

TOWN OF WEBSTER
Office of Selectmen
945 Battle Street/Rte. 127
Webster, NH 03303

Webster Board of Selectmen's Meeting – May 17, 2010

6:15 P.M. Present: Chairman-David Klumb; Selectman-George Hashem and Selectman-George Cummings.

The Board met with Peg Foss at the Parish House at 1011 Long Street to view the ongoing improvements to the Food Pantry then returned to the Town Hall for their regularly scheduled meeting.

7:06 P.M. The Board signed the payroll and check manifests.

The Board signed the following for Administrative Assistant-Judith Jones:

- Chairman Klumb tabled the minutes of April 5, 2010 to be considered at a later meeting;
- Chairman Klumb noted that in the minutes of April 19, 2010 it had been erroneously stated that he “read a letter received from Selectman Cummings...” and recommended it be changed to “read, but not aloud, a letter...”. This change was approved. Selectman Hashem made a motion to accept the Minutes of April 19, 2010, with the above noted change; seconded by Selectman Cummings and approved;
- Selectman Hashem made a motion to accept the non-public minutes of April 19, 2010 as written; seconded by Selectman Cummings and approved; and
- A Veteran's Tax Credit verification from a spouse.

Tax Collector Karen King provided a note from Iraida Rodrigues along with her payment for delinquent 2007 taxes in an effort to avoid the tax lien process. However, all deeds from the 2007 tax liens have been deeded to the Town. The Board requested Mrs. Jones write a letter advising her of the option to repurchase the property extended to any former owner of tax deeded property pursuant to RSA 80:89 and 80:90. The Board agreed that she would have to pay all associated fees but agreed to waive the “...additional penalty equal in amount to 15 percent of the assessed value of the property...”. Selectman Hashem made a motion to advise Mrs. Rodrigues of her rights mentioned above; seconded by Selectman Cummings and approved. Chairman Klumb recommended that she be advised of the discontinuance of Amherst Drive. Mrs. Jones will put a reasonable time frame in the letter for a response.

The Board signed the following for Financial Administrator Wendy Pinkham:

- Five Notices of Intent to Cut: David Herrick – Map 4-10; Mark Phillips – Map 4-12; Leila Moseley – Map 4-5; Royall Victor III – Map 5-50 and Michael Boucher – Map 8-6-2;
- 13 Timber Tax Bills and accompanying Warrants; and
- A sick leave slip.

Mrs. Pinkham inquired as to what the Board desired to do regarding bids for propane for the next heating season. The Town currently has a contract with Rymes, noting that the Town had exceeded the estimated 4,500 gallons for this year and was recently billed at a significantly higher price. After discussing the issue with Rymes, the price was reduced. She reminded the Board that Rymes was holding a 20% deposit required last year. The Board asked Mrs. Pinkham to get a price on buying the propane tanks, thus allowing the Town to utilize any company for propane. She was also to find out the process for switching out propane tanks with another company. She advised that the School District sent out bids for oil heating fuel for the next heating season, which included the towns within the district. Each town will have the option to participate or not.

Police Chief Dupuis received a request from the NH Working Dog Association for donation of old ballistic vests, of which he has four. A seamstress revamps the used vests into usable vests for canines. These vests expire after so many years and are not usable by the Department. After discussion and comments from Sally Becker and Fire Chief Colin Colby, Selectman Hashem made a motion to donate those vests as requested; seconded by Selectman Cummings and approved.

Chief Dupuis inquired about direct deposit for payroll. Mrs. Pinkham will look into the feasibility.

After he reviewed the Town Ordinances, Chief Dupuis noted that there was no Ordinance regarding “Misuse of Power” related to vehicle use and the burning of rubber on pavement. If adopted and fines imposed, all fines would come to the Town. He offered to develop an Ordinance for the Board's consideration.

The Salisbury Police Chief discussed with Chief Dupuis the possibility of Webster Officers doing patrol at the special detail rate, in Salisbury to cover vacations, etc. Mrs. Pinkham gave details on how the special detail rate was billed. Chief Dupuis thought that our officers would probably use Salisbury's cruisers and have to be sworn in as a Salisbury Officer. Discussion continued on the logistics of doing patrol, related costs, etc. Comments were taken from Ellen Cilley, Jaye Bowe, Carol Creighton and Barbara Corliss. In general, the Board had no objections. Chief Dupuis will gather more information and get back to the Board. Selectman Hashem asked Mrs. Pinkham to find out what defines detail duties.

Chief Dupuis advised that the Army Corp of Engineers has a program whereby the Police Department would be reimbursed if federal property is patrolled. He has talked with the folks at the Franklin Falls Dam to discuss the possibility of reimbursement to Webster. They want to drive around the area with Chief Dupuis to see how long it takes to patrol the area.

