

**SELECTMEN'S MINUTES**  
**January 7, 2008 Budget Public Hearing**

**MEMBERS PRESENT:** Chairman Alan Carpenter, Dennis Senibaldi, Bruce Breton, Margaret Crisler and Roger Hohenberger were present. David Sullivan, Town Administrator and Dana Call, Asst Town Administrator were also in attendance. Mr. Carpenter opened the meeting at 7:05 pm with the Pledge of Allegiance. Mr. Sullivan presented a brief overview of the proposed order of presentation for the meeting.

**NEW BUSINESS:** The Board discussed the proposed bond issue for the layout of Londonbridge Road and Mr. Carpenter asked Al Letizio, School Board Chairman, to summarize the School Board's discussions to date on this topic. Mr. Letizio discussed the topic of State aid and the School Board's understanding regarding egress issues, and noted that the School Board will be discussing it further at their January 8 workshop.

Mr. Breton indicated that a citizen's petition to the School Board on this topic is forthcoming. Mr. Hohenberger indicated that it was his impression that there would be a second egress built prior to the opening of the high school. Mr. Carpenter indicated that because this topic is set for a public hearing on January 14<sup>th</sup>, further discussion will be deferred to that date, however, he requested the School Board revisit the issue and communicate back to the Selectmen by the 14<sup>th</sup>.

Mr. Senibaldi stepped out of the meeting for a brief period.

**PUBLIC HEARING:** The Board of Selectmen opened the public hearing on the 2008 Town Budget and Warrant and Mr. Sullivan read the beginning portion of the public hearing notice into the record. Mr. Hohenberger motioned to dispense with reading the entire notice, which includes all budget figures, and Mr. Breton seconded. Motion passed 4-0.

The proposed budget figures are as follows:

General Government	\$ 2,077,190.00
Public Safety	5,429,285.00
Highways, Streets and Bridges	1,112,080.00
Sanitation	1,108,865.00
Health and Human Services	101,250.00
Welfare	57,040.00
Culture and Recreation	1,208,125.00
Debt Service	259,035.00
Capital Outlay	300,000.00
Total Proposed Budget	<u>\$11,652,870.00</u>

The above proposed budget figures represent a decrease of (\$14,950) net from the 2007 total appropriations of \$11,667,820 or (0.13%).

The Selectmen will also address all Petition and Special Warrant Articles including:

1. \$0 - \$12,560 for paying bond for Searles Building Improvements – funding to come from Revenue Fund – actually shown in operating budget
2. \$30,000 for Property Trust
3. \$30,000 for Earned Time Trust
4. \$54,080 for purchase of new Trailer for the Transfer Station
5. \$501,585 for Castle Hill Rd Bridge replacement – funding to be reimbursed by State and donations (net town costs to be \$11,317)
6. \$73,200 for portion of town's overall 20% share of costs associated with Lowell Road Bike Paths
7. \$13,000 for portion of Town's overall 20% share of costs associated with renovations to the Depot Historic Area
8. \$1,020,000 for bond for Londonbridge Rd (net appropriation of \$20,000 for the interest after bond proceeds applied)
9. \$90,000 to be placed in Capital Reserve Fund for Salt Shed Facility and Land
10. \$70,000 to be placed in Capital Reserve Fund for Library (expansion)
11. \$12,000 for Searles School Marketing and Maintenance – funding to come from Revenue Fund
12. \$271,175 for estimated costs associated with Police Union contract
13. \$29,530 for estimated costs associated with Fire Union contract
14. \$26,510 for estimated costs associated with Municipal Union contract
15. \$3,985 for net additional costs to reorganize Maintenance Department personnel from 2 part-time to 1 full-time
16. \$182,230 for funding to hire 4 new firefighters through a federal SAFER grant (net town costs for 1<sup>st</sup> year is \$81,030) – article is null & void if grant is not awarded
17. \$40,000 for Osgood Rd cistern

If all special articles are approved (total \$2,447,295) the budget will increase by \$2,432,345 or 20.85%. Total budget for 2008 would then be \$14,100,165 (gross before use of other revenue sources).

The total budget increase, after taking into account the use of \$24,560 from the Searles Revenue fund, \$401,268 in State Bridge Aid Grants and \$89,000 in donations and \$101,200 in federal SAFER grant (pending) and a proposed bond issue of \$1,000,000 for Londonbridge Rd (grand total of \$1,616,028) would be \$816,317 or 7.0%. The 2008 budget would be a net of \$12,484,137.

