

MINUTES OF THE SELECTMEN'S MEETING - May 3, 1993

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

Bids had been received for the final refurbishing of the M-2 Fire Truck, Selectman Dodge read the Public Notice and stated that three bids had been received prior to the 4:00 p.m. deadline. Also present for the opening was Fred Brunnhoelzl representing Valley Fire Equipment one of the bidders. The first bid opened was from Dingee Machine Co. No bid was therein contained, but rather a letter thanking the Fire Department for the invitation; however, they were not in a position to submit a bid at this time. The second bid was received from Valley Fire Equipment in the amount of \$29,800., the third bid came from Fire Resources, Inc. in the amount of \$24,332. Selectman Dodge stated that the bids would be given to the Fire Wards for their review and recommendation.

Next scheduled with the Board for his monthly meeting was Chief of Police James McLaughlin. He started by telling the Board that replacement firearms for his officers had been ordered through Roger Gagnon at New Boston Sports from whom Jim had received the best price. Roger would also be giving \$200. for each gun traded in, and expressed pleasure to Jim that the transaction would keep business in the community. Discussion ensued around the type of weapon that was being traded in as opposed to that being purchased with Jim listing some of the advantages of the new weapons which require less training, are easier to use; and, he stated, the fact that they are stainless steel will lessen maintenance and hold the value of the weapon.

Jim told the Board he had spoken with Bonnie Bethune, Manager of the Transfer Station, with regard to youthful first time offenders who would be available to do community service work in lieu of appearing in court. His main concern was the minimum age that he might assign service work, with him further commenting that these community service commitments have received positive comments from parents and prove to be humbling experiences for the youth involved. The Selectmen responded that they would not allow the juveniles to use machinery, with Jim immediately responding that the parents are required to sign waivers of liability before the assignments are made, and further it would be expected that the juvenile would be working under strict supervision. Discussion continued with Selectman Dodge inquiring as to whether there was a cut-off age when a youth cannot work. Jim responded that generally an agreement is reached with the parents and the ages involved are usually fifteen and up. Jim went on to state that assignments can be as creative as we want to be dependent on the needs of the community. Jim stated that repeat offenders go to court and the system appears to be working well, commenting that only positive has been seen to date and, again expressed having received positive support from parents as well as from those judges involved with the offenders. The discussion on this subject ended with Jim stating that he was flexible and would appreciate comments and concerns from the Board of Selectmen.

Jim stated that he had not met with Road Agent Lee Murray to review the potential site for a police station adjacent to the Town Garage, and inquired as to whether the Selectmen would like to be present at such a meeting. It was decided that the site could be inspected on a Monday evening prior to the Selectmen's meeting.

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Jim told the Board that since that he has moved into his new home in Inbarton, having stated this earlier in the meeting, he would like to take the cruiser home, not necessarily every night, but especially Tuesday thru Thursday when he was on call. He stated that he would always make certain that the cruiser was in Town on the weekends so that it would be available for use by the on-call part-time officers. He went on to state that having the cruiser available to him should he be called out would make the response easier especially with radio accessibility. Jim responded when asked by Selectman Pimenta that he was now fifteen minutes from home to the center of Town and eight to ten minutes from the border of New Boston. He commented that his request would create no issues of liability, and stated that it was up to the Selectmen as to whether they felt his request was reasonable. He told the Board that he had taken the cruiser home earlier in the day anticipating his meeting tonight. He also told the Board that his workday was now 7:00 a.m. to 3:00 p.m. with Tim working 3:00 p.m. to 11:00 p.m. Tuesday thru Friday. Selectman Dodge reiterated Jim's request that he would like to take the cruiser home primarily Tuesday thru Thursday to which Jim responded that this was correct.

Selectman Johnston expressed support for Jim's request. Selectman Dodge stated that he had mixed feelings and would like to think about the request, he commented that he could see the pluses, but also saw some minuses. Jim contended that he wanted to do the right thing, and again expressed the attractiveness of having the cruiser available with the proper radio communication especially if the call were on the Goffstown side of town eliminating the necessity of coming to the center of New Boston to pick up the vehicle. Selectman Dodge stated that Jim's argument made sense; however, he was concerned with public sentiment with regard to the cruiser leaving town. Jim stated that this was a fairly common practice in other communities.

Jim informed the Board that his department was receiving more and more calls with regard to incidents involving cats and the public's concern that they might potentially have rabies. He explained that his department has never handled calls regarding cats since previously the state law has only dictated the handling of dogs. He has received calls requesting that stray cats be removed from an individuals property. His policy is that he does not handle cats, further commenting that if the cat is acting at all strangely then the department would have to react, but would not become involved in neighborhood disputes. He went on to state that to date one cat had been handled by the department and was quarantined. He continued by stating that other area departments were experiencing similar circumstances and that he knew of two companies that would respond to calls to remove animals at the callers expense. Discussion ensued with Jim commenting that people have been hostile and he has had to draw the line. He is looking into establishing guidelines for the animal control officer Tom Fleming who Jim praised as doing a good job. The department has also received calls in the middle of the night to shoot raccoons, Jim used this statement to emphasize the potential issue that was developing. As discussion continued with regard to the handling of cats, Selectman Dodge commented that he could see the situation becoming overwhelming.

