for his resignation.

On another matter Jim told the Board that he had received an invitation from the Board of Directors of the Business Association to speak on and discuss the Large Building Fire Code. Jim was of the understanding that they wanted to form a committee to study this code and was of the opinion that any committee formed should be appointed by the Board of Selectmen. He stated that he had accepted the invitation and had agreed to mention the matter of the formation of a committee to the Fire Wards.

The Fire Wards were of the opinion that there was no need for the formation of a committee. They alluded to the need for the code to be updated, especially the incorporation of NFPA changes made since the inception of the code. The Fire Wards pointed out that this code has been voted on three times by the Town, the last time unanimously. The Fire Wards wished to further point out that this is the most scrutinized code on the books. Jim gave the history of the last committee and who served on it and stated that they had put in more than one hundred hours resulting in little suggestion for change. Jim expressed their strong feelings that, if the Board of Selectmen felt another committee should be formed to study this Code, that they would like to request a meeting with the Board.

Selectman Johnston stated, after having Jim list the members of the last committee, that there was no person involved in the application of the Code from a construction point of view. He contended that the committee, without such representation, would have been one-sided. Jim responded that John Young and Don Grosso, who had served on the committee, were vocal and looked long and hard at the Code. Jim expressed the Fire Wards sentiment questioning how many times can this be looked at. Selectman Johnston did agree that the Code needed updating and expressed the opinion that this Code should not be treated any differently than any other regulations, i.e. Subdivision Regulations. He further contended that if the Code were to be updated, public hearings would have to be held at which time proposed changes could be reviewed. Jim agreed with Selectman Johnston's reasoning.

Selectman Dodge agreed with the suggestion that proposed changes could be discussed when the Code was updated. He expressed the thought that some people believe that the lack of business in Town is due to the existence of the Code, to which he does not agree. He did state that if a committee were to be formed, in order that it have official status it should be appointed by the Board of Selectmen. He further stated that anyone could form a committee; however, he offered agreement with the Board of Fire Wards and Selectman Johnston that there was not a need for a special committee, further suggesting that public hearings would have to be held and that changes could be made by amendment at Town Meeting. Selectman Johnston concluded that the Fire Wards were capable of a review of the Code, in his opinion, as long as they could look at it with open minds. Jim stated that he felt the Fire Wards represented a good cross-section of the community, and Selectman Johnston pointed out that they were elected officials.

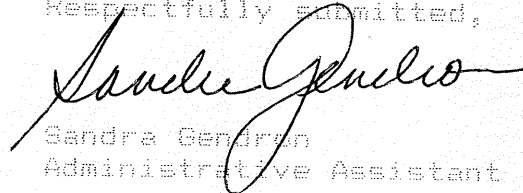
Discussion continued on the subject of the Large Building Fire Code, with Jim stating that he would attend the Business Association meeting and invite David Poole to go along for his expertise as it



relates to the Code. There was also discussion of what type of business would find New Boston attractive, with the general feeling that New Boston is not conducive for and cannot support many types of business.

Mail was reviewed, checks were signed and the meeting was adjourned at approximately 11:15 p.m.

Respectfully submitted,



Sandra Gendron  
Administrative Assistant