Mr. Sullivan explained that there were some changes made to the proposed budget by the Board at their December 27<sup>th</sup> meeting which were not reflected in the original budget hearing posting notice dated

12/24/07. Mr. Sullivan noted the updated numbers are reflected in the presentation materials prepared for this hearing. The changes included the following: a decrease of \$40,000 representing the funds needed for the Osgood Road cistern which were expended from 2007 budget funds; an increase of \$4,250 for the Police contract based on updated estimates; an increase of \$15,000 for salt shed engineering study (net appropriation of \$0 after funds from other sources) due to the lapsing of the 2007 funds; and increase of \$20,000 for the Depot project to represent the gross appropriation (net of \$13,000 after funds from the State).

**Article 35 – Operating Budget - \$11,637,960.00 –**

Mr. Sullivan gave a brief overview presentation of the 2008 operating budget. Mr. Sullivan noted that his comments would be based on the net budget, however, the posting notice reflects the gross appropriations as required. Mr. Sullivan noted that there are several items that have been appropriated that have offsetting funds from other sources such as the \$1,000,000 in bond funds as well as more than \$500,000 in state grants and donations. Mr. Sullivan highlighted some of the more significant areas of increases affecting all departments. The Board then explained each budget area and addressed any questions from the public as follows:

Mr. Breton asked to discuss the proposed non-union incentive plan in the Administration budget and requested the record reflect that the distribution of the total amount budgeted will be at the sole discretion of the Board of Selectmen. After further discussion, consensus was that the Town Administrator will develop the parameters of the plan in the early part of the year and bring that to the Board for approval. At the end of the year, the Town Administrator will make a recommendation to the Board for approval of the distribution of the funds.

The Board briefly discussed the overall impact of the Police contract, which is in a separate warrant article, versus what is included in the Police operating budget.

The Board briefly discussed the funds included in the Highway budget for the purchase or lease of a highway truck. Mr. Sullivan indicated that the \$30,000 may not cover an annual lease payment, based on updated information received by the Highway Agent as to the price of a new dump truck. Consensus of the Board was to wait until the truck is put out to bid and make a determination at that time as to how the department should proceed.

Mr. Sullivan indicated that there may be additional savings in the Solid Waste budget if the Board elects to leave a current vacant position unfilled, but requested the Board discuss the matter in a non-public session and then consider the need to amend the budget on the 14<sup>th</sup>.

The Board discussed the Tax Anticipation Note interest and clarified in the presentation that the Town did have to borrow in 2007 and incurred approximately \$5,100 in interest. The Board then discussed the Town

master bond, representing all current debt funded through taxation, and noted that this will be paid in full in 2009.

No changes were made to the operating budget as proposed. Mrs. Crisler moved to RECOMMEND the operating budget Article 35. Mr. Senibaldi seconded. Passed 5-0.

**Article 13 – \$54,080 for the purchase of a new Trailer for the transfer station** – Mr. Hohenberger moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 5-0.

**Article 14 – \$501,585 for final engineering and construction expenses relating to the Castle Hill Rd Bridge** – After a brief discussion, consensus was to eliminate the phrase “...with a Precast Concrete Voided Deck Slab Structure with Cast-in-Place Stub Abutments and Wingwalls...” in the first sentence and to amend further in the sentence “...authorize the Board of Selectmen to accept a State...”. Mr. Senibaldi moved to RECOMMEND the article as amended. Mr. Breton seconded. Passed 5-0.

**Article 15 – \$73,200 for the third installment of engineering and construction expenses relating to the Lowell Road Bike Paths** – Mr. Breton moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 5-0.

**Article 16 – \$33,000 for the engineering expenses relating to the renovations of the Windham Depot Area** – Mr. Sullivan discussed the timeframe for completion of the project and reiterated that the \$33,000 will be offset by \$20,000 in State grant funds, therefore, the net appropriation will be \$13,000. Mr. Breton moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 17 – \$90,000 to be added to the Salt Shed/Highway Facility Capital Reserve Fund** – Mrs. Crisler moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 5-0.

