

**New Durham Board of Selectmen
Minutes of Meeting ~ January 23, 2012
Fire Station Community Room**

Members Present: Theresa Jarvis, David Bickford, Jeffrey Kratovil

Also Present: Town Administrator (TA) Alison Webb, Police Chief Shawn Bernier, Police Department Administrative Assistant Katie Woods, Jessica Blais, Brenda Kummerer-Cyr, videographer Mary McHale

1. Call to Order – Chair Terry Jarvis called the meeting to order at 1:08 p.m. and led the Pledge of Allegiance.

2. Agenda Review – Chair Jarvis said fundraising for the Town's 250th Birthday Celebration has begun. With a phone call to the Recreation Department and \$5, a resident can arrange to have a flock of pink flamingoes appear on the lawn of the person of their choice; or have a flock removed from their lawn.

3. Appointments

Alternate Inspector of Elections - Chair Jarvis noted Town Clerk Carole Ingham's previous request that the Board appoint Angela Pruitt as an alternate inspector of elections. She asked if anyone had information on Ms. Pruitt. Selectman David Bickford said he was satisfied. Selectman Jeff Kratovil said Ms. Pruitt had not submitted a resume. Chair Jarvis said the moderator nominates on the Town Clerk's recommendation, and the Board then appoints.

Motion by Selectman Bickford to appoint Angela Pruitt as an alternate inspector of elections; second by Selectman Kratovil. 3-0.

Lakes Region Partnership for Public Health - Chair Jarvis said Jessica Blais would meet with the Board at 4:00 p.m.

Ethics Committee Appointments - Town Administrator (TA) Alison Webb said anyone willing to serve on the Ethics Committee can call her at 859-0203. Chair Jarvis said a Town employee or someone who serves on another committee can be on the Ethics Committee. She said the previous members of that committee have been notified.

4. Department Reports

Police- Police Department Administrative Assistant Katie Woods told the Board Police Chief Shawn Bernier was out on a call but she expected him shortly. Chair Jarvis said she and Selectman Kratovil want a fifth officer on the department, and the Board needed to decide when the Chief could advertise for the position. TA Webb said the Board should wait until the Chief was present. Selectman Bickford said if the position were filled and then the Budget Committee doesn't budget for it, someone would need to be laid off. Chair Jarvis said it could take three months to fill the position, with all the necessary tests.

5. Old Business

2012 Warrant Review - Chair Jarvis said department heads would speak to their respective articles at the warrant call-in. She said this would be the Board's final review, as February 4, 2012 is the Budget Committee's final vote prior to its hearing on February 7, 2012. She noted that the numbering of the articles would change, but for the purpose of the vote, the Board would use the current numbering. The Board made minor changes in language and amounts in several of the articles.

Motion by Chair Jarvis to approve the article currently listed as #1, as written; second by Selectman Kratovil. Selectman Bickford said the budget reflected an \$85,000 increase over last year and was too high. He said it adds 21 cents to the tax rate, and he was opposed to the amount. Chair Jarvis said she was in favor of the amount. Selectman Bickford said money could be saved by not replacing the police officer who resigned. He said that would be the simplest cut, and would put the Town in line with where it should be.

Ms. Woods asked if Selectman Bickford included the cruiser when he figured out the savings. She said Chief Bernier gave the Board the figure of \$51,000 savings for this year. Chair Jarvis said Chief Bernier's proposal was to not put money into the cruiser fund this year. **Selectman Kratovil withdrew his second. The motion failed.**

Motion by Selectman Bickford to approve article #2, as revised; second by Chair Jarvis. 3-0.

Chair Jarvis said the DRA found certain language in article #3 unacceptable, since the Town never adopted the RSA that gives the Board the right to purchase land.

Motion by Chair Jarvis to approve article #3, with "or the purchase of land capable of gravel mining," deleted; second by Selectman Bickford. 3-0.

Motion by Selectman Kratovil to approve article #4; second by Chair Jarvis. Selectman Bickford remarked there was no indication of the final amounts needed in these CRFs. TA Webb said the figures are in the warrant narrative. Chair Jarvis said the narrative would explain the tax impact of the articles. **3-0.**

The Board changed the amounts of \$99,187 and \$31,209 to \$100,000 and \$30,396 respectively to be round numbers. **Motion by Selectman Bickford to approve article #5, as revised; second by Selectman Kratovil. 3-0.**

Motion by Selectman Bickford to approve article #6, as revised; second by Selectman Kratovil. 3-0.

