



**Selectmen's Meeting
Town Office
Wednesday, April 18, 2012**

Present: Jed Brummer, Chair; Samuel Seppala, Roberta Oeser

APPROVED Minutes

5:00pm Non-Public Session per RSA 91-A:3, II (a)

6:00pm Call to Order / Pledge of Allegiance

CITIZEN'S FORUM

Jed: The resignation of our Police Chief transpired in the nonpublic meeting just before this. The Chief will finish June 2nd, and serving in his place as Acting Chief for six months will be Sergeant Frank Morrill, and we'll look forward to working with him in that capacity. Detective Dan Anair will be moving up while retaining the responsibilities of Detective. That is in place as of a few minutes ago. The Chief has experienced some personal setbacks in that his friend in Greenland just passed away.

John Kauer has some questions. How many full-time officers do we have? Eight minus one who left (or six without the Chief). John: Going back to the budget season, what about the suggestion that non-training items for the Fire Department be moved? Carlotta: The Fire Dept. budget has several wage-related line items: the wages of the Chief, the Firefighter/EMT, the Admin. Asst., the volunteer call wages (for those firefighters responding), reporting done after a call, and wages for volunteer training. That line item is predominantly for when call members are attending training sessions to maintain their certification. I think the question is whether volunteer member tasks such as cleaning the trucks and maintaining the building are paid for out of the wages line item. Fire Chief Rick Donovan: That line item should really be called "Training and Activities" – it's like a couple of years ago when the physical fitness, health, and welfare line used to be called "Vaccinations." There is no line item for activities other than that. Carlotta: I could ask Ellen to change the name on that account number. John: Tom Coneys is moving money out of "training" for oil changes and brake jobs and I don't want him to get criticized. Carlotta: I don't think I'd recommend adding line items – the whole idea is to be able to track things, so we'll change the name of the line item to "Training and Activities." Fire Chief: I've spelled out in the detailed budget what every dime is for.

Jed: The *Union Leader* reported that the Select Board approved \$165,000 for adjustments but they're over by \$119,000. There will also be a retraction in the *Monadnock Ledger-Transcript*.

John: How many miles are we paving this year? Jed: We're paving Mountain Road, for one. Carlotta: It will ultimately depend on the price of asphalt we get. Mike has put out to bid a number of tons plus or minus so, depending on the pricing he gets, he can adjust the paving.

John: Did the Police Dept. consultants finish? Carlotta: I did get a letter from the gentleman we contracted with. His work stopped when he learned that an associate in his firm applied for the same job our Chief applied for and he was concerned about a conflict of interest--it could be perceived that his study of the Rindge Police Department would put our Chief at a disadvantage and he couldn't risk that because of his professional reputation. He apologized but felt that it was best if he step out of the process. In the meantime, he had reviewed the policies of our Police Department so we did get a certain amount of information yet didn't pay anything.

John: The DPW exhaust? Carlotta: Mike has met with three vendors to show them the garage and we've received one proposal to date – it's something that's not been forgotten and we're actively pursuing that. It may or may not be a doable project for this year depending on the numbers. The whole idea of bringing it forward is to let the workers know that their safety needs are important and the Town is going to address them. John: I can't believe that this issue is not going to be dealt with this year. Carlotta: We are taking interim steps to mitigate the situation: we need to use fans and other means to ventilate the building.

John: Do we have a Deputy Treasurer? Carlotta: The Board appointed Deb Qualey to be the Deputy Treasurer subject to a satisfactory background investigation and, nothing to do with Deb, but the fingerprints were returned two or three times and we just barely got the letter back saying she was all clear. Her term ran out and she needs to be reappointed by this Board as Deputy Treasurer through the end of Helene's term, which is 2014.

MOTION: Jed motioned to appoint Deb Qualey as Deputy Treasurer for a term ending on March 31, 2014, Sam seconded, and all were in favor.

Tom Coffey: Since that new fire alarm's been up there, has there been any testing or determining the number of blows for a fire or emergency of some kind? Fire Chief Rick Donovan: It's still being installed – we're still working on the line going to the roof. The old one was in the doorway and we moved everything to the back side of the building. We had to stop the installation because we had to meet the timeline on finishing the lighting project. It should be done soon.

Sergeant Frank Morrill: I have a letter from the Assistant Dean of Campus Safety at FPU. It's routine – on May 11th, FPU is having a bonfire and wants the Town to waive the open container requirement. On May 12th, they want to re-route traffic for the graduation ceremony. It usually seems to work very well. Jed: We've approved this the last several years.

MOTION: Roberta motioned to make Mountain Road and University Drive one way on May 12th for the graduation, Sam seconded, and all were in favor.

MOTION: Roberta motioned to waive the container law for the bonfire on May 11th, Jed seconded, and Sam was opposed.