**Article 18 – \$70,000 to be added to the Library Capital Reserve Fund** – Mr. Sullivan requested that the Board defer discussion of this article until Carl Heidenblad, Library Director, could clarify the intent of the Library Trustees as presented to the CIP.

**Article 5 – \$30,000 to be added to the Property Maintenance Expendable Trust Fund** - Mr. Senibaldi moved to RECOMMEND the article. Mr. Hohenberger seconded. Passed 5-0.

**Article 6 – \$30,000 to be added to the Earned Time Expendable Trust Fund** – Mr. Carpenter questioned the need to increase this appropriation and Mrs. Call explained that staff is comfortable based on known upcoming retirements, but that any shortfall will need to be funded through the operating budget by delays in rehiring. Mrs. Crisler

moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 5-0.

**Article 7 – \$275,425 for estimated costs associated with the tentative collective bargaining agreement with Local Union No. 3657 AFSCME (Police Union)** – Mr. Breton moved to RECOMMEND the article. Mr. Hohenberger seconded. Passed 5-0.

**Article 8 & 9 – \$29,530 and \$26,510 for estimated costs associated with the Fire and Municipal Union, respectively** – Mr. Breton requested this be tabled until the next meeting as the Board has not had an opportunity to discuss and approve the tentative agreements just recently reached by the negotiating teams. Mr. Sullivan indicated this is scheduled to be addressed in a non-public session later in the meeting.

**Article 10 – Fallback article to hold one special meeting if Article 6 is defeated** – Mr. Breton moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 11 – \$12,000 for Marketing and Maintenance costs associated with Searles Building (funding to come from revenue fund)** – Mr. Senibaldi moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 12 – \$12,560 for Bond payment on Searles Building renovations (funding to come from revenue fund)** - Mr. Hohenberger moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 19 – \$3,985 net additional cost to reorganize the Maintenance Department staff from 2 part-time employees to 1 full-time** – A brief discussion ensued regarding future year costs, the change in “skill set” needed and the possibility of effecting the change through future attrition. Mrs. Crisler moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 4-1 with Mr. Carpenter opposed.

**Article 18, continued – \$70,000 to be added to the Library Capital Reserve Fund** - Mr. Heidenblad indicated that it is the Library Trustees’ intent to spend the money in 2008, on various renovations, including but not limited to, exterior painting and interior lighting repairs and replacements, and not just to set the money aside in a CRF. Mr. Sullivan read the proposed revised wording to coincide with the intent of the Trustees and CIP. Mrs. Crisler moved to RECOMMEND the article as amended. Mr. Hohenberger seconded. Passed 5-0.

**Article 20 – \$15,000 to conduct an engineering study for a Salt Shed/Highway Facility** – Mrs. Crisler moved to RECOMMEND the article. Mr. Breton seconded. Passed 5-0.

**Article 21 – \$182,230 first year funding for the hiring of 4 new firefighters, net of \$81,030 with \$101,200 in offsetting funds through federal SAFER grant** – Mr. Hohenberger asked if the grant is

contingent on hiring all 4 firefighters versus 2 and Chief McPherson confirmed the grant is for 4 firefighters. Mr. Hohenberger asked about other costs outside of salaries and benefits, such as equipment and training, and Chief McPherson indicated that those costs are not included in grant funding, but that only minimal costs would need to be absorbed in the 2008 budget. Mr. Breton reiterated that applying for the grant would save the taxpayers in the long run and that the article is null and void if the grant is not received. Mr. Hohenberger disagreed that the town would realize a cost savings, if the personnel are not actually needed at this time. Chief McPherson indicated that the department believes the personnel are needed and that the prudent thing to do was to apply for the grant to help defray the costs. Further discussion ensued regarding the change in operations with the additional personnel as well as the impact on overtime. Chief McPherson indicated that further comments would need to take place in non-public session due to collective bargaining implications. Mr. Breton moved to RECOMMEND the article and Mr. Senibaldi seconded. Passed 4-1 with Mr. Hohenberger opposed.

**Article 22** – **Conservation Commission \$2,350** – Mr. Senibaldi moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 26** – **Allows town meeting to require Board of Selectmen to record numerical tally of votes in the warrant** – Mr. Senibaldi moved to RECOMMEND the article. Mr. Hohenberger seconded. Passed 5-0.

