

MINUTES OF THE SELECTMEN'S MEETING - May 4, 1992

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

The meeting began with the opening of bids received for the position of Cemetery Superintendent. Present for the opening were the Board of Selectmen, Maureen Mansfield, Thomas Mansfield, Jr., and Walter Houghton, Sr., Chairman of the Cemetery Trustees. Harold "Bo" Strong arrived later. The first bid opened had been received from Maureen and Thomas Mansfield, Jr. in the amount of \$14,950.00. Details of the bid were given by Selectman Johnston. The second of the only two bids to be received before the prescribed deadline, was in the amount of \$17,936.00 from Bo Strong.

Discussion ensued with Maureen Mansfield regarding the stipulations of her bid as well as her providing proof of Worker's Compensation. It was also stated that should Bo get the bid he would hire Tom and Maureen to do the work.

Discussion turned to the proposed volunteer effort by the Grange which would entail refurbishing in the old section of the cemetery. Maureen pointed out that this is the oldest portion of the cemetery and questioned the issue of liability.

The payment schedule proposed by both bids requested quarterly installments. It was stated that prior to payments being made, approval would have to be given by the Cemetery Trustees in writing stating that they were satisfied with the condition of the cemetery. Walter Houghton agreed to discuss the formulation of a method of approval with the Cemetery Trustees, and the Board of Selectmen agreed that payments could be made on a quarterly basis.

Next in to meet with the Board was Police Chief James McLaughlin who was in for his regular monthly meeting. Jim began by stating that the monthly statistics were climbing; however, the majority of cases were criminal mischief as opposed to serious crimes. He informed the Board of Selectmen that part-time officer Douglas Goodin had recently undergone back surgery for a second time and would be recovering for the next six to eight weeks. Jim had rescheduled the part-time officers to cover the necessary hours while Doug was recovering.

Jim went on to state that the Intern Program in which New Boston had participated was complete, and it had been successful both for the department and Hesser College. Jim stated that unofficially Hesser College had offered New Boston Police Department employees college courses in return for our participation in the program, which Jim viewed as an attractive offer since these courses would be at no cost to the individual. Jim is of the opinion that at least some of the police officers would take advantage of the offer if made officially, and cautioned the Board again that this offer had not been made officially to date. Along this same vein, Jim stated that he was writing grants to the Highway Safety Fund which he hoped would result in matching funds to purchase traffic related software to further compliment the department's system. Discussion ensued on accident reports that will be accepted by the provider of the department software resulting in the the ability to complete a

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report and print it thereby eliminate duplication of work. Jim commented that his effort in applying for the grants would hopefully result in matching funds stating that the amount to be spent from his budget would be approximately \$300.00.

Discussion turned to the Animal Control Officer with Jim stating that the calls to Tom Fleming were down for the month of April; however, May had been more active to date. Jim commented that he will be reviewing the salary for Tom at years end basing his review on calls for service. Discussion continued with Jim stating that Tom was basically on call twenty-four hours a day, seven days a week and he answers many calls without receiving compensation. Jim went on to state that he will make the appropriate recommendation when he has had a chance to review several months records which will be the case at the end of the year. Selectman Dodge asked Jim if the ACO should receive a base salary then an hourly rate for calls resulting in service. Selectman Johnston agreed with Jim stating that towards the end of the year a "track record" will be established and the job of ACO can be reviewed factually. Discussion continued with Jim stating that Tom's work situation allows him to accept calls during his work day and he is documenting each call and each response for service so that when the review is done there will be complete information available. Jim stated that it was originally intended and hoped that part-time officers could be of assistance in responding to calls; however, this has not been the case to date.

On another subject, Jim stated that he has received the revision for the Emergency Management Plan which requires the Selectmen's signatures, he will review the material and submit it to the Board for said signatures. Discussion ensued on the same subject with Jim commenting there will be more requirements for him to maintain as Emergency Management Coordinator, and, he further stated that the Federal Government offers free training if an applicant is accepted into the program. Selectman Dodge offered his opinion that the obligation of the coordinator is to bring the plan together which the government seemed to be complicating with new requirements. Jim maintained that in order to do the job properly, there would be a much heavier workload, with one person having a difficult job keeping up, a statement to which Selectman Dodge agreed.

Discussion continued on some of the requirements that would be implemented, especially concerning small business and the treatment of chemicals. Jim did note that some of the necessary training is being provided through courses he is and has taken at Police Standards and Training.

The next subject for discussion was policing the Fair and Selectman Dodge explained that some members of the Fair Association were scheduled to meet the Board later in the evening to discuss this subject. Jim expressed surprise that a meeting with the Board had been requested since he had met with the same group and all the issues appeared to have been resolved. Selectman Dodge gave some background information with regard to the Police Department and the Fair Association, stating the cost of policing the Fair was becoming too expensive from the perspective of the Association and they were looking to the Board of Selectmen for assistance. Selectman Dodge went on to express his thought that the Fair Association did not

share Jim's opinion that the issues were resolved or they would not have made an appointment to meet with the Board, and he went on to state that he did not consider it appropriate that the meeting take place without Jim present.