MOTION: Sam motioned to accept the meetings of the March 21st meeting, Roberta seconded, and all were in favor.

MOTION: Sam motioned to accept the payroll manifest, Roberta seconded, and all were in favor.

MOTION: Sam motioned to accept the accounts payable manifests, Jed seconded, and all were in favor.

GENERAL BUSINESS

Rindge Veterans Association & the Chamber of Commerce: Memorial Day and Family Fun Day:

The Chamber had a good meeting with the Governor. Annette of the Chamber was interviewed by WBIN – a channel out of Boston and Manchester – and they also had a photo taken. Annette: The reason I'm here is we're starting our planning for 4th of July – it's still considered a Town event, and we'll be looking at traffic flow as we did last year. Jed: So we have to vote to officially make this a Town event? Carlotta: I think it's important for the Town to officially sanction the Memorial Day and July 4th events so it's clear who's responsible. The Town is saying that these are important events and we're willing to take on the risks. I do think there are ways to mitigate the risks, and I was at a workshop this morning by Primex, our insurance carrier, that showed how to make sure the Town is as protected as possible. Annette: My other question is to confirm the amount in the present budget earmarked for the 4th of July? Jed: It's \$1,500. Pat Martin: This year Edwin Seppala, Jennie Aho's dad, will be the Grand Marshall, and Hannaford's has already agreed to donate the picnic.

John: If it's a Town event, then details get paid out of the detail surplus? Frank: Yes.

Town Clerk and Tax Collector Deputies

Carlotta: This has been an ongoing discussion for the past couple of years, and I'm trying to bring it to a head. I've met with Nancy and Carol on a few occasions and I've heard their thoughts on being each other's deputy. Nancy is willing to be Carol's Deputy Tax Collector and I'm asking that the Board appoint Nancy as the Deputy Tax Collector through Carol's term of March 31, 2014.

MOTION: Roberta motioned to appoint Nancy as Deputy Tax Collector through March 31, 2014, Sam seconded, and all were in favor.

Carlotta: Carol has asked us to hold a nonpublic session for related issues. Nancy will process residents' tax payments if Carol's on vacation, so that's taken care of. Nancy: As far as having a Deputy Town Clerk, I put together some numbers on how much it would cost to hire someone to cover for me. There are mandatory training courses in Concord (5days) and 3 days of MAP training, 1 day of municipal agent certification, and half a day of a privacy class. But my deputy is required to work with me 30 days prior to taking any courses. This is my estimation (Nancy distributed a document to the Selectmen). We collect \$800,000 in motor vehicle registrations, which is our largest source aside from tax payments. Roberta: If someone buys a new car, they have to be able to register it. And there's a revenue stream from marriage licenses, dog licenses, and boat registrations; about \$840,000 passes through Nancy's window. Jed: Carol, how much passes through your window? \$13 million. Jed: That's based on the assessed value of real estate in Rindge. That's almost \$100 million more than Jaffrey. That's why we're the second highest contributors to the County budget outside of Keene.

Fire Department Memorandum of Understanding (MOU) with Franklin Pierce University

Rick Donovan: This MOU governs how our Fire Department works in conjunction with the University and their student-run Fire Department. It's been through the insurance companies as well as the Town's attorney and University's attorney. Students work with us to be trained and can become full members of our Department if they pass the full certifications. It's a win-win situation – the students help us by reducing the amount of Town personnel time involved, and we provide them a training opportunity they might not otherwise have. This has been in place for several years, and the most significant change is that the University had a fire truck on campus that's been difficult for them to maintain. They're getting rid of that truck and we'll substitute it with one of ours so when a call comes in, our officers can go to the campus in a regular vehicle because the truck's already there. We have policies on how our truck will be operated and it will be under our control at all times. There will always be an officer from Rindge on that truck though students may accompany us. Having a truck on campus will save us engine storage space and fuel on running the truck back and forth. Roberta: We haven't gotten the new engine yet – is that what's going out there? Rick: No, old Engine 1 will go up there. The newer one will stay in our main building. The old Engine 2 will go out of service.

Tom Coney: Is there a training class at the college for this? Rick: We do offer a Firefighter 1 class every year. Tom: So the taxpayers are funding their education? Rick: No, the students pay us to get trained. The MOU came into place a few years ago because there was no authority to do what they were doing. So to meet the liabilities, we entered into this MOU with them. We're hoping there will be a fire program at FPU, and right now it's not costing the Town anything--they're responsible for their own finances and equipment. Tom: Do we give them uniforms? Rick: No, the University is supplying all that.

Tom Coffey: Are you saying that the pump you rebuilt is out of service now? Rick: Yes, that was a temporary fix – the main tank from the pump rotted out—the truck's 23 years old. Roberta: We're taking off the pump we spent all the money on and keeping that. It can go on the hose truck, so it wasn't money wasted.