Chair Jarvis said the DRA asked that the figures in Article 7 be rounded to the nearest dollar, so the Board made the appropriate changes. The Board also agreed at this point to use only ordinal numbers for amounts throughout the warrant.

Motion by Chair Jarvis to approve article #7, as revised; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis to approve article #8, as written; second by Selectman Kratovil. Jarvis – aye, Bickford – aye, Kratovil – nay. The motion carried.

Regarding the purchase of land at the Shirley Pit, Chair Jarvis said the article could be amended at Town Meeting. TA Webb pointed out that the Board did not

need to recommend the article. **Motion by Selectman Bickford to approve article #9; second by Selectman Kratovil. 3-0.**

Motion by Chair Jarvis to approve article #10 in the amount of \$383,550; second by Selectman Bickford. 3-0.

Motion by Selectman Bickford to approve article #11; second by Chair Jarvis. The Board discussed the Budget Committee's action of putting all ADA repairs in the operating budget, rather than keeping some as separate articles. **3-0.**

Selectman Bickford recused himself regarding discussion and voting on article #14, due to a conflict of interest. **Motion by Chair Jarvis to accept article #14, as written; second by Selectman Kratovil. 2-0.**

Special Warrant Article Recommendations –

Motion by Chair Jarvis that the Board recommend the article pertaining to establishing an Expendable Trust Fund for Emergency Management; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis that the Board recommend the article pertaining to establishing a Capital Reserve Fund to purchase gravel; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis that the Board recommend the article pertaining to establishing a Capital Reserve Fund to replace/repair and maintain Town fuel pumps; second by Selectman Kratovil. 3-0.

Motion by Selectman Kratovil that the Board recommend the article pertaining to the 2012 Road Surface Management System; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis that the Board recommend the article pertaining to the previously established Capital Reserve Funds as listed; second by Selectman Bickford. Jarvis – aye, Bickford – nay, Kratovil – aye. The motion carried.

Motion by Chair Jarvis that the Board recommend the article pertaining to the previously established Expendable Trust Funds as listed; second by Selectman Bickford. Jarvis – aye, Bickford – aye, Kratovil – nay. The motion carried.

6. Return to Department Reports

Police – Chair Jarvis said April 1, 2012 would be an optimistic start date for the new police officer and she suggested authorizing Chief Bernier to advertise the position as soon as possible in Foster's once a week for two weeks, the Baysider, the Town website, and any other appropriate websites. Selectman Kratovil said his understanding was that the Town would be advertising for a sergeant's position. Chief Bernier said he would be promoting from within the department and the advertisement would be for an officer. TA Webb said she had mentioned that the Board consult with Chief Bernier prior to authorizing advertising, to be clear on what position is being advertised. Selectman Kratovil suggested if the candidate were not up to snuff, he'd recommend advertising for a person with capabilities for sergeant.

Chief Bernier indicated he was ready to hire a sergeant. Selectman Bickford noted that Chief Bernier had said the evaluation would be for several months. Chief Bernier said he had been watching the individual and was ready to nominate.

7. Non-public Session

Motion by Chair Jarvis at 2:16 p.m. to enter into non-public session under RSA 91-A:3 II (a); second by Selectman Kratovil. A roll call vote was taken. Jarvis – aye, Bickford – aye, Kratovil – aye.

8. Return to Public Session

The Board met with Chief Bernier and TA Webb, and returned to public session at 3:05 p.m. Chair Jarvis announced that Chief Bernier recommended an individual to the Board and a two week vetting period had begun.

Motion by Chair Jarvis to seal the minutes of the non-public session of January 23, 2012; second by Selectman Kratovil. Jarvis – aye, Bickford – nay, Kratovil – aye. The motion carried.

Chair Jarvis said she would like the advertising to be for a certified officer, and if one were not found, then Chief Bernier should return to the Board.

Motion by Chair Jarvis to authorize Chief Bernier to initiate advertising for a certified officer at an hourly rate of between \$19.09 to \$19.47 as soon as possible; second by Selectman Kratovil. Selectman Bickford said he approved of the process being followed, but did not approve of hiring an officer. **Jarvis – aye, Bickford – nay, Kratovil – aye. The motion carried.**

Reprogramming Police Radios – Regarding the changeover to Strafford County Dispatch Services, Chief Bernier reported that Skip Christiansen would charge \$75 to reprogram all the radios. He said he would obtain a permission letter from Farmington to add its channel to the New Durham police radios.

