

TOWN OF TEMPLE, NEW HAMPSHIRE  
BOARD OF SELECTMEN  
April 22, 2014  
FINAL MINUTES OF PUBLIC MEETING

Board members present: Gail Cromwell, John Kieley, George Willard

Call to order by Cromwell at 5:30 p.m.

Paperwork: Signed building permit application for Thibodeau, M 5 L 036 – deck & screen porch.  
Reviewed and signed vouchers.

Moved by Kieley, second by Cromwell to send invoice to Jean McNeil for an unattended/non-permitted brush fire and voted in the affirmative.

Animal Control: Jennifer Rheume, Animal Control Officer met with the Board to discuss fines for livestock running at large. Rheume explained that the fines for dogs is set by state law. Dogs are \$25.00 per dog for running at large; \$50.00 for dog bites. She has been researching ordinances for livestock and has found that there are no towns with any ordinances. Most towns go by the state law, which is \$25.00. Rheume has spoken to people at the Dept. of Agriculture regarding fines and it has been suggested that the town may be able to set fine. Move by Kieley, second by Cromwell to set fine at \$25.00 for a 1<sup>st</sup> offense, \$50.00 for a second offense and court on the 3<sup>rd</sup> offense in a 12 month period; if the offense includes 2 or more animals of the same owner the fines will be \$50.00 for the 1<sup>st</sup> offense, \$100.00 for the 2<sup>nd</sup> offense; voted in the unanimous affirmative. The Board asked about the number of cases and Rheume informed them that the number of offenses has gone down.

Steve Andersen: Steve Andersen met with the Board. Andersen explained that he had received a phone call from Cromwell in which Cromwell stated “She had heard that there had recently been an injury at his camp and Cody Charron had treated it.” Andersen stated he told Cromwell “ there had been no injuries at his company and she was wasting his time.” Andersen also informed the Board that he had called the town offices if find out if there had been a complaint about his company and when informed that nothing had come through the town offices asked for an appointment for the Selectmen’s meeting. Andersen asked how his company and any possible workers compensation claims concerned the Board and what was going on? Cromwell explained to Andersen that she had been told there had been an incident and she had investigated, when Andersen had told her there had not been an incident she dropped her investigation. Wendy Drouin brought up comments that had been made regarding her son Cody Charron, such as this “investigation”, conflicts of interest on the BAC because Cody works for Andersen and a few other comments. Drouin stated that Charron is 21 years old and trying to get involved. Cromwell said that she finds it admirable that Charron is trying to step up and get involved. Kieley stated that the town needs more young people to get involved. Cromwell stated that if an apology is needed for Drouin, Charron or Andersen for comments made she was making it.

2013 Tax Lien: The Board reviewed the tax lien information for the 2013 taxes. There is \$103,837.83 in taxes going to lien, with \$7,459.64 in interest and costs for a total of \$111,297.47. This represents 3% of the property taxes, 16 owners/20 lots, which seems to be the average over the last few years.

Tax Deed: Jeanne Whitcomb, Tax Collector then spoke to the Board about a property that is scheduled to be tax deeded in 2014. The owner of the property has died, there are family members living in the house.

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Whitcomb has been sending notices to the 4 children. The house is not marketable. The Board gave Whitcomb approval to contact the Town Attorney to discuss this property. The Board asked that Whitcomb send all required notices and stated that they did not want her to miss any dates or steps needed to the deed process.

Minutes: Move by Kieley to approve the 3/31/14 minutes as amended, second by Cromwell and voted in the unanimous affirmative.

Move by Kieley to approve the 4/8/14 minutes as amended, second by Cromwell and voted in the unanimous affirmative.

Website Committee: Drouin informed the Board that she has received the contract from Virtual Town and Schools for the development of the website. Move by Kieley to authorize Cromwell to sign the contract with Virtual Town and Schools after review by the Board, second by Willard and voted in the unanimous affirmative.

Emergency Operations Plan Update: The Administrative Assistant gave the Board an email from Rebeckah Bullock of SWRPC regarding dates for the EOP update. Kieley questioned why the EOP and Hazard Mitigation updates cannot be done on the same days. Kieley will contact Lisa Murphy and Rebeckah Bullock at SWRPC to discuss this with them.

Miscellaneous: Discussion about the Doug Guy junkyard renewal application. Kieley informed the Board that Fire Chief George Clark has agreed to do an inspection of the junkyard. It was determined that the Board will send Guy a letter explaining what needs to be done. Kieley will draft the letter and the Administrative Assistant will obtain information on the self-audit that Guy is required to do.

