

**New Durham Board of Selectmen
Minutes of Meeting ~ September 5, 2012
Fire Station Community Room**

Members Present: David Bickford, Theresa Jarvis, Jeff Kratovil

Also Present: Town Administrator (TA) Alison Webb, Road Agent Michael Clarke, Deputy Fire Chief (DC) K. G. Lockwood, Equipment Mechanic David Valladares, videographers Peter Pijoan and Ryan Noonan, recorder Cathy Allyn

1. Call to Order – Chairperson David Bickford called the meeting to order at 9:00 a.m. and Selectman Jeffrey Kratovil led the Pledge of Allegiance.

2. Public Forum – There was no input.

3. Agenda Review – Some modifications were made.

4. Appointments/Announcements – *Zoning Board of Adjustment Appointment* – Chair Bickford said the Board received a letter of recommendation from the ZBA concerning Cecil Williams two weeks ago. Selectman Terry Jarvis said she would like Mr. Williams to meet with the Board. Town Administrator (TA) Alison Webb said the ZBA wrote a letter of endorsement. Chair Bickford said he spoke with local officials in Litchfield where Mr. Williams served and they recommended him highly.

Motion by Chair Bickford to appoint Cecil Williams to the Zoning Board of Adjustment; second by Selectman Kratovil. Selectman Kratovil asked Selectman Jarvis if she was comfortable appointing Mr. Williams based on Chair Bickford's report. She said a person should submit a resume if he or she did not come in to meet with the Board. Chair Bickford said the two weeks in the vetting period allowed the Board to do its homework. He said he used that time to check out the ZBA's letter and it checked out well. Selectman Jarvis said she knew nothing about this person. Selectman Kratovil, absent from the last meeting, said he did not receive a copy of the ZBA's letter. Chair Bickford said the Board may want to revisit its appointment policy.

Cathy Allyn said previous Boards used to call individuals they didn't know, introduce themselves, and discuss the person's background. Selectman Jarvis said she was not supplied with a phone number in the ZBA's letter. She and Selectman Kratovil agreed to vote for the motion based on Litchfield's recommendation. **3-0.**

5. Department Reports

Highway – Road Agent Mike Clarke said he had enough money encumbered for work not done by Pike Industries to have R & D Paving do 1,500 feet of overlay on Valley Road, from the intersection with Tash Road up toward Quaker Road as well as a portion of Old Bay Rd.

Motion by Selectman Jarvis to approve Purchase Order #0185 to R & D Paving of Franklin, NH in the amount of \$94,164.40; second by Selectman Kratovil. RA Clarke said he has sent two emails and a letter to Pike Industries, plus a representative told him at the 2012 bidding that he would get in touch, but did not. He said last year Pike was still paving in December, which he did not think was advisable, so this year he has added completion dates to the bid package language. TA Webb said Primex and Town Counsel will check the language.

RA Clarke said the Town could not be liable for going with another company because Pike's work was to have been done by the beginning of this year. He said R & D Paving will complete all work by September 28, 2012. **3-0.**

The Board signed the PO.

Granite Ford Purchase Order – TA Webb said the PO was for repairs to the Explorer, damaged during the parade at the 250th Celebration. Selectman Jarvis pointed out that the Town has a \$1,000 deductible. Equipment Mechanic David Valladares said the vehicle is back in service.

Motion by Selectman Jarvis to approve Purchase Order # 1486 to Granite State Ford in the amount of \$4,280.66 for repairs to the police Explorer, recognizing that all but \$1,000 is to be covered by insurance; second by Chair Bickford. 3-0.

Fire – Deputy Fire Chief K.G. Lockwood summarized the situation with Ossipee Valley Mutual Aid, reminding the Board that he met with them before the summer. He said it is a small organization, and they take the summer off, so they will vet the NDFD beginning in September and meet with them in October. He said the department needs an answer prior to budget season, as the money will be different if the department goes with Seacoast Mutual Aid. He said Tuftonboro Fire Chief Adam Thompson knows it is a priority for NDFD. DC Lockwood said he would have an update for the Board next month.

Selectman Jarvis said budgets are due soon and she would like a decision regarding mutual aid made by the Board's first meeting in October. DC Lockwood said he agreed, but Chief Thompson was on vacation and Ossipee Valley needed to vet the NDFD. He said mutual aid membership was important for the Hazard Materials element. He said without access to a regional HazMat team, the town would be billed if there were an instance, and it is expensive. He said departments belong to regional teams because it's too expensive to have your own.

He explained the benefits of working with neighboring towns, saying it costs you sometimes but it balances out in the long run. DC Lockwood said belonging to a mutual aid association gives a town access to a HazMat team and to training. He said the department could recoup its membership dues in training. He told the Board the department had to go at Ossipee Valley's pace, even though it would prefer a decision sooner. He noted that the department would have to travel farther if it joined Seacoast Mutual Aid.

