

**New Durham Board of Selectmen
Minutes of Meeting ~ October 3, 2011
Town Hall**

Members Present: Theresa Jarvis, David Bickford, Jeffrey Kratovil

Also Present: Town Administrator (TA) Alison (Rendinaro) Webb, Police Chief Shawn Bernier, Road Agent (RA) Mike Clarke, Building Inspector/Code Enforcement Officer (BI/CEO) Arthur Capello, Deputy Fire Chief Kenneth Lockwood, New Durham Fire Department (NDFD) Captain Leon Smith, NDFD Lt. Jon Roy, Equipment Mechanic David Valladares, Arthur Hoover, David Shagoury, videographer Mary McHale, Vickie Blackden, Cathy Allyn

1. Call to Order – Chair Terry Jarvis called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance. She stated the Board met with Town Counsel at 6:00 p.m. and as result she was prepared to make a motion.

Motion by Chair Jarvis to authorize the settlement of the Town of New Durham v. Erven Duncan, subject to the draft settlement crafted today; second by Selectman David Bickford. A vote was called. Jarvis – aye, Bickford – aye, Selectman Jeff Kratovil – nay. The motion carried.

Selectmen Jarvis and Bickford signed the settlement.

2. Agenda Review – The Board made minor changes.

3. Citizens' Forum – Cathy Allyn announced the library is holding a German class and an Arts and Crafts class for youngsters, and that there will be scarecrow making and pumpkin carving in conjunction with the Parks and Recreation Department in the coming weeks. She said the library offers a drawing class for adults, as well as ongoing Sign Language, Quilting, and Yarn Arts clubs. Police Chief Shawn Bernier noted that the Town's Halloween trick or treating will be Sunday, October 30, 2011 from 5:00 – 7:00 p.m.

4. Appointments – The Board met with Milfoil Committee chairperson Art Hoover. Mr. Hoover provided the Board with an update on the Committee's activities. He summarized the two chemical treatments in spring and fall of last year and the treatment this summer of 12 acres upon the recommendation of DES. He said the two state divers who pulled bulbs by hand were not enough, in his opinion. He told the Board that Amy Smagula of DES recommended treatment of up to 15 acres in July of 2012, with a survey to be done in June 2012 to provide enough information for the committee to go out to bid.

Mr. Hoover said milfoil cannot be eradicated, but it can be controlled and currently it's the best it has been in several years. He said Downing Pond, downstream of treated Jones Pond and the Merrymeeting River, has been neglected. He said educating people is critical, as boats are the main source of spread. He explained that motorboats chew up the plants, causing expansion as the pieces root.

Mr. Hoover said the Committee would present a larger request, due to the larger treatment area. He said it was critical the milfoil was prevented from entering Merrymeeting Lake, as property values would decline. He told the Board that the current in the area from Jones Pond to Downing's Pond was too fast, thereby negating the need for treatment there. He thanked the Board and townspeople for being supportive, and added that it would help to have residents on Downing's Pond join the committee.

5. Department Reports

***Health* – Motion by Chair Jarvis to approve the reappointment of Ken Quigley as Deputy Health Officer for the Town of New Durham; second by Selectman Kratovil. 3-0.**

The Board signed the appointment form. Chair Jarvis indicated resident Robert Stave wrote a thank-you letter to the Town for allowing him to effect repairs to his road.

Fire - Deputy Chief K. Lockwood reported that he researched pursuing delinquent ambulance accounts by going to collection agencies. Two collection agencies work directly with Comstar, but one operates only in Rhode Island. The success rate of collecting delinquent accounts of the other agency, in MA, is only 10 per cent. He said New Durham would get one-third of what was collected. He said if any other collection agency were used, the Town would be responsible to transfer funds to Comstar. He recommended that the Town not pursue this course of action. He said patients now receive five notices from Comstar – three "must pay" notices, a fourth notice that outlines what action will be taken if payment does not occur, and a fifth notice that indicates the information will be sent to a credit report agency.

He told the Board the ambulance revenues have increased due to better reporting. He said he reviews the ambulance bills every Monday and sends them on to Comstar. That rapid turnover helps Comstar with their collections, as they bill right away. Deputy Chief Lockwood said there is a new Accounts Receivable number every Monday. Chair Jarvis said that way the patient gets the bill right away. She said the hang-up had been New Durham.