Jim stated that he was reviewing the policy from Amherst, and could see liability issues ahead for the town since there are no specific guide-

lines for cats or other animals only dogs. He continued by stating that tags must be inoculated against rabies by law; however, there is no provision that tags must be displayed on the animal making it virtually impossible to readily determine if the animal has received the vaccine. Again, Jim commented that he is looking for a direction, that right now he is trying to bring his department up to par with the situation, and looking for guidelines.

He went on to state that in discussing the matter with Mont Vernon Police Chief Mark Schultz, the possibility of sharing the services of Tom Fleming was brought up, and although Mark is interested, he has neither funds nor equipment available to deal with these issues. Discussion continued with the fact that although Tom's title is that of Animal Control Officer, he primarily deals with dogs and the public has a misunderstanding as to the responsibilities of the position. Jim expressed concern that the entire issue could get out of hand, and described an ongoing neighborhood dispute which involved cats, stating that the current state statute offers no penalty with regard to cats only addresses dogs.

Discussion continued with regard to the need for policy to be established in order to deal with complaints pertaining to cats, and Jim's concern for his personnel in terms of handling these animals and potentially what might be the case if they are scratched or bitten. Jim stated he was looking for the opinion of the Board of Selectmen as to whether his line of thought and current way of handling issues with cats, i.e. that is not to become involved unless a cat has bitten an individual, was proper and acceptable. He also stated that he had looked into the cost of a dart gun which would be in the vicinity of \$400. as well as having asked Tom Fleming to submit a list of what other equipment he thought might be necessary to deal with the matter such as a carrier. Selectman Dodge suggested that might look for donations of some of the equipment that might be needed.

Discussion turned to how long body fluids escaping from dead animals might be volatile and the issues of cleanup that would be created. Again, it was discussed that state statutes have not addressed these concerns, and likely it would take case law to create law pertaining to some of these concerns.

The entire subject received more discussion ending with Jim concluding that he would maintain the policy that should bites be reported or unusual behavior be displayed his department will respond to the complaint making a "Have a Heart" trap available that can be loaned and provision be made that the animal can be taken to the Animal Rescue League. Selectman Dodge asked if Selectmen Johnston and Pimenta agreed with this policy for the present to which they both responded affirmatively.

Next Jim made the Board aware of an incident involving Douglas Cook from Milwaukee Ironworks on Route #114. Jim had been called by Mr. Cook with regard to a planned open house, having had a problem last year with alcohol consumption and unreasonable noise, Jim went down to discuss what Mr. Cook's obligation would be in terms of the presence of police officers. Mr. Cook began by apologizing for last year's problems and stated he wanted to work with the Police Department and would comply

with the laws and codes. Agreement was reached on an eleven o'clock
few, that no alcohol would be available, nor would the event be
advertised as bring your own. Based on this agreement and Mr. Cook's
willingness to comply, Jim did not require that any police officers be
hired to be present at the event. Ultimately, Jim contended that Mr.
Cook lied to him since kegs of beer were in evidence, having been seen by
part-time officer Douglas Goodin, and that a two drink limit had been
invoked by Mr. Cook with a donation for the beer accepted in the name of
a charitable cause for a handicapped individual. This not only was in
direct violation with the above mentioned agreement, but also defied the
requirements of a state liquor license. Further, unbeknownst to Mr.
Cook, Jim went to the location at approximately 10:30 p.m. to check for
himself the noise level of the event and the traffic control, etc.
Subsequently Jim called Mr. Cook expressing his dissatisfaction with the
handling of the event by Mr. Cook and requested a meeting. Mr. Cook
refused to meet with Jim, on the contrary, stated he was going to write a
letter to the Board of Selectmen charging the Police Department with
harassment. Jim had met with Goffstown Chief of Police Steve Monier and
Judge Snow to discuss potential charges, and although there may be no
recourse at this time, Jim stated that Mr. Cook will be required to hire
Police Officers at any future functions he might sponsor.

Discussion continued on the fact that some Towns require permits for such
events and have Town Ordinances with specific penalties for violations
of such, and whether future consideration should be given to such
notions. Jim stated that he was going to put in writing to Mr. Cook his
dissatisfaction with the events of the evening and state emphatically
that any future functions will require police officers be hired.

Before leaving, when asked Jim stated that Garrett Rice has been
outfitted; however, he was not accepted to the part-time officer training
program in Plymouth since it was filled. He would apply to the fall
session. Jim does not intend to put an uncertified officer on the
streets. He has heard but not confirmed that a course might be offered
in Concord due to the demand.

Selectman Dodge stated that he had contacted John Halvatzes with regard
to the issue of the disposition of the stumps on the site of the
town-owned little league fields on Old Coach Road. Since there appeared
to be confusion as to whether the stumps would be removed from the site
and deposited at the Transfer Station or buried, and since Selectman
Dodge had been of the opinion that John was in charge of the site work
and had a plan he was concerned with the latest developments. John told
Selectman Dodge that he did not want to jeopardize the program and indeed
he did need to use the material on site as fill for the project. John
agreed that he would be present for any site preparation that was
necessary and he would meet the terms of the original agreement.

Sandra Gendron was instructed to schedule a meeting with the Road
Committee, the Road Agent and the Board of Selectmen so that the lower
end of McCurdy Road might be inspected for reconstruction work that was
planned to begin this year.

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

Respectfully submitted,


Sandra Gendron
Administrative Assistant