DC Lockwood reported that the new forestry vehicle is working well, and the rain is slowing down the calls.

Mr. Valladares asked what the Board wished to do with the old forestry truck. He said scrapping it or putting it out to bid would bring in around the same amount. Following discussion, the Board decided against asking for a minimum bid and agreed to scrap it if not purchased.

Motion by Selectman Kratovil that the old forestry truck be put up for sale, with bids due at Town Hall by the end of the work day on September 28, 2012, to be opened on October 1, 2012; second by Selectman Jarvis. 3-0.

Mr. Valladares said he got the new highway department truck. He noted that the wheels are polished aluminum and he did not want the taxpayers to think the Town paid extra for them. He said he tried to change the wheels, but the dealership would not do so because they came with the package.

DC Lockwood said the flooding problem at the fire station is progressively getting worse and is now impacting the air filling station. Because of the high moisture content, the department sometimes cannot fill its air bottles. He reported up to five inches of water in the bay.

RA Clarke said there's a sump hole there and when the filtration system back flushes, it fills the hole. TA Webb said the plumber is aware of the problem. DC Lockwood said it would be difficult to move the cascade (air) system because it is vented. He advocated fixing the water problem. RA Clarke said when the addition was put on, the hose on the outside of the building that was connected to a pipeline was removed. He said that had ensured the sump hole was pumped out.

TA Webb said clogged pipes in Town Hall were due to high mineral content of the water, but if the fire station flooding is a drainage problem, that is a separate issue. Chair Bickford said another way to drain the hole needed to be found. DC Lockwood said he'd been working with TA Webb on the problem.

6. New Business

Primex Trustee Election – Chair Bickford said Primex wanted the Board to elect someone to its board. The Board passed on voting.

2013-2014 Legislative Policy Conference – Chair Bickford said the conference on September 21, 2012 concerns issues towns could lobby for. He said the towns give lobbyists their recommendations. He noted it took a lot of time to answer all the questions. He explained that the Board then sends a voting member to Concord. He said a problem could occur if the Board's representative is exposed to more information, swayed, and wants to go against the Board's decision on some of the matters.

TA Webb said there were 10 pages of proposals to be discussed in addition to the ones she included in the packet. She said she wanted the Board to decide if it wanted to go through the process. Chair Bickford said he was willing to attend. Selectman Kratovil said it seemed like quite a time commitment and some of the proposals might not apply to New Durham. Selectman Jarvis suggested each member review the proposals and mark each with agree, disagree, or no comment. That way, the representative would have an idea of what other members wanted, but retain freedom since no formal vote was ever taken.

Motion by Selectman Jarvis that Chairperson David Bickford represent the New Durham Board of Selectmen at the September 21, 2012 2013-2014 Legislative Policy Conference. The motion failed for lack of a second.

Town Forester – TA Webb said the proposal was to make Dennis Thorell an employee. She said \$800 is budgeted yearly for his contracted services regarding timber cuts. She said the same amount would be budgeted and his pay as an employee with liability insurance would be prorated. She said his contract expires on September 12, 2012, so the Board could waive the hiring policy. She said his current salary of \$40 per hour would now be \$35 per hour to cover liability, workers compensation, etc. Selectman Jarvis said Mr. Thorell can't afford to pay his own insurances.

Motion by Selectman Jarvis to waive the hiring policy in the matter of converting Dennis Thorell from a contractor to a per Diem, or as needed, employee at a rate of \$35.00 per hour; second by Selectman Kratovil. 3-0.

Lightning Rods – Selectman Kratovil said he contacted neighboring towns regarding the use of lightning rods. He said they used groundings and surge protectors at breakers, instead. RA Clarke said Tom Tremblay, who designs and installs rods, did an overview of all the metal buildings at the Transfer Station yesterday.

Selectman Jarvis said Mr. Tremblay could present to the Board why rods should be installed. Selectman Kratovil said he would relay that.

7. Old Business

LCHIP Applications – TA Webb said both the 1772 Meetinghouse and Town Hall applications were almost complete.

Ms. Allyn, chair of the 1772 Meetinghouse Restoration Committee, said the application provided to the Board detailed her answers but was missing the preservationist's estimate and timber framer George Gale's answers. Selectman Jarvis said, according to the motion regarding the application made at a previous meeting, she was to see the final application before it went to LCHIP. She said she was going away but would be able to review it on Thursday. Ms. Allyn said she expected the estimate to arrive sometime today and would make the completed application available as soon as possible. Chair Bickford said part of the information not yet covered in the application was the actual project. Ms. Allyn said the project was stabilizing the rafters and leveling the building.

Selectman Jarvis said the Town Hall application was waiting on one more estimate to come in.