Selectman Bickford asked if it would be beneficial for the Town to do their own collection. Chair Jarvis said her concern was that there would be a poor return and might bring bad press. Deputy Chief Lockwood said he could look into a sending a friendly reminder from the fire department. He said some towns with secretaries do that. Selectman Bickford asked if he thought the Town should pursue payment after Comstar's five notices. Deputy Chief Lockwood said his opinion was that non-residents should be pursued after the five notices, but not those who live in town. He said every town handles such situations differently.

Chair Jarvis said she got the thresholds for declaring hardship. Selectman Kratovil said there were so many people who were getting a free ride. He suggested ensuring payment before transportation occurred, noting that in an emergency that would be difficult. Deputy Chief Lockwood said some people don't have any money and you can't go after nothing. Chair Jarvis said some people delay calling for help because they have no money. Deputy Chief Lockwood said asking for payment at the time of pick-up violates statewide protocols.

Chair Jarvis said a person needed to have income 185 per cent above the federal poverty level to be eligible for federal food assistance, and that number was adjusted yearly. She asked the Board if the Town should stay with its own numbers, which are higher than 185 per cent above. Selectman Kratovil pointed out that if the Town lowered the number, there would be increased burden on good people who pay. Chair Jarvis said she was concerned about setting eligibility on figures from an unknown source. She said she would set the hardship eligibility at the federal food levels, which would be \$633 lower than the current numbers. She said the Town would then determine whether to grant hardship, and could set people on a payment plan.

Deputy Chief Lockwood said he would do more research on the costs of pursuing payment.

Police – Chief Bernier outlined the 100 per cent funded Highway Safety Grant his department received, which provides money for officer overtime associated with targeted patrols. Operation Safe Commute patrols will consist of two three-hour shifts once a month into September of 2012, for a total of \$4,500. The focus will be on driver inattention and/or distraction.

Motion by Selectman Kratovil to accept the highway safety grant for New Durham Operation Safe Commute Patrols for the period of October 1, 2011 through September 15, 2012; second by Selectman Bickford. In response to a question from Selectman Bickford, Chief Bernier said that this stop would have to have articular suspicion. Chief Bernier said DWI patrols average 30 miles, consuming two to three gallons of gas during four-hour shifts. He said there were a host of variables. **3-0.**

Motion by Selectman Bickford to authorize the chairperson to sign the contractual agreement for the Highway Safety Project Grant for the Operation Safe Commute patrols; second by Selectman Kratovil. 3-0.

Chair Jarvis signed the agreement.

AED – Chief Bernier said the AED at the police station has malfunctioned and is too old to be repaired. He said he had \$2,500 remaining in his pay line and could get one for \$1,245. He indicated he was willing to purchase two, so Town Hall could have one. Selectman Kratovil said during his CPR training the instructors offered an AED for less, and he would check it out.

Motion by Selectman Bickford to allow the police department to take money to buy AEDs; second by Chair Jarvis. 3-0.

Cruiser Bids - Town Administrator (TA) Alison (Rendinaro) Webb said the specifications for the 2003 cruiser bid were in the newspaper and on Craig's List. She said the three received bids were opened today, with a high bid of \$3,000 online. Chief Bernier said he called the telephone number and has not yet had a response.

Motion by Chair Jarvis to award the cruiser bid to Anthony Chiccarelli in the amount of \$3,000, provided the individual makes payment on the car within seven days of receipt of title; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis that if payment is not made as specified by the individual, the bid will be awarded to Joseph Bloskey with a bid of \$2,586.10; second by Selectman Bickford. 3-0.

6. Old Business

Budget – Chair Jarvis said most of the budgets are in and the first budget meeting will be October 17, 2011. Selectman Bickford said he wanted to understand where she and Selectman Kratovil were going with the raise that was voted in and what the reasoning behind it was. He said if the two per cent increase was to cover the increased retirement costs full time employees must now pay, then they were essentially not getting a raise and part-time employees would be. Chair Jarvis said when she proposed a two per cent raise across the board, it was not to offset retirement increases. She said there had not been an across the board raise since 2008. Selectman Kratovil concurred.

Selectman Kratovil said his reasoning did not stem from increased retirement costs, either. He said giving a raise was the right thing to do. He said it could not be a matching game to give raises every time the state increased employee contributions. Selectman Bickford said the Town has given raises to part-time employees in the past. He provided information that Cost of Living Adjustment (COLA) figures come from Social Security, and that agency said last October there would not be COLA in 2011. He said calling this raise for New Durham employees a cost of living increase would be inappropriate. He asked Selectmen Jarvis and Kratovil to rethink the raise.

