

**New Durham Board of Selectmen
Minutes of Meeting ~ April 4, 2011
Town Hall**

Members Present: Theresa Jarvis, David Bickford, Jeffrey Kratovil

Also Present: Town Administrator (TA) Alison Rendinaro; Police Chief Shawn Bernier, Transfer Station Foreman Joe Bloskey, Building Inspector/Code Enforcement Officer Arthur Capello, Highway Department/Transfer Station Office Manager Cathy Orlowicz, Dianne Smith, Leon Smith, Dot Veisel, Mary McHale, Stuart Rinschler

1. Call to Order – Chairperson Terry Jarvis called the meeting to order at 5:00 p.m. and led the Pledge of Allegiance.

2. Non-public Session I

Motion by Chair Jarvis to enter into non-public session at 5:03 p.m. under RSA 91-A:3 II (e); second by Selectman David Bickford. A roll call vote was taken. Jarvis – aye, Bickford – aye, Jeffrey Kratovil – aye.

Motion by Chair Jarvis at 7:03 p.m. to end non-public session; second by Selectman Bickford. 3-0.

3. Return to Public Session

At 7:09 p.m., Chair Jarvis indicated the Board had been in non-public session since 5:00 p.m. to discuss potential litigation and to consider a request from a resident for assistance, which was granted.

4. Citizens' Forum – Chair Jarvis read from a flyer prepared by Town Clerk Carole Ingham regarding dog registrations and upcoming rabies clinics. She went on to say that Governor Lynch has ordered a special election to replace a retiring representative of District 3, which includes New Durham. She said the state primary is to be June 7, 2011, with voting from 8:00 a.m. – 7:00 p.m. and the special election will be August 9, 2011, same polling hours. Interested parties can file with the Town Clerk tomorrow or with the Secretary of State. She said the Town's elections account will go into deficit, as this election was not foreseen. Selectman David Bickford said that was something to keep in mind for future budgeting.

5. Agenda Review

Chair Jarvis said the Board could discuss in New Business points brought up by Selectman Bickford.

6. Appointments

COAST - The Board met once again with Dianne Smith, Manager of Coordination, Planning, and Operations at the Cooperative Alliance for Seacoast Transportation (COAST) bus service. She told the Board that COAST received a grant to address the

transportation needs of the elderly and disabled in the five northern communities within its jurisdiction, which includes New Durham. She said a mini-bus driven by volunteers will provide transportation to grocery stores and pharmacies in Rochester on Thursdays beginning April 21, 2011. Pharmacies will be Care, the new Rite Aid, those in the two Hannafords, and Wal-Mart. Grocery stores will be Wal-Mart, the two Hannafords, and Market Basket.

She indicated those interested in transportation may call two weeks in advance. Pick-up is at riders' residences. Seating is available for two riders with mobility devices, along with eight ambulatory riders, or 12 ambulatory riders. Cost is \$5 for a round trip and personal care attendants ride free. A punch pass of \$20 worth of rides selling for \$18 will be available.

Ms. Smith said Kings Highway residents would be encouraged to ride Tuesdays with Middleton residents. She explained that Alton is in a different area, but COAST would be open to taking people to the Hannafords there, or to the Rite Aid in Farmington. She said COAST has provisions in place in case of mini-bus breakdown, and that seatbelts are on the vehicles.

Reappointments of Board, Commission, and Committee Members – Chair Jarvis proposed removing the term of office for the building inspector as an annual appointment since the BI is an employee. She said the health officer is appointed by the state. She asked if the Board would be interested in changing the two at-large appointments to the Capital Improvement Plan committee to a three-year term. Selectman Bickford suggested leaving it as an annual appointment.

Motion by Chair Jarvis to reappoint Cathy Allyn to the Conservation Commission for a three-year term; second by Selectman Jeff Kratovil. 3-0.

Motion by Chair Jarvis to reappoint Al Koehler to the Parks and Recreation Commission for a three-year term; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to reappoint Marcia Berry to the Parks and Recreation Commission for a three-year term; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis to reappoint Lawrence Prelli to the Zoning Board of Adjustment for a three-year term; second by Selectman Bickford. 3-0.

Chair Jarvis indicated there may be an opening for a full member of the ZBA.

Motion by Chair Jarvis to reappoint Chris LaPierre to the Capital Improvement Plan Committee for a one-year term; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis to reappoint Padraic McHale to the Capital Improvement Plan Committee for a one-year term; second by Selectman Bickford. 3-0.

7. Department Reports

Police – Police Chief Shawn Bernier provided information on the cruiser's trade-in value of \$1,500 at Irwin Zone to compare to the blue book trade-in value of a private vehicle, which lists at \$3,475. Selectman Bickford recommended putting the cruiser up for sale. Chair Jarvis asked if the minimum bid would be \$1,500. Selectman Kratovil proposed making it \$3,000. Chief Bernier said all equipment has

to be stripped from the cruiser, but had no idea when that would happen. He asked the Board if he should trade in the cruiser or not. The Board agreed to put the cruiser out to bid, with a minimum bid that would not be so high as to discourage buyers.

