

SELECTMEN'S MEETING MINUTES

August 3, 2011 -- **APPROVED**

Present: Patricia Lang Barry (PLB), Samuel Seppala (SS), Jed Brummer (JB), Carlotta Pini (CLP)

The meeting was called to order at 6:00pm.

CITIZENS' FORUM

Mike Cloutier talked last time re: the circuit breaker in the Fire Station that melted, indicating that the load was too great, so they've taken the exhaust system out of service and the load is okay for now. Rickard Donovan, our Fire Chief, is a licensed electrician and can keep things safe. He's evaluating whether we should go with three-phase power and what type of service we need and what service we have. He's come to the conclusion that three-phase may not be appropriate since our generator may not be able to handle it. He anticipates advertising the RFP next week. So, the situation is less than ideal since the Fire House is not able to use all the equipment they need, but it's temporary.

John Kauer (JK): We understood that the bus bars are melting, the smell of ozone and sparks are coming from the box, and melted wires were found in the walls.

CLP: The melted wires found in the walls were found several months ago when construction was being done, which indicate that the wiring needs to be updated. It is being updated piecemeal as time and budget allows. There are not sparks flying out of the box but there are melting wires in the box. My understanding is that by managing the loads, we can work with it. I understand what John's saying: there is a level of urgency here, but we do have time to put this project out to bid. If the Fire Chief thought there was imminent danger, he would have a fire detail 24/7, and he has not taken that step.

JK: So is it as dire as the Fire Chief made it sound?

PLB: It's as necessary as Rick made it sound but not as urgent. We have some time.

The venting system is shut down/melted down so that during maintenance of the engines there is no venting other than opening the door.

Kork Little: These are diesel vehicles which need to idle awhile before they're moved; the fumes sit there even with the doors open if there's no breeze.

JK: Where is the money coming from?

CLP: We don't know exactly, but we are looking at the public facilities impact fees -- \$15,000-\$16,000.

JK: Unused cruiser funds: There are roughly \$16,000 in potential unused wages, but what's the cruiser fund?

CLP: The \$75 cruiser fee goes into the detail fund. Those can be used for maintenance of the vehicles. In prior years, we have cut the budget for cruiser maintenance and we have discussed tapping into those funds if necessary. When Helene returns, we'll ask for a good sense of what that surplus is.

JK: In Peterborough and Jaffrey, they were laying fiber cable on Rte. 202 with cones, off the road. Why did they have to have a police detail in Rindge when they didn't in Peterborough and Jaffrey?

Sgt. Morrill: There were three different companies that came in to run fiber. There were many instances where Jaffrey officers were able to assist, and the same for Peterborough, and many days when they had two officers and two flaggers. These companies that laid the cable contacted all three towns and made a decision based on the location whether they needed flaggers or officers. Some towns couldn't offer their police and some places they weren't needed.

Police Chief Mike Sielicki (MS): 99% of the time, if they can get off the road, we don't require being there. Dan Anair: Sometimes they'll have five jobs in the same town, and they hire us for a block of time for several different jobs, so we'll be here and there on some roads we normally wouldn't be covering.

JK: Local Government Center: do we use them for anything?

CLP: Yes, we do. We are members and use the services (which are free). We also purchase our dental, life insurance, and disability insurance through them.

JK: Re: the sign flashing about sobriety, is that an appropriate use of that sign?

CLP: I asked the Planning Board re: appropriate uses for that sign and received a memo from both the Planning Board and the Code Enforcement Officer on that topic. I have not yet had meetings with the Fire Chief, Planning Board, Code Enforcement Officer, or Department of Public Works Director, but my intention is to put it on the Agenda for our next meeting because the Planning Board will be there as well. Let's find out what our ordinance allows it to be used for.

MS: We are required to advertise the sobriety checkpoint initiative locally – to get the word out that from August to September, the Rindge PD will be conducting sobriety checks. It's part of the grant and is required by federal law. It's not a sign; it's a message board.

JB: Why did you advertise where it will be?