Road Agent Mike Clarke said last year surrounding communities got three and five per cent increases. Selectman Bickford asked if those salaries were appropriate, since a pay raise and appropriate salaries are not the same. TA Webb said determining what is appropriate is subjective. Chair Jarvis said TA Webb was developing a merit raise program. Selectman Kratovil clarified that he was not indicating a COLA, but based on time. He said we can take care of our people. Selectman Bickford said he thought the Board rushed the motion through. Discussion ensued on whether Recreation Department and Fire Department employees were included in the raise..

Chair Jarvis stated the motion was not rushed. She said the Board has discussed pay raises for years, and there had been a recent joint meeting with the Budget Committee where the topic was discussed. She said there have been changes in what it costs to live based on her personnel situation..

Fuel Bids – TA Webb provided information on combining with the Town of Farmington to purchase liquid fuel through Competitive Energy Services. She said the price of fuel oil would be \$3.085/gallon from October 15, 2011 – September 30, 2012, resulting in a savings of \$.475. She said Farmington used this broker last year and got a good price. RA Clarke asked if there was bulk delivery and she said she believed so. RA Clarke said so far this year his department has used more than \$13,000 worth of diesel. He urged the Board to make a decision tonight, as he has to order in the near future.

Equipment Mechanic David Valladares said it was good to know the source, as different suppliers treat gas differently in the winter. He said Irving treats its gas so there are fewer truck freeze-ups. He said he could treat the fuel himself, if necessary, which would drive up his costs. David Shagoury pointed out the company may tack on delivery surcharges, so that was something to ask about.

Motion by Selectman Bickford to authorize Town Administrator Alison Webb to enter into a contract with Competitive Energy Services; second by Chair Jarvis. 3-0.

Street Lights – Chair Jarvis referred to the petition received earlier asking for the Marsh Hill Road street light to be turned back on. The petition mentioned an incident regarding a student and a plow truck. RA Clarke said his department never received a complaint about a truck almost hitting a person. Selectman Bickford asked if it would be beneficial for the highway department to have a light at that intersection. He said he understood trucks back up to sand there. RA Clarke said it would help to see in the body of the truck, but it would not aid visibility. He said it could remain unplugged to save money.

Selectman Kratovil said he did not make it up to the area to see the situation. He said he called the Local Government Center, and was advised that the Town would not be responsible if something happened. TA Webb said there is no cost to disconnect a street light; but if the light has been physically removed it costs a minimum of \$190 to reconnect. She said anyone can request a light for themselves, and the charge of \$10-\$15 per month would appear on their bill. Chair Jarvis said this is the only street light of all those turned off that residents have requested be turned back on. She said there have been two petitions to turn it back on. Chief Bernier said parking in the summer creates a narrow space there.

Motion by Selectman Kratovil to reactivate the light on Marsh Hill Road; second by Chair Jarvis. A vote was called. Jarvis – aye, Kratovil – aye, Bickford – nay. The motion carried.

The Board briefly discussed disconnecting the street light on Old Bay Road. TA Webb contacted two abutters and has not heard back.

Motion by Chair Jarvis to turn off the street light in the area of 104 Old Bay Road; second by Selectman Bickford. 3-0.

Polling Place – Chair Jarvis said the Fire Station Community Room was used for the primary and special election. As a result, Town Clerk Carole Ingham has requested the official polling place be relocated to the New Durham School. Problems discussed were parking issues for the public and police cruisers, campaigners with signs situated close to the police station, and cold air and wind from the opening door.

Motion by Chair Jarvis to move the official polling place for New Durham back to the New Durham School; second by Selectman Bickford. 3-0.

7. New Business

Energy Audit – Chair Jarvis announced the receipt of a 100 per cent funded energy audit grant for Town Hall and the fire department.

Proposal for Hybrid Police Cruisers – Selectman Kratovil presented information comparing an Impala, used as a police cruiser, with 2012 hybrids Chevrolet Tahoe and Toyota Highlander. Although upfront costs for the hybrids are higher, savings in fuel consumption are significant. He said it would take 13 years for the Tahoe to pay for itself and 5.7 years for the Highlander. He said with 3.5 purchases, the Town would essentially get a free vehicle every 31.5 years. He noted that the Impala is paying nothing. He said a driver could jackrabbit the Highlander.

Chair Jarvis said if no other police departments in New England are currently using a hybrid, perhaps the Town could strike a deal with Chevrolet or Toyota to use the vehicle as part of a pilot program. Mr. Valladares said he did not have experience on a hybrid, but assumed some facets could be worked on in-house and some could not. He suspected there would be less in-house work on it because the hybrids are new. He pointed out that typically a hybrid has no heat or air conditioning when the engine does not run. He said he would have to do substantial figuring of how a police officer needs a car to work.