MOTION: Roberta motioned to finalize the MOU between Franklin Pierce University and the Fire Department, Sam seconded, and all were in favor.

Jed: The finalization of this MOU is a credit to Rick's management of the Fire Dept. over the years. It might save money for the Town of Rindge since we respond to FPU as often as we do—sometimes a dozen times a week. The MOU will reduce the fire alarms probably 60%. We've reduced the alcohol-related calls probably 75% already.

Chief Donovan then addressed the Select Board about the new Engine: Rick: Rob Jackson, the Deputy Fire Chief, is here along with Ron Hebert from Lake Vehicle Fire apparatus. Rob: We chartered a committee headed by myself with several firefighters. By April 11th, we gave our Chief a recommendation to spend under \$350,000 for a new truck. We had an extensive spec sheet with approximately 100 criteria. We sent the specifications to six firms and asked them to respond with written quotes, and we received five, but not all met the specifications or cost targets. HME was the only one to meet all of them. The committee considered cost, warranty, and service, the committee members visually inspected the trucks, and the owners of the trucks were interviewed. The truck would be serviced under the warranty in Tamworth, NH and they have a mobile service truck for less comprehensive repairs. The committee recommends that we lease this new truck as quoted for \$332,950. The truck is ready for inspection but options have to be added to meet our specs. The truck will be delivered around the first week in June. That leaves \$17,000 to get it into service. To save money, we'll be transferring equipment from Engine 2 to the new truck.

MOTION: Sam motioned to go ahead with the Committee's recommendation for the new Fire Engine at a price of \$332,950 plus \$17,050 to put it into service for a total of \$350,000, and he authorized Carlotta to sign the Sales Agreement, Roberta seconded, and all were in favor.

Carlotta: The first payment would be the \$76,000 authorized by the voters at the Town Meeting. Roberta: The lease was calculated on the \$350,000 and the sales agreement might want to reflect that. The warrant article said the price would be \$350,000 and the other payments for the five-year lease would be approximately \$76,000 as well, but that would depend on the interest rate which we didn't know when the warrant article was prepared. We got a good 2.796% rate, which is actually lower, so it will come close but won't be exact.

Committee Appointments

- The Personnel Committee developed a vacancy when Janet Goodrich resigned. Kathy John had served as an alternate on the Conservation Commission but has indicated she would not continue, so I would recommend that the Board appoint Kathy John to the Personnel Committee through March 31, 2013.

MOTION – Jed motioned to appoint Kathy John to Personnel Committee, Sam seconded, and all were in favor.

- Meeting House Oversight – Sam served as Board liaison last year and would like to continue. Carlotta: We have a standing committee meeting on the third Tuesday of the month at 10:00am and hope to see Sam at the May meeting.

Indemnification of Employees –

Towns must by statute indemnify employees against any claims of civil rights violations. The Board can vote to indemnify employees against negligence within the scope of someone's employment. What is the risk that the Town could be faced with in doing this? Town Attorney Gary Kinyon recommended we check with our insurance agent to see what's covered. I spoke with a couple of the claims reps and their staff attorney, and this is a 100-year flood scenario--when a claim is made against an employee of the Town and the insurance coverage is capped but the claim is for an amount higher than the cap. No one there could think of an instance when it had occurred. John Kauer: What is the cap? Carlotta: It sounds like there are different caps for different types of lawsuits. If an employee is working with good faith in the scope of their employment, then our insurance would cover that. This statute provides assurance to the employees that they should continue their work without being personally liable, and we already have this coverage.

MOTION: Sam motioned that we adopt the provisions of RSA:31:105 to indemnify the employees, Roberta seconded, and all were in favor.

Ongoing business:

Policy development and updates: We've been updating some of the Town's policies such as the procurement policy and looking at policies in the Employee Handbook. One thing I've been thinking about is the idea of adopting a media relations policy. I think this is something that has come to light recently because, in preparing their stories, the press called me, then members of the Board, then Department Heads, etc. and I think there's value in having a policy that clearly states who the spokesman is on various issues. I managed to find a model policy from the Town of Windham and know the Fire Dept. has a policy, so I wanted to bring this up and review a model policy perhaps at an upcoming meeting.