Discussion continued and Jim provided the Board with a copy of the State Statute which authorizes assignment of officers for the public safety. Jim reviewed the number of hours worked by the department for the past three years and the rate per hour that was charged. Since Jim has become chief the number of police hours spent at the Fair has dropped substantially especially in the area of traffic control. Jim reviewed the history of the rates charged by the former chief stating that they were less than the normal rates charged. Jim went on to state that personnel were instructed to take a lesser rate, all of which Jim pointed out was in violation of labor laws. Jim discussed his scheduling of police officers and his implementation of traffic control as well as his hourly rate for 1991 which was \$18.00. Jim also provided the Board with hourly rates for police details from surrounding communities pointing out that the only community lower was Mont Vernon who charged \$15.00 per hour. Jim is sympathetic to the financial concerns of the Fair Association; however, he is of the opinion that he addressed the issues and considered the matter settled. Selectman Dodge supported that a policy must exist and be abided by, and concluded the meeting with Jim by contending that any officer could donate his salary back to the Fair Association.

Before Jim left he asked if he should get in touch with the State Department of Highways regarding the repainting of the crosswalks and "yield" designations on the pavement in the vicinity of the village. The Board of Selectmen suggested that Jim check into whose responsibility it would be and if it proved to be the State's, then schedule the work to be done.

Next in to meet with the Board were Howard Towne, Linden Hodgkins and Mona Winslow members of the Fair Association.

Before discussion began on the reason for the scheduled visit, Howard Towne also a member of the Grange was told of the potential need for liability insurance should the volunteer project for refurbishing a portion of the old section of the cemetery by the Grange reach fruition. The question was also raised as to whether what the Grange might be considering had been discussed with the Cemetery Trustees. Howard told the Board that Linda Rollins had agreed to bring together about fifteen volunteers to work on the refurbishing project. Selectman Dodge suggested that Howard contact Linda Rollins and suggest she wait until it is confirmed that the project go ahead, and further that a Trustee of the Cemetery be present during any and all work. A phone call was subsequently placed by Sandra Gendron to Claire at the office of Worker's Compensation to review one more time the status of volunteers working on town-owned projects (it should be noted that it was understood that technically the cemetery is not owned by the town.) As before Claire encouraged work done in a conscientious manner with proper supervision by volunteers should not necessarily be shielded away from.

The meeting turned to discussing with the representatives of the Fair Association the purpose for their visit. Selectman Dodge stated that he opposed discussing the rates charged by the Police Department without the Chief being present. The response was they thought he would be present. The confusion was between Sandra Gendron scheduling the appointment and Linden Hodgkins who had made the original appointment.

Mona Winslow stated that they had met with Police Chief Jim McLaughlin and the main issue was that the Fair could not afford the costs of policing which have risen both of the last two years. Jim had told them they could use 240 hours at \$18.00 as a base in estimating their 1992 police costs. The object of the Fair Association is to find a way to reduce these costs, a portion of which had been previously donated. Selectman Dodge stated that this was done in violation of federal law and went on to explain how the Garcia Decision impacts the situation.

The Board was asked if personnel from a security company might be hired in lieu of police officers. The Selectmen did not feel qualified to answer; however, they were of the understanding that New Boston rates would have to be paid regardless of who performed the duties, and there was the question the authority they might have versus a police officer. The Board went on to state that they recognized the issue and the concerns of the Fair Association, but they did have an answer. They went on to related Jim's surprise that the Fair Association was coming before the Board since Jim was of the opinion that the issue had been resolved. The Board continued by stating that the entire matter was under the jurisdiction of the Police Chief and the Board of Selectmen would not interfere.

Discussion ensued as to the amount charged per hour by the Police Department and the amount that was paid back to the officer.

The Board next took up the issue of awarding the contract for maintaining the cemetery. Selectman Johnston moved to award the contract to Maureen and Thomas J. Mansfield, Jr. based on their past and proven history of maintaining the grounds, and the stipulation that proof of Workmen's Compensation be provided as well as proof of a minimum of \$300,000 liability insurance, this was seconded by Selectman Pimenta, favorable vote came from Selectmen Johnston and Selectman Pimenta with Selectman Dodge abstaining. The contract will be paid in four installments, the first payment as of May 15, 1992.

Walter Houghton, Chairman of the Cemetery Trustees, having returned to the meeting to acknowledge three of the Trustees agreed with the payment schedule of four installments, was told that the contract had been awarded to the Mansfield's. He was also told when the first payment would be made and that subsequent payments would require written approval from the Cemetery Trustees to the Board of Selectmen.

Discussion turned to Howard Towne's volunteer Grange Project at the cemetery, and the Selectmen expressed to Walter concern with regard to the liability should anyone be injured while volunteering for


this project. The Board expressed support for the proposed project, but wanted a Trustee on-site the entire time work was being performed and Walter agreed to take care of the matter.

Walter left the meeting telling the Selectmen that the annual evaluation walk of the cemetery by the Trustees would take place of May 17th at 9:00 a.m. and they were welcomed to accompany the Trustees.

The Board next discussed the fact that they had met and walked the previous Thursday evening, as had George St. John and Clifton Labree of the Forestry Committee, the town-owned site on which the JAL would like to construct athletic fields. The Board expressed support for the proposed construction and agreed that the JAL could dispose of the trees that had to be cleared and use any monies realized towards the costs of the project. The Board did requested that the specific area to be cut be marked and the Board notified so that it might be reviewed prior to any cutting. The Board commented that Clif had expressed concern and opposition that this area be used for the above expressed purpose since it is forest land. The Board of Selectmen contended that other town-owned properties had been explored with this purpose in mind, none of which proved satisfactory, and the proposed use of the land was appropriate.

Checks were signed, mail was reviewed and the meeting adjourned at approximately 11:00 p.m.

Respectfully submitted,


Sandra Bendron
Administrative Assistant