Compensatory Time in the Personnel Plan – TA Webb said the current language was unclear if

compensatory time could be accrued 40 hours in one year, or 40 hours at a time. Selectman Jarvis said an employee could not have more than 40 hours of comp time at any one time, not just 40 hours in a year. RA Clarke asked if that meant a person could have 32 hours of comp time, take it, and then start all over again. TA Webb said budget and staffing would be involved. He asked if vacation still must be taken before using comp time, and Selectman Jarvis said that had been changed.

Selectman Jarvis suggested adding “at any one time” to the end of the sentence dealing with comp time. She said comp time was subject to the needs of the department and the Town.

Motion by Selectman Jarvis that, in the section of the Personnel Manual regarding accumulating compensatory time, the last sentence of paragraph two should read, “Employees may not accrue more than 40 hours of compensatory time at any one time.” Selectman Jarvis withdrew her motion.

Motion by Selectman Jarvis that, in the section of the Personnel Manual regarding accumulating compensatory time, the last sentence of paragraph two should end with, “at any one time.”; second by Chair Bickford. 3-0.

The Board discussed carrying over comp time.

Motion by Selectman Kratovil to add to that same sentence, “not to lapse at the end of the year.”; second by Chair Bickford. 3-0.

Equipment Mechanic David Valladares asked if it were still true that an employee could not use comp time until all vacation time was used, or was it at the discretion of the employee. Selectman Jarvis said it was up to the employee.

Video Policy – Selectman Jarvis said Town Clerk Ingham suggested adding to the policy that the public be notified they may be recorded. Chair Bickford said he was hesitant about having that in the policy because so many committees meet. He said they may not do it and then they would be in violation of the policy. Selectman Jarvis pointed out that the meetings taped have staff support. Selectman Kratovil said changing the word “shall” to “should” would provide an option.

The Board struck the statement that a meeting might be electronically recorded and agreed on two statements regarding recordings to follow the minutes of a meeting.

Motion by Selectman Jarvis to approve Draft Four of the Town of New Durham's Electronic Records of Board, Committee and Commission Meetings and Broadcast Policy, as amended today; second by Selectman Kratovil. 3-0.

Budget Schedule – Selectman Jarvis provided a chart indicating dates when the Board receives the 2013 budgets. She suggested each member review them separately and submit any questions to TA Webb prior to the scheduled meeting with department heads. She said that way the department heads could include the answers to those questions with their budget presentations. She said submitting questions ahead of time would expedite the process.

Chair Bickford said often questions arise during the discussion. Selectman Jarvis agreed, but she added if she knew what she wanted to know ahead of time, the department heads could prepare. Chair Bickford agreed with that, if the members knew what they wanted to ask. Selectman Jarvis said that way, department heads might not have to come back before the Board.

Selectman Kratovil said he would go through his notes and try to get questions prepared ahead of time. Chair Bickford said each budget line is justified by need.

Mosaic Parcel Map – TA Webb said the Town gives GIS information to the UNH Technology Transfer Center's Mosaic Parcel Map Project on a DVD. She said they are asking the Town to authorize Cartographic Associates, Inc. to release that data to them directly. She said the Board earlier authorized the release of the information, but this would allow direct release from Cartographics.

Motion by Selectman Kratovil to authorize Cartographic Associates, Inc. to release data to the Mosaic Parcel Map Project; second by Selectman Jarvis. 3-0.

The Board signed the data release authorization.

8. Approval of Minutes

Motion by Selectman Jarvis to approve the minutes of August 6, 2012, as amended; second by Chair Bickford. Bickford – aye, Jarvis – aye, Kratovil – abstain. The motion carried.

Motion by Selectman Jarvis to approve the minutes of the joint meeting of August 27, 2012, as amended; second by Selectman Kratovil. Bickford – abstain, Jarvis – aye, Kratovil – aye. The motion carried.

9. Future Meetings

The Board scheduled its next meeting for September 17, 2012 at 7:00 p.m. at Town Hall.

10. Any Other Business

Regarding the idea of building a room on a satellite fire station for a work out area to be shared with the police department, Selectman Kratovil said some insurance companies pay toward a gym membership, which could prove cheaper than building an addition. TA Webb did not think LGC covered gym memberships.

Chair Bickford said any exercising should be done off duty in an area with trainers. DC Lockwood said something could go wrong and a person could be alone in a Town facility. He said it would be one more liability and could be a workers' compensation issue. He said it might be better to pay people's dues at Planet Fitness. Selectman Jarvis said things need to be explored concerning the issue.

11. Adjournment

Motion by Selectman Jarvis at 11:51 a.m. to adjourn; second by Chair Bickford. 3-0.

Respectfully submitted,

Cathy L. Allyn

An electronic record of the meeting is on file with the Office of Town Clerk, and some meetings can be viewed on the Town's web site on demand.