

SELECTMEN'S MINUTES
January 11, 2016 Budget Public Hearing

MEMBERS PRESENT: Chairman Al Letizio, Vice Chairman Joel Desilets, Ross McLeod, Roger Hohenberger, and Bruce Breton were present. David Sullivan, Town Administrator and Daniel Popovici-Muller, Finance Director were also in attendance, along with several department heads. Mr. Letizio opened the meeting with the Pledge of Allegiance at 7:00 pm.

ANNOUNCEMENTS: Mr. McLeod announced the passing of David Cleasby, a devoted volunteer who was actively involved with both Windham Baseball and Softball.

Mr. Breton announced that this evening was Chief McPherson's birthday. The Board and audience all sang Happy Birthday to the Chief in celebration.

Chief Gerald Lewis requested the Board's authorization to apply for up to \$12,000 in grant funds for DWI enforcement. There are no marching funds required of the town. Mr. Breton moved and Mr. McLeod seconded that the Chief be authorized to apply for said funds. Passed unanimously.

BUDGET PUBLIC HEARING: Mr. Sullivan presented the hearing notice into the record without a formal reading of same as follows:

LEGAL NOTICE
TOWN OF WINDHAM, NH
PUBLIC HEARING NOTICE

The Board of Selectmen will hold a Public Hearing on the proposed Town Budget and Warrant for 2016 on Monday, January 11, 2016 at 7:00 pm at the Community Development Department, in accordance with RSA 32. A second hearing, if necessary, will be held on Monday, January 18, 2016 at 7:00 pm at the Community Development Department.

The proposed budget figures are as follows:

<i>General Government</i>	<i>\$ 2,311,375.00</i>
<i>Public Safety</i>	<i>7,7176,335.00</i>
<i>Highways, Streets and Bridges</i>	<i>1,219,250.00</i>
<i>Sanitation</i>	<i>819,550.00</i>
<i>Health and Human Services</i>	<i>34,760.00</i>
<i>Welfare</i>	<i>57,040.00</i>
<i>Culture and Recreation*</i>	<i>1,423,760.00</i>
<i>Debt Service</i>	<i>173,279.39</i>
<i>Capital Outlay</i>	<i>360,000.00</i>
<i>Total Proposed Budget</i>	<i>\$13,575,349.39</i>

**does include \$5,560 for Conservation Commission*
Note that the Default Budget for 2016 would be \$13,337,634.39

Mr. Sullivan also noted that, throughout the hearing, the Selectmen will address all Special Warrant Articles included in the posting notice. He then proceed to explain each article, with the Board discussing and/or voting on same as follows:

Article 4 - \$50,000 to be added to Property Maintenance Expendable Trust Fund: Mr. Hohenberger motioned and Mr. McLeod seconded to "recommend" the article and move to the warrant. Passed 5-0.

Article 5 - \$30,000 to be added to the Earned Time Trust Fund: Mr. Hohenberger motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Passed 5-0.

Article 6 - \$32,500 for Marketing and Maintenance costs associated with Searles Building (funding to come from revenue fund): Mr. Hohenberger motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Motion passed 5-0.

Article 7 - \$75,100 for the third and final payment on the 2014 ambulance lease: Mr. Breton motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Motion passed 5-0. This article is part of the CIP.

Article 8 - \$180,000 (\$144,000 funded from Grant) for a 5 Ton Highway Truck – Mr. Hohenberger motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Motion passed 5-0. This article is part of the CIP.

Article 9 - \$90,000 for making improvements in the area of the former skate park at Griffin Park to include passive recreation areas for both seniors and children: Mr. Breton motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Motion passed 5-0. This article is part of the CIP.

Article 10 - \$50,000 to hire consultant to complete a full inventory, analysis, and digitization of the Town records in the town vault: Mr. Desilets motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Motion passed 5-0. This article is part of the CIP.

Article 11 - \$50,000 to update the Town’s Master Plan: Mr. Hohenberger made a motion to add language to the article reflecting that it was part of the CIP.

Mr. Kovacs, member of the LEC, asked if all of the \$50,000 would be used to hire a consultant and questioned the validity of the budget estimate.

Mr. Letizio read a letter from the Economic Development Committee in support of the Master Plan request but as a separate warrant article not tied to the CIP.

Mr. Breton agreed with Mr. McLeod in that the request is not truly a “capital improvement” item, but that he was in support of the request as a separate article outside the CIP.

Ms. St Laurent, Planning Board member, expressed her opinion that the amount requested was not an exorbitant amount compared to what the town spent in 2003 for the last Plan update, or what other communities are currently spending. She further expressed that she would support including the request as part of the CIP.

Mr. Desilets seconded Mr. Hohenberger’s motion for discussion. He went on to state that he supports the article as a separate article because he does not feel it is a “capital improvement” item.

Motioned failed 1-4 with all Board members opposed except Mr. Hohenberger.

Mr. Breton felt the funds should be part of the operating budget under Administration to provide more control over the cost of the project. Mr. Hohenberger felt it should remain as a separate article to allow public discussion at the Town Meeting.