MS: We didn't; *The Monadnock Ledger* went to the Court to find out where it was going to be and published it.

JK: The Planning Board didn't want to overuse it because no one would pay attention. Their idea was to use it for safety and town events.

PLB: They did say they would leave it to the discretion of the Chiefs re: what messages were considered to be about safety. The majority of the discussion revolved around using the sign for events.

MS: Rick's working on a policy for this.

The discussion then moved on to General Business: Meetinghouse due to Dick Isaacson's time constraints. The meeting will resume the Citizens' Forum afterwards.

GENERAL BUSINESS

Meetinghouse Bell Tower Project:

CLP: We received two bids: one from West Rindge Builders (WRB) and one from Cobb Hill. Packets were sent to 12 companies. The low bid came from WRB: \$59,000+ add-ons including a 5% contractors fee. The bid includes some alternates (materials, etc.) and the Committee is suggesting that we go with the suggestions of WRB. Even if you total the add-ons and the base bid together, we're still under budget.

I did run this proposal by the folks at LCHIP and there has been some communication about the PVC trim, but I would recommend that the Board make any approval conditional with LCHIP's approval of the project. We have received LCHIP funding in the past and would like to in the future.

WRB (Bill Harper): We have used PVC on other historic structures. So, even if we replaced it with new wood, then we would strip that piece and make a piece to match--if you can run wood through a molding machine, you can run PVC through, and we haven't had any issues with it. They have accepted this in the past. They would want to see pictures first, and then maybe pieces so we would send them samples. The lowest work at the ground is 45 feet. It starts at the second floor roof level.

PLB: What's the total amount of time the project would take? WRB: First, the engineer comes and tells us what he would like to see happen. After that, probably six weeks.

The RFP says the project will be done by October, but WRB doesn't know whether that time frame is realistic.

JB: Motioned to recommend that WRB do the work on the Meetinghouse bell tower. SS seconded, all in favor.

JK: Vinyl has an expected lifespan of 25 years, though I don't know about PVC. It gets so brittle it shatters. WRB: Vinyl and PVC are two different things. The PVC will have

two coats of Sherwin Williams Duration on it and it will not be exposed. It was not meant to be left bare and it won't be. It won't deteriorate like a vinyl product.

WRB: Is there a reason for the cost overrun? That's the reason for the engineer's report. If the project needs to change because there's massive structural damage, you would have to change the scope to keep within your budget.

PLB: Do you want to modify your scope to be pursuant to the engineer's report? SS: WRB's bid puts in \$5,000 for structural repairs. WRB: After the engineer's report, I will give you a line item on the structural repairs.

Now, back to the Citizens Forum:

CITIZENS' FORUM (continued)

MS: In response to the question about how many diesel trucks we have, we have seven. Sgt Morrill: In the cold weather, after you shut the doors when the trucks leave, you have this cloud of diesel that flows upstairs and it's hard to breathe. The venting system creates a vacuum and sucks the diesel fumes right out. Without it, it's tough.

APPROVAL OF MINUTES

PLB: Approval of minutes is next. SS: Motioned to accept May 4th and July 20th minutes. JB seconded and everyone was in favor.

GENERAL BUSINESS (continued)

Police Detail Ordinance:

CLP: The draft ordinance has been revised so you can see what has been changed since our last discussion, and I think it's narrowed down to primary areas that the Board needs to take a position on. Our goal would be to pretty much finalize this tonight and plan for a public hearing on the rate, which we would need to publicize seven days in advance, so we would plan that for our meeting on the 17th and wrap this up then.

CLP: We'll attach the RSA and DOT guidelines as appendices so they're part of the ordinance. So, the Chief will decide whether a detail is necessary and what type is appropriate. In that decision, he will reference the work zone guidelines. So we want to have consensus there: does the Board think that incorporating the DOT flagger and uniformed officer guidelines is valuable or not? That was the recommendation of the committee.

Section 3.2 talks about events: the statute says the Chief has authority to oversee.