Motion by Chair Jarvis to put the 2003 Explorer with four-wheel drive out to bid with a minimum bid of \$2,500; second by Selectman Kratovil. 3-0.

Chief Bernier reported that a Highway Safety grant will pay up to half the total cost of \$392.98 for a spike strip. He said this would be the last set the department needs.

Motion by Chair Jarvis to approve the application of a federal Highway Safety grant for a spike strip; second by Selectman Bickford. 3-0.

Motion by Selectman Bickford to authorize the chairperson to sign on behalf of the Board of Selectmen; second by Selectman Kratovil. 3-0.

Chief Bernier informed the Board of two burglaries of abandoned houses on Berry Road in the past two weeks. A suspect arrested in Farmington may be involved in the New Durham burglaries. He said the department also recovered \$6,000 in satellite equipment on Miller Road on Friday, and arrests are pending.

He provided the Board with a copy of an email from a resident thanking the department for quick and compassionate service.

Transfer Station – Chair Jarvis brought up the Recycling Ordinance, discussed at the last meeting. She said a suggestion had been made to remove the Enforcement section of the ordinance until it could be perfected. She said she spoke with Transfer Station Foreman Joe Bloskey and Chief Bernier about the situation. She noted that mandatory recycling could not be enforced if the section were removed. She said the Town has always had civil forfeitures.

Selectman Bickford said the Board was going to discuss the Enforcement section later. Chair Jarvis said she went through it and changed the process, as she is not in favor of removing it at this time. Selectman Bickford said the section had imperfections, and it could be added to the ordinance later on after it had been worked on. Chair Jarvis said we are closer to a having a procedure than we were two weeks ago.

Selectman Bickford asked Mr. Bloskey how his staff would make the section work. Mr. Bloskey said through education and verbal reminders. Chief Bernier said he recommended keeping the process as it was before. He said his department had authority if the Transfer Station (TS) staff serves a written notice. Selectman Kratovil said he liked verbal reminders.

Chair Jarvis said the TS staff are aware of the chronic violators and have spoken to them, but the situation is unresolved. She said an enforceable policy is needed for extreme cases. Chief Bernier said issuing civil forfeitures makes it easier for his department to act upon. Chair Jarvis said copies of the ordinance should be at the TS to hand to people. Selectman Kratovil said the TS staff would have discretion as to whom to cite. Chief Bernier said he'd prefer a process of increasing consequences to be handled by the police department.

The Board agreed that the ordinance be put in its final format, using all fees as recommended, to be voted on at the next meeting.

8. Status Reports

Special Event License – Chair Jarvis reported the Parks and Recreation Commission has recommended denying an individual's request to use the Town Beach parking lot for overflow parking for an August wedding.

Motion by Chair Jarvis to deny the request for use of the Town Beach parking lot on August 27, 2011, and to recommend the parties utilize the lot near the Merrymeeting River near the site of the old dump; second by Selectman Kratovil. 3-0.

Board of Ethics – Upon legal advice, Chair Jarvis said the Board of Ethics still exists, as it was not disbanded at Town Meeting, but it is now an advisory board to a non-binding policy. She said Town Moderator Cecile Chase has appointed an Ethics Policy Revision Committee made up of Board of Ethics members Mike Gelinias and Barbara Hunter, citizen representatives Susan Hoover and Dorothy Veisel, and employee representative Katie Woods. She said the new group will meet April 12, 2011 at 6:00 p.m. at Town Hall. Chair Jarvis asked if the meeting could be recorded.

9. Old Business

Auditor's Agreement – Chair Jarvis said she'd been under the impression the Board signed the agreement with Plodzik & Sanderson, but there is no record of that. Town Administrator (TA) Alison Rendinaro said the company sent a new agreement with new language regarding the FEMA grants and the company's compliance with CO#A-133.

Selectman Kratovil asked why the auditors do not render an opinion on the Town's overall compliance. TA Rendinaro said they are here to do a financial analysis of the Town's policies, and to see what we did; not to pass judgment. Chair Jarvis said they analyze what the Town has done, such as, do we follow the purchase policy, if we have one. Selectman Kratovil asked about the nature of the tests mentioned. Chair Jarvis said the auditors might randomly check if the Town got bonds, or voted on a bid contract with a professional organization. She said this agreement did not fall under the purchase policy.

Motion by Chair Jarvis to sign the document dated March 28, 2011 from Plodzik & Sanderson relative to the audit for the year ending December 31, 2010; second by Selectman Bickford. 3-0.

Motion by Selectman Bickford to authorize the chairperson to sign; second by Selectman Kratovil. 3-0.