9. Return to Old Business

Final 2012 Budget Review – Chair Jarvis said the Budget Committee put lines 431-437 of account 4194, dealing with ADA changes, in the operating budget.

Motion by Chair Jarvis to approve account 4194, General Government Buildings, in the amount of \$101,610; second by Selectman Bickford. Jarvis – aye, Bickford – aye, Kratovil – nay. Selectman Kratovil said he preferred giving the voters the opportunity to vote separately on the ADA changes.

Motion by Chair Jarvis to approve account 4901, Land and Improvements, in the amount of \$306,671; second by Selectman Bickford. 3-0.

The Board discussed the options for a highway department furnace, and agreed more information was needed. **Motion by Chair Jarvis that account 4903, Capital Outlay/Buildings, be zero funded in concordance with the Budget Committee; second by Selectman Kratovil. 3-0.**

Motion by Chair Jarvis to approve account 4915, Capital Reserve Funds, in the revised amount of \$413,550. Chair Jarvis said the Board approved this amount earlier during review of the warrant. **Second by Selectman Bickford.** Selectman Bickford spoke regarding the line for the cruiser, saying if the Board

went forward with what he considered an overstaffed department, he was not sure the line was necessary. Selectman Kratovil said the line should be at \$45,000, as sometimes two vehicles break down simultaneously. Chair Jarvis suggested there was more accountability when each officer has his own vehicle. She said the Board had approved this budget. **Jarvis – aye, Bickford – nay, Kratovil – nay.** The Board's recommendation for account 4915 is \$423,550, \$10,000 more than the Budget Committee's.

Chair Jarvis said the fund for Emergency Management better fits the definition for an Expendable Trust Fund, so it was moved from the Capital Reserve Funds.

Motion by Chair Jarvis to reapprove account 4916, Expendable Trust Funds, in the amount of \$32,000; second by Selectman Bickford. 3-0.

Motion by Selectman Bickford to approve account 4915, Capital Reserve Funds, in the amount of \$413,550, to concur with the Budget Committee; second by Chair Jarvis. Jarvis – aye, Bickford – aye, Kratovil – nay. The motion carried.

10. New Business

Strafford County Dispatch Services Agreement – TA Webb recommended the Board not sign the agreement today. The Board noted minor suggestions and asked that Chief Bernier, Fire Chief Peter Varney and Deputy Fire Chief K. J. Lockwood also review it. Selectman Bickford noted the agreement calls for 12 months notice to terminate the agreement, rather than the 90 days called for in the agreement with Lakes Region Dispatch Services.

Purchase Orders - **Motion by Chair Jarvis to approve purchase order #0177 with International Salt Company in the amount of \$80,000, reflecting 1,500 tons of winter salt with a unit price of \$61.83 per ton; second by Selectman Bickford. 3-0.**

Motion by Selectman Bickford to approve purchase order #0716 with Freightliner of New Hampshire in the amount of \$5,719.99 for the purchase of rear end gears; second by Chair Jarvis. 3-0.

Meeting Length – Chair Jarvis noted that the Board probably stopped being productive two hours before the adjournment of the last evening meeting. She said the Planning Board cuts off its evening meetings at 10:00 p.m. Selectman Bickford clarified that the Planning Board members sometimes agree to continue later, or, at least, finish the topic it is discussing. Recessing to finish at another time is another option. TA Webb said she was in favor of a time limit. She said it might keep discussions more focused. She pointed out that the Board is making important decisions for the Town. Selectman Bickford was in agreement of setting a limit of 10:00 p.m. or allowing TA Webb to leave at that point.

Retention of Closed Files – The Mitchell Municipal Group, P.A. offered the Town the choice of having seven year-old closed files destroyed or sent to the Town for storage.

Motion by Selectman Bickford to take possession of sealed files from the Mitchell Municipal Group, P.A.; second by Selectman Kratovil. 3-0.

Motion by Chair Jarvis to authorize the chairperson to sign for the sealed files from the Mitchell Municipal Group, P.A.: second by Selectman Kratovil. 3-0.