Section 3.3 talks about rotation. This is the third area the Board needs to make a decision. We had a discussion about this last meeting. Now, the Chief is not in the rotation but

could do details if other officers are not available. The issue of whether there's a conflict of interest is one we've struggled with. The Ethics Committee was formed a number of years ago but they've never met. I asked whether they would like to meet about this. My thought is that if the Chief wasn't in the rotation and he was a backup, it would address both the conflict of interest issue (now, when he's making the decision he doesn't know if it will financially benefit him or not) and, two, it addresses the staffing issue (e.g., if the Chief isn't available it might hurt the Dept.).

MS: We don't know when the state standard will change. CLP: Actually, we do –Nicki at DOT said there will be no substantive changes to that section. The changes that will be made will be minor, editorial and not substantive.

MS: I have the ability to say no to a detail now, but in the DOT there's no exception for using flaggers or officers. If we have to use this DOT policy as a reference, it doesn't allow me to tell these companies that they don't need an officer or a flagger. Secondly, regarding the issue of me coming out of the detail rotation, there is neither misuse nor a perception of me being able to line my pockets with it. Frank and Danny oversee this. I don't know half the time whether I'll be called for a detail or not. So there is no perception issue. We established the rotation policy to make it fair and if it continues this same way, there is no issue. It's been followed and if you see by the hours, I'm fifth or sixth in the earnings. And I won't be able to make even that money if you take me out of that rotation. Danny and Frank manage it, I oversee it, and if there are any issues, I make the final decision. To take me out of this is to single me out and is totally unfair.

CLP: The language in Section 3.1 makes it clear: The Chief of Police shall decide whether traffic control is appropriate and what kind is appropriate: First, he decides whether it's needed and if so, he goes to the guidelines to determine whether a flagger or a uniformed officer is needed.

SS: I disagree with you, Chief. I think you should reference the DOT guidelines.

MS: But DOT will require either a flagger or an officer.

CLP: Our local ordinance is giving you the option.

MS: It's a conflict.

CLP: Not really, because you're the one who says yes or no.

SS: My recommendation would be to leave the DOT guidelines in there. You still have the right to decide.

JB: You can override that because you're in charge of the safety.

MS: DOT only gives option for flagger or officer

SS: Are you saying that you always have to have one or the other? We don't want to pay for details unless it's a safety issue.

MS: I would like it to say in there, "In certain circumstances, no officer or flagger is needed."

PLB: You can use the guidelines after you make your decision; they're second-tier guidelines.

CLP: The second matter is the rotation. Chief says Dan Anair (DA) and Frank Morrill (FM) are managing the decision-making on a day-to-day basis. Once this policy is adopted, the Chief will need to take a hands-on role—he'll need to make a decision whether a detail is needed or not and, two, decide whether it's a flagger or officer. My understanding is that Dan and Frank have a list of roads and say, "Yes, that road needs a detail" and then look at the rotation. I think it's been working but this will be different so the Chief will need to be involved in the decision-making. He's the one responsible for that decision. For that reason, I do see the conflict. This will be different. The Chief says there is no conflict because Dan and Frank are making the decision.

MS: No, I want them to use the roads we normally need details on and Dan and Frank decide whether there's a detail or not.

PLB: But that's not going to be the process. It's clear that if you're in the rotation, whoever is putting together the rotation can't benefit from the rotation.

DA: If I get the call for a detail, then I can't do the rotation, etc. We get accident calls, etc. all the time.

FM: If there's a detail call for a utility and we're not there, the call will go into the duty officer, and the senior officer on duty will assess whether a detail officer will be available and he knows who last worked and is next up. So that senior officer would be in the position of filling the detail himself.

MS: Our policy has worked, so to say there's a perception issue is ridiculous. It's been done fairly and managed properly and I don't see how things are going to change.

SS: I disagree; there has been a perception of impropriety. But now that you've explained how this works, I don't see any problem with this and with the Chief doing this. Either you trust him or you don't.