Fire/Rescue: Cromwell spoke to the Board about the issues with the Fire Department. 1) compliance with the right-to-know law, what meetings do they need post? The Fire Engineers fall under 91-A, because they are elected officials, what about the Fire Department meetings? 2) Health and welfare of the residents. The Administrative Assistant will re-issue the town memo regarding 91-A, it was decided that all the boards and committees could use a reminder, and make sure the Fire Engineers receive this memo.

Cromwell gave the Board a description of medical emergency call classifications, which describes the type of call and suggested response. Cromwell asked the Board why the rescue truck would be needed for any type of call. It was stated that a dispatcher may not code calls accurately and the emergency may actually be worse than dispatched. Cromwell stated that going to the station is contrary to the way things were initially set up. Cromwell thought that the Board should devise rules on the proper use of the vehicles.

Cromwell informed the Board she had been told by a couple of EMTs that she spoke to that the EMTs carry every piece of equipment needed for a call including AEDs. Cromwell then stated that the rule requiring response to the station is invalid due to the fact that they are dealing with the basic questions that may involve human life.

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Public Hearing for Conservation Easement on Town Forest: The public hearing for the conservation easement on the Town Forest was called to order at 7:00 pm. The notice for this hearing was published in the Mondanock-Ledger Transcript on 4/8/14 and 4/10/14 and posted at the Temple Municipal Building and the Willard Store on 4/10/14.

Cromwell opened the hearing and invited Dave Repak, Vice Chair of the Conservation Commission to speak. Repak reviewed the warrant article and presented the costs associated with the conservation easement.

Survey	\$2,450.00	to be performed by E. Goodrich who had the lower bid.
Monadnock Conservancy	\$7,500.00	costs to the conservancy.
Registry of Deeds	<u>\$ 26.00</u>	register easement deed
Total estimated costs	\$9,976.00	

Repak stated that the Conservation Commission had met and voted to approve up to \$10,000.00 in costs to come from the Conservation Fund. Cromwell asked what expenses are involved in the costs from the conservancy. Repak submitted a quote from the conservancy which has a breakdown of their costs. Repak explained that the Conservation Commission will add language to the easement that will allow a parking area, information kiosks and signs on trees. Move by Kieley to authorize the Temple Conservation Commission to enter into a conservation easement with the Mondadnock Conservancy, to expend up to \$10,000.00 from the Conservation Fund and to authorize David Repak as Vice Chair of the Conservation Commission to execute the contract with the surveyor, second by Cromwell and voted in the unanimous affirmative.

Move by Kieley at 7:25 pm to close the public hearing on the conservation easement of the town forest and return to the regular Board of Selectmen meeting, second by Cromwell and voted in the unanimous affirmative.

Fire Department: Will Wildes, Mark Salisbury, Luke Peterson, Fire Engineers; George Clark, Fire Chief; Matt Bruneau, Deputy Fire Chief; Ken Caisse, Ken Patria, Scott Blood, Art Kelley, Rich Beringer, Cody Charron, Mike Connolly, Pat Connolly, Anna Voglino, Firefighters.

Cromwell thanked the department members for attending and thanked them for the service they provide to the town. Cromwell said she had spoken to Attorney Sanderson at the New Hampshire Municipal Association (NHMA) and felt the Board needs to proceed "in the best interest of the town". Cromwell explained that she has done some research on the rescue squad but has not had the opportunity to review the information with the other Board members. Cromwell stated that she had read the 2002 BOS minutes regarding the possible formation of a "fast" squad and RSA 153 which is the state law on EMTs.

Cromwell asked if the SOG regarding response to the fire station was still in place. Chief Clark responded in the affirmative. Clark said that he is willing to make some changes to this SOG, but he is not willing to put those changes in place until recommendations from the insurance company representative and the Police Chief have been instituted. Some of the recommendations include proof of insurance on personal vehicles (POVs) and driver record checks.

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Kieley asked about how calls are coded for response and inquired whether some calls may be coded incorrectly. Kieley questioned whether a dispatcher could underestimate the severity of a call. Kieley said it is a "mis-justice" to the town not to allow EMTs to go directly to the scene. Will Wildes stated the Fire Engineers and the Fire Chief are trying to limit the possible liability to the town and the fire officers. Kieley said that the Chief is covered by the town's insurance. Cromwell stated that insurance is not a factor. Kieley said the liability is on the town. The operators insurance on a POV covers the vehicle, the town insurance would cover \$500.00 of the operators deductible. Clark informed the Board that the law allows an emergency responder to travel up to 15 mph over the speed limit, if the responder gets into an accident the Chief can be sued. Clark continued by saying that if "safeguards" are in place, such as training records, MV record checks, proof of insurance, etc. the onus is on the responder, not the Chief or the town. Paula Voglino said that there needs to be rules that are very clear and across the board that all responders follow and need to adhere to.