Chief Dupuis presented his semi-monthly report, noting recent activities included 21 calls for service and one arrest.

Chief Dupuis disagreed with the written responses he received from the Office of the Merrimack County Attorney and the Attorney General's Office regarding his inquiry as to the Board's authority to adopt the “Work Hour Policy for the Police Department”. Copies were provided for the file. Chief Dupuis presented a copy of the case law of “Michael McCarty, Chief of Police v. Selectmen, Town of Belmont” and gave examples of the how the current policy hinders his authority over scheduling. Chairman Klumb asked if Chief Dupuis could suggest some wording changes that would stay within the spirit of the policy without restricting his authority. Chief Dupuis advised that his first thought was to have the Board dissolve the policy, but is willing to review the policy and bring his recommendations back to the Board. Selectman Cummings pointed out that the policy focused on having only one officer on duty at a time, working five eight-hour days a week. Chief Dupuis' concern is for the safety of the Town and he felt that the policy was restrictive, noting he only wanted to provide as many hours of protection to the Town as possible. He gave examples of times when more than one officer on duty would be desirable. Selectman Cummings suggested that the policy could be abandoned and reinstated if circumstances warranted. Chairman Klumb recommended that as long as the policy was lawful then the Board should attempt to modify it, to which Selectman Hashem agreed.

Fire Chief-Colin Colby had Chairman Klumb sign the required final notice from the Department of Safety regarding the radio grant. He also advised that there have been 65 calls for the year to date.

Chief Dupuis advised that the Fire and Police Department Open House is scheduled for Saturday, May 22nd.

Road Agent-Emmett Bean reported that he has done the first phase of grading the roads, has cold patching to do on Pleasant Street and has been ditching on White Plains Road in preparation of the sealing to be done. He and Sue Roberts met with the representatives from FEMA and have faxed all the invoices needed to them from the February storm. He is also meeting with the Highway Safety Committee soon to get their opinion on the change of the Yield sign from Deer Meadow Road to Clothespin Bridge and Corn Hill Road. Also, he has replaced the stop sign on Concord Drive and reviewed repairs of other signs around Town.

Treasurer Mary Welch has the April bank statement complete with copies provided to the Board.

Chairman Klumb advised that this morning he attending a hearing regarding Webster/Warner vs Azmy. A bond has been requested and a lien placed on the property for the clean up of his property. The Judge heard from all parties and took the information under advisement and will report back in a few days.

Chairman Klumb advised that the Board toured the Food Pantry earlier this evening to review the progress on the expansion, noting that the Board authorized \$2,000 at the last meeting from the Isabel Anderson Fund, which made a total donation of \$5,000 as approved last fall. Ms. Foss has had many donations of materials at cost as well as labor and continues to seek donations.

7:58 P.M. Selectman Hashem made a motion to go into non-public session pursuant to RSA 91-A:3 II (e) for "Consideration or negotiation of pending claims or litigation..." relative to the campground; seconded by Selectman Cummings. Roll Call: Chairman Klumb – yes; Selectman Hashem – yes and Selectman Cummings – yes.

8:25 P.M. Chairman Klumb reconvened the meeting. He advised that the Board voted to seal the minutes. The Board discussed ongoing litigation of Lemay's and the campground. Chairman Klumb will write the minutes.

Selectman Hashem talked with the attorney's at the Local Government Center regarding an alternate for the Selectman Representative to the Planning Board. They gave him the guidelines for selecting an alternate. Selectman Hashem nominated Road Agent Emmett Bean as his alternate to the Planning Board; seconded by Selectman Cummings. After discussion of the responsibilities, duties, etc. the motion was approved.

Chief Dupuis advised that Officer Richard LaValley was doing very well at the Police Academy and will graduate on the last Friday in July. The graduation is open to all. Selectman Cummings noted that while the Board was attending a recent meeting in Hopkinton it was nice to see that there was a large number of attendees cheering on the swearing in of two Hopkinton Police Officers. He suggested that it would be nice to welcome Officer LaValley in such a manner.

Jere Buckley inquired as to the Board's intentions regarding the unsigned minutes of April 5, 2010. Chairman Klumb advised that he had not had the time to review them.

Don Koberski advised of a trailer located on Deer Meadow Road that quite a mess. Chairman Klumb will review the situation.

8:36 P.M. Selectman Hashem made a motion to adjourn; seconded by Selectman Cummings and approved.

David E. Klumb, Chairman

George K. Hashem

George C. Cummings

BOS/jj