PLB: Do you think it would help to further eliminate the perception of conflict if that piece of it were worded differently to reflect that it's not just the Chief deciding the rotation. The policy has to be looked at in a vacuum in the sense that no matter who has the position, if something changes, the system works regardless of the individuals involved. So if what you're doing right now is working and the Board feels it's equitable, then the Policy should be written to reflect that.

Kim: from what I'm hearing, the decision whether a detail is needed or not is with the Chief and then it's decided who does the detail.

MS: We work with the contractors to decide whether a detail is needed.

Kim: I think that part is clear. Whoever calls in, you decide by procedure. But the procedure for choosing who is doing it is by the rotation – the rumblings may be due to a

lack of understanding of how the rotation is decided. It sounds as though things are delineated between the decision itself and then deciding who gets to do the detail.

The Chief will get us a copy of the verbiage to change.

In terms of the exemptions: Section 5.1: When the Town of Rindge is performing construction on its own streets, that's exempt from this ordinance. I think we have a solution thanks to John Kauer. At the end of our last meeting, John had suggested that we pay for the detail during the light conversions out of the police detail fund surplus (formerly \$5.00/hour) which has been accumulating for years now. So not only can we pay the \$1,500 for the street light conversion but we can pay for the coverage of the paving projects out of that and Mike Cloutier, DPW Director, won't have to find money to pay flaggers out of his own budget.

DA: What will happen when the money runs out?

CLP: Our plan is to develop a new rate to ensure the continuation of that surplus going forward.

MS: We will adjust the rate to cover our costs.

DA: We're seeing a trend that details are quickly decreasing, and if we do a \$40/hour rate and if we're making \$1.19 at that rate right now....

CLP: We also have the cruiser fee – the cruiser fee and detail fees go into the same fund and can all be used for the purposes associated with details. The Chief has accounted for that separately. There's no dollar-for-dollar requirement.

JB: Most towns have a budget for overtime. CLP: we will cross that bridge when we come to it.

FM: I'm not entirely sure that the purpose of that account was to fund other town details. We may need to bring that before the voters. CLP: We've discussed that and believe the language does allow for this. It doesn't say "only outside details."

MS: we've also been trying to refine the numbers and will consult with Helene when she returns. CLP: Our thought was to do that on the paving projects as well as the town events. Section 5.2 deals with the events put on by nonprofit and civic groups which are deemed to enhance the Town's sense of community.

MS: The idea is to have events to come in and tell us what their plans are.

CLP: The way this is written, those groups and events would pay for a FT officer at the overtime rate, not the detail rate, or a PT officer if no FT officer was available. So there could be some cost savings for these groups.

Pat Martin: I'm concerned that when you have a nonprofit that's working hard for charitable organizations, the amount of profit is not huge. The Common on Main Street is almost like a private park and seems like a perfect opportunity for non-profit events. At the Jaffrey Riverfest, there was no detail. It's a busy street, but they just closed it off. Our Police Station is right by the Common too. Can't there be some way so there's not this

anxiety—the Harvest Fair and Craft Fair have been scaled way back because people have said we just can't afford a police detail.

MS: We've never required them to have a detail. Their options are to have a detail, block off the Common, or not have a detail. Most of the time, we had a duty officer there. We have to tell them what the policy is, but we've never required them to have a detail.

Pat Martin: I don't think that's what the perception is. MS: No, we've never required them to have a detail.

Linda Tower: At the meeting for the Harvest Fair—MS gave us the option of either having a detail or an officer on the common. You only gave us those two options and we've scaled back our operation because of it.

Pat Martin: Word gets around fast and everyone gets discouraged. The Common is really not an option for us anymore. I wonder if there's a way that you could block traffic between the Meetinghouse and the Common and let traffic go around the other way. A person in a wheelchair had to be pushed from the transfer station to the Common—there has to be some way to let people get to the Fair, too. The Rindge Women's Club is not going to be able to rent golf carts. They can't park at the Church if you've blocked off that area.

DA: Part of that family festival problem was it was thrown together very quickly, within a month and a half; usually there's someone at each roadblock that can communicate with the others.