**Article 29** – **Discontinue portion of westerly line of Londonderry Road to complete the transfer/donation of Graff property to Town** – Mrs. Crisler moved to RECOMMEND the article. Mr. Breton seconded. Passed 5-0.

**Article 25** – **Amend Solid Waste Ordinance to eliminate commercial and residential demolition waste** – The Board discussed that previous workshops held throughout the year had led to the changed proposed by Dave Poulson as written. Mr. Carpenter indicated that he was in favor of eliminating commercial demolition, but not residential, and suggested better policing might solve the abuse concerns. Bob Coole indicated that he has concerns about eliminating all residential demolition. After further discussion in which members of the Board indicated that because Mr. Poulson was absent, they might reconsider on the 14<sup>th</sup>, Mr. Breton moved to RECOMMEND the article and Mr. Senibaldi seconded. Passed 3-2 with Mr. Hohenberger and Mr. Carpenter opposed.

**Article 28** – **To authorize the Selectmen to enter into water agreement for Fellows Rd** – Mr. Senibaldi suggested the article be removed due to the fact that it is the exact same article that was previously approved by voters at the 2007 town meeting. Mr. Hohenberger and Mrs. Crisler indicated that they would like to retain a “placeholder” for an article outlining the actual agreement for the residents to vote on. Mr. Breton indicated that he was in agreement with leaving the article as written. No decisions were made.

**Article 27** – **Change in Town Clerk compensation from fees to salary/benefits** – Mr. Senibaldi requested the article be removed and Mr. Breton agreed. Consensus of the Board was to review the analysis prepared by staff and address on the 14<sup>th</sup>.

**Article 23** – **Conveyance of 16 acres of Gage Land to the School District** – Mr. Hohenberger asked Mr. Letizio to discuss previous agreements by the School Board to exchange property with the Town and Mr. Letizio responded that he could not address previous Boards' decisions but that the School Board is looking to do what's best for the Town. Barbara Coish discussed a letter received by the School Board from the Conservation Commission in regards to the amount of land to be given to the Town by the School District in exchange for the 16 acres of Gage Land. Wayne Morris indicated that he felt this article should not be discussed until the 14<sup>th</sup>, as the Conservation Commission was set to meet the following Thursday and he felt they were promised to be able to weigh in on this issue. Mr. Letizio summarized the multiple joint meetings and site walks that were previously held in an effort to include the Recreation Committee and Conservation Commission. He expressed concern that previous indications from the Board were to move forward, and if such an agreement were not to take place at this meeting, the School Board may not have sufficient time to put an article on their warrant. Mr. Sullivan indicated that Article 23 has been drafted at the Board's request in accordance with the previous meetings that had taken place. Mr. Morris asked if the acreage amounts could be amended and the Board indicated it could. No decisions were made.

Mr. Sullivan then outlined the planned order of remaining articles to be addressed at the continued hearing on the 14<sup>th</sup>.

**BOARD OF HEALTH PUBLIC HEARING:** Mr. Senibaldi moved to recess the Board of Selectmen's meeting, convene as the Board of Health and open the public hearing. Mr. Breton seconded. Passed unanimously. Mr. Sullivan read the following public hearing notice:

*Notice is hereby given that a hearing will be held on January 7, 2008 at 7:30 pm at the Planning & Development Office concerning a request by Benchmark Engineering for Breen Irrevocable Trust for a waiver concerning section 102.2/102 of the Sewage & Waste Disposal Regulations, Requiring wells to be a minimum of 75' from septic systems. To allow a replacement "Clean-Solutions" septic system to be installed 51' from an existing on site well where 75' is required. Replacement system to be 2.5' above the estimated high water table. Section Env-Ws 1008/1014 to allow a "Clean-Solutions" septic system to be installed 51' from existing on site well where 75' is required. Bottom of field to be 2.5' above the estimated high water table on high side of field. Average of field is 3.5' above the estimated high water table. On the property located at 25 Second St. Tax Map 16-P-1011.*

Joe Maynard, Benchmark Engineering, presented the plans on behalf of his clients. Discussion ensued regarding the current status of the seasonal property, the current leachfield system versus the “clean solutions” system, as well as the Zoning Board’s denial of any dwelling change without a septic system upgrade. The Board asked about any other wells within the 75 foot radius as proposed. Al Turner, Health Officer, indicated that in his opinion the plan is favorable due to the fact that it is a more modern system and it gets the septic farther away from the existing well. Mrs. Crisler indicated that when the Board changed the regulations to 75 feet, the rationale was that they would not grant any exceptions. Mr. Senibaldi motioned to approve the waiver based on Mr. Turner’s recommendation and Mr. Breton seconded. Motion failed 3-3 with Mr. Carpenter, Mrs. Crisler and Mr. Hohenberger opposed.