11. Appointments

The Board met with Regional Network Coordinator Jessica Blais and Brenda Kummerer-Cyr of Lakes Region Partnership for Public Health, Inc. to discuss that agency's substance abuse prevention strategies. Ms. Blais said her area covers the Governor Wentworth School District, and she reported that a recent survey indicated Kingswood Middle School students are self-reporting a higher incidence of cigarette smoking, alcohol consumption, and marijuana use than in other schools in Carroll County.

Ms. Blais indicated a need to engage local government in efforts to curtail or delay onset of substance abuse. Outlining health impacts to athletes, helping students deal with stress, and stabilizing home life were discussed. Ms. Blais said her agency helps identify what resources exist for communities, looks at strategies and determines costs, tries to link communities with a funder, and outlines what each sector can implement in a strategic plan.

12. Approval of Minutes

Motion by Chair Jarvis to approve the minutes of the budget meeting of December 28, 2011, as amended; second by Selectman Bickford. 3-0.

Motion by Chair Jarvis to approve the minutes of the budget meeting of January 5, 2012, as amended and with Town Administrator Alison Webb's addition of the time of adjournment; second by Selectman Kratovil. 3-0.

Motion by Selectman Kratovil to approve the minutes of the public and non-public morning meeting of January 9, 2012, as amended; second by Selectman Bickford. 3-0.

Motion by Selectman Kratovil to approve the minutes of the evening business meeting of January 9, 2012; second by Selectman Bickford. 3-0.

13. Schedule Next Meetings

The Board scheduled its next meeting for February 6, 2012 at 7:00 p.m. at Town Hall. Chair Jarvis said February 20, 2012 was a holiday. The warrant call-in will be February 27, 2012 at 7:00 p.m. at Town Hall. TA Webb said the budget and warrant are posted on the Town's website and added that the public can look through the budget book at Town Hall. Chair Jarvis said all budget meetings have been broadcast and are available on DVD. The Board discussed posting budgeting information online.

14. Any Other Business

SB-2 – Selectman Bickford asked if there was any interest in the Town becoming what is colloquially referred to as an SB-2 town. Under that form of government, which is what the school district operates under, the Town would hold a deliberate session where amendments to articles could be made, with ballot voting to follow. Chair Jarvis pointed out that few people attend the deliberative session the school

district holds. Selectman Bickford said more people vote under that system. Chair Jarvis said there was the chance of the voters being uninformed under SB-2. Selectman Kratovil said the purpose is to serve the majority, and if few people attend the deliberative session, then SB-2 would not serve the purpose.

Mary McHale recommended holding Town Meeting on a Saturday, offering childcare, so more people could attend.

Budget – Selectman Kratovil said he did not feel the sheriff's department could cover for the police department, as those officers basically deliver divorce notices, transport prisoners, and manage jails. Chair Jarvis said sheriff department patrol officers also have local law enforcement expertise, and are probably paid approximately \$20.00 per hour.

Selectman Bickford presented up-to-date information on the Barnstead/Belknap County Sheriff's Department situation, saying that Barnstead hired MRI to revisit the proposal of using the sheriff's department rather than a police department. Currently, Barnstead's costs for its police department are \$500,000 and the sheriff indicated he could provide services for less.

Selectman Bickford said New Durham's police budget is \$580,000. He said a town can contract with the sheriff's department or the state police in lieu of its own department. He said many towns in Maine have done away with their police departments. He said the small town of Albany, NH spent \$10,000 to contract with the sheriff's department. He said New Durham now contracts with the sheriff's department to do dispatch service and prosecution. Selectman Kratovil said the day-to-day work done by the police department differs from the sheriff's department. Chair Jarvis said sheriff department's expertise vary county by county. Selectman Bickford said a town can get what it wants from a sheriff's department.

Probations – Selectman Bickford wanted to know how probation and department head evaluations were being tracked.

15. Second Non-public Session

Motion by Selectman Bickford at 5:50 p.m. to enter non-public session under RSA 91-A:3 II (c); second by Selectman Kratovil. A roll call vote was taken. Jarvis – aye, Bickford – aye, Kratovil – aye.

Motion by Selectman Bickford to seal the non-public minutes; second by Selectman Kratovil. Jarvis – nay, Bickford – aye, Kratovil – aye. The motion carried.

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

16. Adjournment

Motion by Chair Jarvis at 6:42 p.m. to adjourn; second by Selectman Bickford. 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.