Cromwell said that there are only 4 EMTs at the present time and only one EMT in town "all the time". It is not in the best interest of the town to not have the EMT going straight to a call. Cromwell stated that the EMTs carry the same equipment that is on the rescue truck and that the rescue truck is not suited for some driveways. Clark asked Cromwell why these driveways are not suited for the rescue truck but they are okay for POVs? Cromwell said it is not in the best interest of the town to use the town vehicles just because they are owned by the town.

Mike Connolly stepped up to explain that he was Fire Chief when the Rescue Squad was formed and he was involved in setting it up because his name had to be on the license. Connolly said that in dealing with the medical resource hospital the department was required to have a vehicle that holds required equipment that responds to "every call" in order to hold a non-transport license. Connolly also stated that he had written guidelines for "Charlie, Delta and Echo" level calls.

Clark told the Board that he has looked at dissolving the Rescue Squad and letting the EMTs form a "fast attack squad" which would have its own license separate from the Fire Department and this squad could answer to the Board of Selectmen. Kieley stated that all in the room care about public safety and he would like to find a way within the current structure to serve the public in a time sensitive manner. Kieley thought the present system has worked well. Clark said that the current system has not always worked well, but up until the present time problems have been dealt with internally in the fire department and worked out.

Cromwell stated the need to get people to the scene for medical calls. Members of the department thought there is no significant delay by going to the station to obtain the rescue truck. Luke Peterson said that the squad was originally set up so that the first two responders were acknowledged by dispatch so that the responders knew there was back-up. Cromwell asked for a description of what equipment Peterson carries. Peterson said he carries everything up to his level of training and that he carries everything except Epipens and long boards. Peterson said he carries a defib unit as well as two of the other EMTs. Cromwell stated that the Fire Department needs to set up rules that allow response in POVs.

Kieley said that the Board needs more information to understand the "license" issue and then recapped other discussion: POV response, some outstanding insurance questions. Kieley suggested that a board member and

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some of the fire officers get together with a list of the issues and work together to settle them. Kieley suggested contacting the medical resource hospitals, and the insurance company; and set a clear line of “prudent” activity. Kieley suggested setting a goal of resolving the issues within 30 days or less and in the meantime perhaps the Board and Clark agree on a “scaled down” rule on POV use. Cromwell stated that she has already looked at the issues and the issue is Clark and his concern about insurance and 30 days is too long.

Ken Patria introduced himself and explained that he has 16 years on the department and he is the highest certified EMT at the EMT-I (intermediate) level. Patria has worked as an EMT-I on the ambulance service that serves the City of Nashua and is currently on the Wilton Ambulance as well as the Temple Fire Department. Patria stated that POVs provide clutter and can make it difficult when the ambulance gets to a scene. Patria also said that he is not comfortable with POVs on the scene or going to the scene, he is more comfortable with the rescue truck going to the scene. Willard asked Patria where he works – answer Town of Mason. Willard asked Patria how long it would take to respond from Mason for a call, Patria estimated ten minutes.

Cromwell said she is hearing from people who want help fast when they need it and that the Fire Department is hung up on their rules. Dick Benotti spoke and apologized to the Fire Department because he had made a lot of noise about Peterson’s probation, but that recently he (Benotti) had a medical emergency and when he called at 2:30 in the morning during a snow storm Peterson showed up. Benotti stated that the rescue truck would not have made either of the hills to get to his house. Clark differed with Benotti’s opinion about the rescue truck being able to make either hill. Clark also stated that in this situation Peterson would have been able to respond to the scene under the current SOG because he would have been going by the scene to respond to the station.

Sandra Benotti said that what she is seeing is a group of concerned people and a “whole bunch of egos” and that the fire department needs to think about what is best for the town. Cromwell said that no one knows what is going to happen tomorrow and that the fire department needs to have first responder go to the scene in their own POV. Cromwell said that the main responder has been taken away.

Kieley asked 1) if there could be a modification to the SOG that would allow the EMT to go straight to the scene for a “Charlie” level or higher call. 2) contact Ron O’Keefe at PLT and take him up on his offer to work with the Fire Department and Board and come up with a mutually agreeable proposal. Mark Salisbury said that what Kieley is suggesting has already been discussed by the Fire Engineers and a meeting with Ron O’Keefe is being arranged. Clark said he will change the SOG if the Board gives the Fire Department a letter stating they will take full responsibility in the case of an incident involving a responder in their own POV going directly to a scene. There was further discussion about insurance and Peterson stated that the only way a responder’s private vehicle insurance cannot cover them during a response is if such activity is specifically excluded by the policy.

Move by Kieley to adjourn, second by Willard, and so voted at 8:27 p.m.

Minutes submitted by Debra Harling

~ Next meeting scheduled for Tuesday, May 13, 2014 at 5:30 pm ~