Transportation Priorities – Utilizing feedback from members, the Board agreed to notify the Strafford Regional Planning Commission that the Town's municipal transportation priorities are: 1. Maintenance and operation of existing roads; 2. Funding; 3. Bridges; 4. Ride share; 5. Sidewalks; and 6. Bike routes. Regional priorities are: 1. Coordinated plan activities; 2. Special transportation studies (breakdown lanes into turning lanes); 3. Public transportation; and 4. Transportation for elderly and disabled residents.

Town Treasurer Position – Chair Jarvis said TA Rendinaro and Finance Officer Vickie Blackden drafted an announcement of the available position of Town Treasurer and duties to be posted and advertised in The Baysider.

10. New Business

Acceptance of Electronic Payments – The Board made minor modifications of a document prepared by Tax Collector Ingham authorizing electronic transactions to pay taxes. The Board indicated Ms. Ingham would review the proposed changes and the revised form is to come before the Board at the next meeting.

Appointment Policy – Chair Jarvis brought the selectmen’s appointment policy to the attention of the Board, saying employment was included in the two-week vetting period. She said the Board has never met with 19 part and full-time employees. She said it made sense that the Board looks at potential commission members, and that selectmen have been in on interviews of some candidates, but suggested deleting “employment position” from the policy, as candidates go through background checks as part of the application process, and are therefore vetted. She said some employees start work immediately, and questioned the need to wait two weeks.

Selectman Bickford said he liked it as part of the policy, because he has time to consider someone, and perhaps make a few inquiring phone calls. Chair Jarvis said the Board can read any information on potential employees. She said the Board needed to give department heads credit, and avoid micro-managing. Selectman Bickford recounted an incident before Chair Jarvis was on the Board, when the town administrator wanted to hire a part-time employee, and Chair Jarvis questioned it. The Town subsequently went out to bid for the position. He and Selectman Kratovil said they preferred waiting the two weeks.

Chair Jarvis said the selectmen needed to get copies of every Town policy, to familiarize themselves with the content.

TA Access to Town Counsel – The Board agreed that TA Rendinaro should be able to contact Town Counsel without the Board’s prior approval.

Inventory – TA Rendinaro said she has done some checking. She indicated she requested Highway Department/Transfer Station Office Manager Cathy Orlowicz to stop working on the inventory as it is time consuming and the Board needed to provide guidelines first as to what it wanted regarding inventory.

Town Hall Paint – Selectman Bickford said the front of Town Hall is peeling and needs to be painted.

Visiting Nurse Association – The Board discussed a letter to the Town from the VNA regarding the Town’s lack of donation to that organization.

Grader Financing – TA Rendinaro is to meet with Donna O’Brien of TD Equipment Finance. The grader is due to arrive by the end of the month and the Board can sign the agreement at the meeting of April 18, 2011.

Purchase Order – Chair Jarvis said the \$24,000 purchase order for winter sand, approved earlier, arrived. The Board signed the PO.

Shirley Forest – TA Rendinaro said Forrester Peter Farrell will mark trees when the snow melts. He said the price for pulp might go up in the summer and fall. He has requested a public hearing in May.

Police Wages – Selectman Bickford said the Board did not set a wage two weeks ago when an officer was hired. He said he took Middleton’s pay scale and put together his own, using three steps that ranged from \$13.79 to \$17.47 per hour and covered certified and uncertified officers.

Chief Bernier stated Alton officers are paid \$18.50 if they are certified or not. He asked why the Board paid for a wage scale study from the Local Government Center, but is now going to other towns for wage information rather than taking the information from the study. Selectman Bickford said he did not remember hiring a part-time officer before that person had attended the academy. Selectman Kratovil said the Board needed to establish a hierarchy. Chair Jarvis noted that any discussion of an employee regarding that person’s wages needs to be in non-public session.

Selectman Kratovil presented 2009 data he pulled from the Internet comparing the United States, New Hampshire, and the Rochester/Dover area. The median pay in the Rochester/Dover area was \$21.49 per hour. Selectman Bickford said the Board needed to establish a pay scale for a trainee, as there is a candidate who is not an officer.

11. Schedule Next Meeting

The Board scheduled its next meeting for April 18, 2011 at 7:00 p.m. at Town Hall.

12. Approval of Minutes

Motion by Selectman Bickford to approve the minutes of March 21, 2011, as amended; second by Selectman Kratovil. 3-0.

13. Non-public Session II

Motion by Chair Jarvis to enter into non-public session at 9:42 p.m. under RSA 91-A:3 II (a) and (c); second by Selectman David Bickford. A roll call vote was taken. Jarvis – aye, Bickford – aye, Jeffrey Kratovil – aye.

The Board met with Chief Bernier.

Motion by Chair Jarvis to accept the non-public meeting minutes of March 21, 2011, as amended; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to come out of non-public session; second by Selectman Kratovil. 3-0.

Selectman Kratovil distributed a white sheet on the Town’s Dog Ordinance, to be discussed at the next meeting.

14. Adjournment

Motion by Chair Jarvis at 10:57 p.m. to adjourn; second by Selectman Kratovil. 3-0.

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.