Mr. McLeod motioned and Mr. Hohenberger seconded to “recommend” the article as a separate article outside the CIP and move to the warrant. Passed 4-1 with Mr. Hohenberger opposed.

Article 12 - Designate parcel 1-B-1025 as Conservation Land: Mr. Hohenberger motioned and Mr. McLeod seconded to “recommend” the article and move to the warrant. Passed 4-1 with Mr. Desilets opposed.

Article 13 - To authorize the Selectmen to lease the former Police Station: Mr. Letizio discussed the benefits to the Town under the lease in terms of additional revenues, taxes, and building improvements. He stated that he supports the lease as currently written; that being as a five year lease with four renewable five year terms. Mr. Breton agreed with Mr. Letizio and expressed his support.

Mr. Desilets expressed that he was not comfortable with the lease and wanted to reject the article. He felt it was not the best use of the property. Mr. McLeod also expressed his discomfort and felt the action was premature in light of budget funds being set aside to allow the Planning Board to study the overall area around the former police station and its best future use.

Mr. Hohenberger suggested that the Board pull the article for a year and wait for the Planning Board’s findings. Further, he felt provisions could be made to allow the Board to go back to Mr. Yennaco, the other party to the lease, and renegotiate terms at the point if deemed suitable.

Mr. Yennaco clarified that his original proposal contained all the items that are contained in the draft lease before the Board. He opined that it was a \$125,000 cash positive proposal to the town over five years.

Mr. Breton felt the proposal was a “win/win” and further that the “right of first refusal” provided to Mr. Yennaco did not affect what the town could ask for as a selling price.

Mrs. Case, resident, expressed her opinion that the Board should work with Mr. Yennaco.

Mr. McLeod stated that he felt it was time well spent for Mr. Sullivan to negotiate the lease agreement with Mr. Yennaco. However, the change for him came as a result of the request for the Planning Board to study the area.

Mr. McLeod motioned and Mr. Desilets seconded to withdraw the article from the warrant.

Mr. Hohenberger expressed that he had the same concerns regarding the Planning Board review and that he would be more comfortable if the lease was for an initial three year term; adding that if it remained at five years he could not support the article.

Mr. Yennaco stated that he would be fine with the three year terms, five in all, and that he would not submit a petitioned article should the Board not move forward.

Motion to withdraw article failed 2-3 with Mr. Letizio, Mr. Hohenberger, and Mr. Breton opposed.

Mr. Breton motioned and Mr. Hohenberger seconded to “recommend” article as three year leases with five potential renewable terms and move to the warrant. Passed 3-2 with Mr. McLeod and Mr. Desilets opposed.

Article 14 - Release lot (proposed future road) off Rock Pond Road from public dedication and convey to abutter: Mr. Breton motioned and Mr. Hohenberger seconded to “recommend” article and move to warrant. Motion passed 5-0.

Article 15 - Discontinue certain sections of Old Route 111 which were turned over to the Town by the State: Mr. Sullivan clarified that the land to be discontinued lies in front of lots 11-A-450 (1 Indian Rock Road) and 11-A-500 (7 Indian Rock Road). Mr. McLeod motioned and Mr. Hohenberger seconded to “recommend” the article and move to warrant. Motion passed 5-0.

Article 16 - Adopt Campbell Farm By-Laws: Mr. McLeod presented Mr. Sullivan with a few grammatical amendments to the proposed By-laws. After a brief discussion, Mr. McLeod motioned and Mr. Desilets seconded to “recommend” article and move to warrant. Motion passed 5-0.

Article 17 - Authorization to convey a third party conservation easement on former lots 8-B-3002, 8-B-5000, and 8-B-6150, now all part of the Route 28 Town Forest and designated as town conservation land: Mr. Sullivan explained this is required in order to receive grant reimbursement funds towards the original purchase of the parcels. Mr. McLeod motioned and Mr. Hohenberger seconded to “recommend” article and move to warrant. Motion passed 5-0.

Article 18 - to compensate the Elected Town Clerk on a salary and benefit basis as opposed to the current fee structure: Mr. McLeod stated that he met with the Clerk and felt comfortable that the proposal is a “win/win” for all parties. Mr. Breton stated that other towns wait to switch processes until the end of the position’s term. Mr. Hohenberger motioned to “recommend” article and move to warrant. Motioned passed 4-1 with Mr. Breton opposed.

Article 19 - Operating Budget: Mr. Sullivan presented an overview of the operating budget and noted that minor adjustments can be made to the Fire and Police budgets within their respective health lines; saving the town approximately \$10,000 combined.

The Board made the following changes to the budget:

Health: Mr. Desilets requested that the Board consider adding \$3,000 to the funding proposed for Community Caregivers (Health budget), noting that the agency provides a great deal of services to the Town yet we only contribute \$500 currently. Mr. McLeod seconded. Motioned failed 2-3 with Mr. Breton, Mr. Hohenberger, and Mr. Letizio opposed.