Chief Bernier said, after research, he would be requesting a Ford Taurus rather than an Impala. He said in the course of looking into using hybrids, he discovered an idle reduction system which allows police details to run lights while the engine is turned off. He said the battery pack costs \$545 and the remote starter costs \$175.

Ms. Allyn said her household owns a hybrid, and that its mileage is excellent and the acceleration is fine, too. She said oil changes in her model are more frequent than expected, and expensive, and the air conditioning does not come on when the engine is not running. She said her car cost considerably less than the figures Selectman Kratovil presented, and asked if smaller, less expensive, vehicles would suffice. Chief Bernier said police vehicles have to accommodate certain things and assumed a vehicle the size of her Honda Insight would be too small. Ms. Allyn suggested checking with police departments in Los Angeles and elsewhere in California to see if hybrids are used there.

Chair Jarvis said the Board had insufficient information to defend the purchase of a hybrid at Town Meeting. She asked Mr. Valladares to look into it more. TA Webb said Selectman Kratovil's figures also compared a sedan with SUV size hybrids.

Dispatch Services – Before discussing dispatch systems, Deputy Chief Lockwood told the Board that ambulance revenues for 2010 were \$32,631 brought in from Comstar for a total, including intercept fees and interest, of \$39,574. Regarding dispatching, Deputy Chief Lockwood said he met with Lakes Region on Friday. He said if New Durham discontinued service with them, it would lose the option of getting billed educational programs. He said the price would remain the same, but they would bill member departments. He said the NDFD would still be able to take classes at the same price. He explained that simulcast would not benefit the Town, as the NDFD gets toned off of Blue Job. Selectman Bickford said we would therefore be paying for something we didn't need. Deputy Chief Lockwood said the department would have to make up its own IDs if we went with Strafford County. He said they do a pre-alert, which would help the department. He said we already pay into Strafford County dispatch, and no one in the department had an objection to moving to its dispatch system.

NDFD Captain Leon Smith said those using the system have nothing bad to say about it. Deputy Chief Lockwood added that he could get the necessary equipment this year, and pay for it next year, so it would not impact the budget. Selectman Bickford said the department could use those savings more effectively in other resources. Deputy Chief Lockwood said the savings would amount to \$103,704 over five years. Capt. Smith said the department looked at the whole

picture, not just the bottom line. Deputy Chief Lockwood said he was comfortable making a recommendation to move to the other system, and the department's officers and members were in agreement.

Motion by Selectman Kratovil that the Town of New Durham serve notice to Lakes Regional Mutual Aid that it will withdraw with an effective date of December 31, 2011, and initiate a contract with Strafford County Sheriff's Dispatch; second by Selectman Bickford. 3-0.

Chair Jarvis noted that the Town should get mutual aid agreements with Alton and surrounding communities.

8. Schedule Next Meetings

The Board scheduled its next regular business meeting for October 17, 2011 at 1:00 p.m. at the Fire Station Community Room.

The Board scheduled a budget meeting for October 17, 2011 at 7:00 p.m. TA Webb indicated she would attend the Board's budget meetings and Finance Assistant Vickie Blackden would attend only when her budgets were discussed, and the reverse would be the case for the Budget Committee.

The Board scheduled a work session on Chapters 1-8 of the Personnel Manual on November 4, 2011 from 9:00 a.m. – 12:00 p.m., with the hope of also working on the Dog Ordinance.

The Board scheduled a non-public meeting to finalize department head evaluations on October 12, 2011 from 9:00 a.m. – 12:00 p.m. in Town Hall.

The Board scheduled a public hearing to ascertain future cable-related needs during the business meeting of November 7, 2011, with the idea of keeping the hearing open for two months to receive input.

9. Approval of Minutes

Ms. Allyn said there had been amendments to previous minutes that she felt were inaccurate. She asked the Board to limit itself to only substantive changes, in the interests of time and money. Chair Jarvis said she could not act without reviewing the specific minutes Ms. Allyn referenced. The Board indicated further investigation should be done. The Board tabled the minutes of September 19, 2011. Selectman Kratovil left shortly after midnight.

Adjournment

Motion by Chair Jarvis at 12:10 to adjourn; second by Selectman Bickford. 2-0.

Respectfully submitted,

Cathy L. Allyn

A video recording of this meeting is on file with the Office of Town Clerk, is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A:4, or for a minimum of 24 months.