Jed: I think it's a good point, and other towns have policies on who's going to be the spokesperson. It certainly would help to get clearer messages to everyone in Town—whenever you have three or four persons telling the same story, it's not going to come out exactly the same. Employees have the right to speak as private citizens but, in instances where the press is contacting them, they're usually being contacted for an official comment. Carlotta: And I think that can be confusing to the public. The purpose of this policy is to ensure that what's being said is a position of the Town and not that of individuals. Sgt. Frank Morrill: Media relations in the Police Department are generally referred to the Chief unless they involve items in the daily log—provided they're not releasing information sensitive to an investigation. It's implied that if you speak on behalf of the Police Department you keep your personal opinions out of it. Roberta: None of us can speak on behalf of the Board. Kim McCummings: For Planning, it falls to the Planning Director to speak, and for the Board, it falls to the Chair. Elisa Benincaso: Every corporate entity I know has always had a spokesperson because someone could make a statement that defiles a person's reputation and causes the whole corporation to get sued. You have to make it clear when it's a personal opinion.

The new Planning Director, Matt Henry, is on board full-time now. He jumped into the Board meeting last night with both feet and said it went well. Also, the Zoning Board is planning to hear the appeal of the neighbors of the Hunt case on May 10th.

Trustees of the Trust Funds: Chair Ted Covert is on his way back to New Hampshire. The Trustees are scheduling meetings with their investment advisors and it's very interesting to hear how the Trustees are investing the funds and keeping them safe.

The Safety Committee reviewed the Safety Plan and is planning a second meeting. Jed is planning to be there and perhaps Sam, Roberta, and other folks would be interested in attending.

The Roadway Committee received a letter from Mr. VanDyke to ask that Monadnock View Road be accepted as a Town road – that will be on the agenda for the May 8th meeting. Mr. VanDyke said he would finish this road according to the Planning Board's specifications.

The Cemetery Trustees met the other day and they are putting together a grant application. They are applying for \$10,000 in preservation funds to repair headstones in the old cemetery. There's quite a bit of work that has to be done there, and Kaufholds came out to estimate the repairs.

March Expenditures and Revenues

We're on track with our receipts and spending.

Primex Annual Conference

Carlotta: Primex is having a conference on May 9th and 10th which at this point is not a Select Board meeting week. I wanted to see if the Board would be supportive of my attending the conference and some workshops there. Primex is a public risk management pool – they are our insurance carrier for property/liability and workers compensation, although they no longer offer health insurance. Jed: I think it would be beneficial to the Town for you to attend those seminars.

Meeting Schedule

Our next planned meeting is scheduled for May 2nd but Roberta and Sam will be out of town. Carlotta will be out the 9th and 10th. So, the Board agreed to meet Tuesday, May 8th at 6:00pm with the following Selectmen's Meeting being Wednesday, May 16th.

Correspondence/Informational Items

Our Accountant recommended closing out the "Charter Restoration" account containing \$63.64. This account has been inactive for years. Closing it would mean one less statement to reconcile each month.

The Assessing clerk is trying to get information from New England Power about the Confidentiality Agreement.

MOTION: Jed motioned to authorize Dave to sign the Confidentiality Agreement, Sam seconded, and all were in favor.

Letter from Silas Little 04-06-12: re Farrar Road. Dave DuVernay will ask Silas to stop communicating with Town Attorney Gary Kinyon because the Town doesn't want to incur more legal costs. Elisa: how much have you paid so far? Dave: About \$1,050 and that's because the Police Chief, DPW Director, and I made some calls for guidance. We don't want to incur anymore. Our total legal budget for the year is only \$20,000.

Tom Coney: The Budget Advisory Committee met and we feel some things are of concern. A warrant article that passed said the Select Board will present an 18-month budget in March. This will be an extremely difficult project. Jed: We're also getting some guidance from other area towns that have done this. Tom: The Budget Advisory Committee is thinking of breaking it down into a six-month budget and a one-year budget or something like that – we should start to meet early on this because it's a big project.

Tom Coney: The health insurance renewal is coming up. I have a bunch of questions – it looks like there will probably be a 3-4% increase. An 18-month rate will cover us -- we don't want the health renewal to come up during the 18-month budget cycle. Also, the legal budget is way up. Plus, Highway has expended more than a third of their budget already. Carlotta: I think if we look at it compared to prior years, we'll find a similar rate, but I'll pull up the prior years. Tom: The Select Board will have to make hard decisions for the next two years. The taxpayers are clear they want very limited spending. Jed: Pam Brenner of Peterborough will help us with ideas on the budget cycle transition. Tom: I don't want us to see us end up with a default budget again.

We have a few Nonpublics tonight. [Nonpublic sessions convened]

Carlotta: We had discussed organizing a retreat for the Selectmen to talk about goals and vision for the coming year. Pam Brenner and her Board do this every year. It's an open meeting but it would be held somewhere else and we could try to think out of the box and put things on paper. Maybe we could work on something for later in May?

Discussion ensued on the logistics of having the manifests signed while two of the three Selectmen are on vacation. Roberta agreed to email back a response if Treasurer Helene Rogers would be willing to accept that this time.

The meeting adjourned at 9:07pm.

Minutes respectfully submitted by Linda Stonehill