PLB: We should have some kind of template for a variety of scenarios and groups so you can pick from the menu—e.g., go with Option A.... “These are the different setups, and which ones are going to work for your group?”

CLP: We could specifically address events on the Common. In the past, we blocked off Smith Drive and had complaints. So we could put down what we've done in the past for certain groups.

Pat Martin: The main issue would be crossing from the Common to the Meetinghouse.

MS: It's best to keep cars and people separated; the more we can block off, the better.

PLB: We can make copies for the groups that consistently hold events.

Pat Martin: The less manpower needed, the better.

CLP: So the missing piece here is the rate. I got another memo from the Retirement Board and they're changing the rates again, tomorrow. Which is a good thing. We want to make sure that this retirement rate is settled before we put forward a new rate. When we found we needed a public hearing with seven days' notice. I would suggest we take the consensus from tonight, have a rate that covers our costs, and bring it to our meeting the 17th for approval.

PLB: Would there be a benefit, since the detail opportunities have dwindled drastically from last year, to taking the average of the last two years? We now have details for 2009, 2010, 2011. Look at the cost of the in-town details we're seeking to fund and do a cost comparison of what we need to cover those costs and divide it by the number of hours.

CLP: The Chief and I figured we'd need 790 hours of details to cover the costs, and then there are cruiser repairs.

Pat Martin: I think we should go back further: you saw stimulus money in 2008, so maybe you want to go back further.

CLP: I hear what Pat's saying but we figured "x" hours for paving, "x" for 4th of July.

MS: Asplundh is doing their 5 and 10 year cuts so when they're done, we won't see that again for awhile.

Kim: Are Town roads exempt from detail?

PLB: It would be paid for out of the surplus accumulating from the revolving fund.

Kim: Robbins Road—you can't see on some parts of the road.

JK: At our current rate, we are covering our costs except for \$1.19 per hour.

FM: The Town will have to go to another level. The details we had in Keene to redo the sewage under Obama's stimulus won't need to be redone for a hundred years.

CLP: We can track details now through payroll. I think we have a consensus on this draft.

MS: Hillsboro Ford has a cruiser we have \$21,561 and hopefully they'll give us trade-in. Laconia Ford was \$23,000+, Stoneham Ford, \$23,000+, Central Dodge had a six cylinder 2011 for \$25,349 and the V-8 is \$26,234. The Ford cruisers are leftover 2011s. If we get 2012 models, the price jumps dramatically because side airbags are required.

It will cost roughly \$2,647 to change the equipment over and we'll come under budget by \$800. My recommendation is to go with the state bid of \$21,000+. The changeover would be more since our racks won't fit in the Dodge.

SS motioned to purchase a cruiser from Hillsboro Ford in accordance with Chief's recommendation. JB seconded and all were in favor.

JK: the taxi companies in Manhattan will pay us for spare parts.

MS: Hillsboro Ford will do that. The rear end is gone in our car. It will be a chore to drive it anywhere. The deductible was \$1,000 for rear-end damage. We switched fenders and lights off one car and put it on another so as not to pay the deductible.

FM: They rotated their cars and put them out in sealed bids. If it was a good car, they'd get \$8-9,000 and if it's a lousy car it will be \$4-5,000. But we keep our cars till they're about 200,000 miles so they're virtually worthless.

Young Barn Permit Application:

CLP: This involves the 40-foot two story barn on Hubbard Hill Road. The practice has been not to issue permits for accessory buildings (like barns) where there is no primary building. In this case, they're recommending that we do issue the permit because the woman whose property we took by tax deed before is building this barn to house her ducks. Then, she wants to build a house for herself on that parcel later. This woman shows her ducks at the Ohio State Fair.

It's been problematic to issue permits to dwellings such as garages when the people never build houses to live in afterwards.

JB motioned that we approve the application to build a barn on Hubbard Hill, SS seconded, and all were in favor.

Payroll and A/P manifest: A motion was made and seconded to approve both manifests, and all were in favor.