Mr. Desilets motioned and Mr. McLeod seconded to increase the funding for Community Caregivers to \$2,000. Motion passed 5-0.

Mr. Breton motioned and Mr. Hohenberger to increase funding for A Safe Place to \$2,000 from \$1,500. Motioned passed 5-0.

Town Officer’s Salaries: Mr. Hohenberger motioned and Mr. McLeod seconded to adjust the Treasurer and Deputy Treasurer back to \$2,000 and \$500 respectively. Motion passed 3-2 with Mr. Letizio and Mr. Desilets opposed.

Mr. Breton motioned to add an additional \$250 to the Treasurer salary bringing it to \$2,250, and Mr. Desilets seconded. Passed 3-2 with Mr. Hohenberger and Mr. McLeod opposed.

Mr. McLeod motioned and Mr. Hohenberger seconded to “recommend” Article 19 and move to warrant as amended. Motion passed unanimously.

The Chairman called the Budget Public Hearing closed

OTHER BUSINESS: The Board held a public hearing on proposed amendments to the Personnel Policies – Work Hours, posted as follows:

“PROPOSED CHANGES TO WINDHAM PERSONNEL POLICIES

The Board of Selectmen will consider the following amendments/changes to the Town of Windham Personnel Policies at their regular meeting on January 11, 2015 at 7:00 PM. Any comments concerning these proposed changes may be submitted by any employee to their department head who in turn will submit same to the Board of Selectmen.

ARTICLE X : WORK HOURS:

New Paragraph 2 – amend by Adding the new section to read:

2. Any proposed change or alteration of work hours and schedules that could result in reduced access by the general public or in increased hours that have a budgetary impact shall be brought to the Board of Selectmen for their review, and shall require their approval; noting that in the interest of the general public’s access to Town services, they may approve a change or alteration of work hours and schedules different from that proposed.

And, then renumbering the current section #2 to section #3.”

Mr. Hohenberger motioned and Mr. Breton seconded to adopt the amendment as posted. Passed 5-0.

EARNED TIME DONATION POLICY: Mr. Sullivan discussed the Board’s recent decision to allow employees to donate earned time to another employee and for that receiving employee to use the time to care for a seriously ill member of their immediate family. He requested clarification as to whether the employee using time could also use their “pool time” to care for their family member. The Board agreed that they could.

COMMUNITY DEVELOPMENT FEE WORKSHOP: Ms. Scott presented the Board with a list of proposed amendments to the Department Fees. Mr. Breton motioned and Mr. McLeod seconded to move the list of proposed changes to a public hearing. Motion passed 5-0.

CORRESPONDENCE: The Board received a letter from Bruce Breton, resigning from the Economic Development Committee. Mr. Hohenberger motioned and Mr. McLeod seconded to accept the resignation with regret and appreciation. Passed 4-0-1 with Mr. Breton abstaining.

Mr. Sullivan presented the Board with a nomination form to continue Mr. Poulson as the town’s representative to the GNSWD. Mr. Letizio, as Chair, signed the appointment papers.

Mr. Sullivan reviewed the State DOT’s letter in response to the Town’s concerns with the recently installed guard rail and other improvements along Enterprise Drive. The State, for both bidding and safety reasons explained that they cannot make any modifications to the guardrails or other improvements, other than what had been done prior to receiving the town’s letter.

OLD BUSINESS: Chief Lewis approach the Board to discuss Mr. Trump’s political campaign visit to the town this morning, and the fact that based on his understanding of the Board’s previous decision, his department could not incur any costs. He advised that the campaign refused to pay costs associated with any police or fire personnel presence. Based on this the Chief asked the Board to allow both he and the Fire Chief to use their discretion to assign personnel and bill a campaign, but that he could not guarantee a campaign would pay the bill.

Mr. Hohenberger stated that he would still bill the campaign.

Mr. McLeod stated that the Board should eliminate the policy as it could impede the response of emergency services. Mr. McLeod motioned and Mr. Desilets seconded to remove the policy.

Mr. Hohenberger opined that this should not be discussed tonight as it was not posted as a discussion.

Mr. McLeod amended his motion and Mr. Desilets his seconded to post a discussion for public hearing.

After further discussion Mr. McLeod and Mr. Desilets withdrew their motion and second.

The Board agreed to place the topic on the next agenda and to discuss whether or not to amend, retain, or eliminate the policy.

NON-PUBLIC: Mr. McLeod motioned and Mr. Hohenberger seconded to enter into nonpublic session in accordance with RSA 91-A:3 II c. Passed unanimously. Roll call vote all “yes”.

The Board, Mr. Sullivan, and Chief Lewis were in attendance.

The Board and Chief discussed what processes the Police Department had in place regarding issuance of gun permits. The Chief stated that the department follows the State Law.

Mr. Hohenberger moved and Mr. McLeod seconded to adjourn. Passed unanimously.

Meeting was adjourned at 11:00 PM.

Respectfully submitted,
David Sullivan, Town Administrator

Note: These minutes are in draft form and have not been submitted to the Board for approval.