TOWN ADMINISTRATOR'S REPORT

Ongoing Business:

People may be wondering what happened with the *Rindge Connection*: The Chamber of Commerce has withdrawn from participation but the Town and University are having ongoing discussions about keeping it going. Originally we were shooting for a September publication but it's looking like it might be October. At this point, we're looking at a revised format that is less expensive to put out. We've gotten some prices for printing it like the *Pierce Arrow*, in that format, which is much less expensive. We had a really good meeting today with University representatives and are looking forward to working on this together. The *Connection* was being published bi-monthly.

CLP sent email: We were supposed to have a meeting at Atlantic Ave but we cancelled the meeting. At our next Selectmen's meeting on the 17th we'll take up the question of whether the Board of Selectmen intends to hold a public hearing on acceptance of Atlantic Drive and, if so, we would convene the Road Advisory Committee.

CLP: Visited Payson Village today with reps from FastRoads and Teevo, and SW Community Services seem willing to locate some equipment there that we don't have room for here that will help with the FastRoads projects. While I was there, they mentioned that they still have six apartments that are definitely available, so keep spreading the word because they are still accepting applications. May put this on Facebook.

CLP: We've been storing police records and evidence at the Parsonage along with the Fire Department's boat and Skidoo and assorted other things. The Church has decided to sell the Parsonage and we've been given 60-days' notice to get the stuff out. We've been

getting quotes, and MS got quotes for storage, but there's no money in the budget. So we've been exploring storage in this building (the Town Office), and we think we have a solution. The room downstairs where Rick had his office currently only houses file cabinets and a table which could relocate to the other part of the basement. I think with shelving, etc. it could fit in that room.

CLP: A couple of our dept heads have been out on vacation but other than that, things are going very smoothly.

PLB: There was a recommendation to the BOS to revitalize the CIP with a new mission or to reclarify the mission to the CIP and have their focus be a big picture view/master plan of the Town rather than what's perceived to be an itemized list of needs that was the result of the Dept. heads' budgets. We can put together a CIP plan that is more comprehensive and can better articulate to the public why funds need to be set aside this year because it will affect not just the DPW but our ability to do many things down the road, short-and-long-term.

CLP: If we put all this on the agenda for the 17th and invite the members of the CIP committee serving in the past, would that be a good opportunity to communicate this? The consensus was that the membership should be looked at with a fresh eye, asking who should be on the committee and go from there. The success of this committee will require strong leadership, taking the bull by the horns and going to the BAC to share that vision with them so that, come Deliberative Session, people will be sort of on the same page and not at odds with each other. Communications, salesmanship will ultimately make the difference and who can take that and run with it?

Kim: It's recommended that BOS and CLP review those documents so you know what the CIP process should be—because what it should be is very different than what it has been. And that will have to be communicated very clearly.

JB: It will take clear leadership to communicate that and sell it—it will take the right person.

CLP: I think the original idea of returning the process to the Planning Board is that the PB is a group of elected group of individuals that the Townspeople hold in high regard and respect. The thought was that maybe that group would be most effective in communicating that vision.

PLB: That group, though is so understaffed right now, where would those hours come from? CLP: We'll need to brainstorm that.

Finally, you have some documents: one is a letter we received from the Cheshire County Commissioners relative to their budget and financial situation and there was an article in the Keene Sentinel regarding that.

You'll also find that the LGC is seeking nominations for its annual Volunteer of the Year award. Also, there is information re the CBBG grant which is being closed out, so you can read those at your leisure. And we'll be taking up the sign board at a later date.

That leaves us with the non-public agenda.

Kim; I received the email listing the meetings for the month—that was helpful, and it would be great if you could also publicize when the DPW is going to do work and where (i.e., “Just FYI, be aware that this is taking place on these roads and plan accordingly.”).

CLP: We can give notice on the paving projects because they're ours; the other ones, we'll see.

PUBLIC MEETING ADJOURNED / BEGINNING OF NON-PUBLIC SESSION

Minutes respectfully submitted by Linda Stonehill, Administrative Assistant to the Town of Rindge.