Mr. Senibaldi moved to close the Board of Health public hearing and resume the Board of Selectmen meeting. Mr. Hohenberger seconded. Passed unanimously.

**NEW BUSINESS:** Mr. Senibaldi stepped out of the meeting for a brief period. Mr. Sullivan presented a request from PSNH for permission to install two temporary poles at the intersection of Balmorra Rd and Galloway Rd until they can correct an issue in the spring. Mr. Hohenberger motioned to approve the request as read and Mrs. Crisler seconded. Passed 4-0.

**NON-PUBLIC SESSION:** Mr. Hohenberger motioned to enter into nonpublic session in accordance with RSA 91-A:3 IIa, e, d and c. Mrs. Crisler seconded. Roll call vote all “yes”. The topics of discussion were hiring, union negotiations, land acquisition and reputations.

Chief McPherson and Deputy Leuci remained at the meeting for a discussion in regards to the vacant firefighter position. Based on the resumes received, which included the current Firefighter/Inspector, the Chief requested the Board consider a proposal to move the Firefighter/Inspector to fill the vacant position and reorganize the administrative staff to change the current Deputy Chief to an Assistant Chief position, at the same pay grade, and create a new position of Deputy Chief-Fire Prevention in place of the Firefighter/Inspector position. The Chief indicated that the Fire Union has been receptive to initial discussions regarding the removal of the Firefighter/Inspector position from the Union. The Chief is proposing the Deputy Chief at Grade 22 and he or she would be an exempt employee and available for on-call Chief’s coverage. The new position will assist the overall management of the department as well as provide for improved succession planning within the department. Mr. Sullivan indicated that initially there will be a salary savings with the new position being exempt, however, over a period of five years, when the new Deputy Chief is at top step, the overall cost will be higher than the existing structure. Mr. Senibaldi motioned to approve the Chief’s request, effective upon the decertification of the Firefighter/Inspector position from the Union, and Mr. Breton seconded. Passed unanimously.

Mr. Sullivan then presented the terms of the tentative agreement with the IAFF Local 2915 (Fire Union) reached by the negotiating teams. Terms include COLA increases based on the Boston area CPI-U for each year of the contract as well as an increase in the employees health insurance contributions to 20% effective on the 1<sup>st</sup> day of year two of the contract. Mr. Senibaldi motioned to accept the tentative agreement and Mr. Breton seconded. Passed unanimously. Chief McPherson and Deputy Leuci then left the meeting.

Mr. Sullivan then presented the terms of the tentative agreement with the AFSCME Local 1801 (Municipal Union) reached by the negotiating teams. Terms include COLA increases based on the Boston area CPI-U for each year of the contract as well as an increase in the employees health insurance contributions to 20% effective on the 1<sup>st</sup> day of year two of the contract. Mr. Senibaldi motioned to accept the tentative agreement and Mr. Hohenberger seconded. Passed unanimously.

Mr. Sullivan presented a request from an employee to take an unpaid leave for the month of February. After a lengthy discussion, Mrs. Crisler motioned to deny the leave of absence and Mr. Breton seconded due to operational needs of the department. Passed unanimously.

The Board asked Mr. Sullivan for an update on the ongoing meetings regarding a water supply agreement, which is scheduled to be discussed at the continued public hearing on the 14<sup>th</sup>. No decisions were made.

The Board asked Mr. Sullivan for an update on preliminary discussions that have taken place with the landowners abutting the Londonbridge Road property. No decisions were made. The Board indicated that further discussion on this topic is scheduled for the continued public hearing on the 14<sup>th</sup>.

Mr. Breton requested the Board discuss a letter sent by Town Counsel to a business owner in Town in regards to a code enforcement issue. Mr. Breton requested the Town Administrator retrieve the file on this property from the Planning Office and determine what if any similar letters have gone out in the past and how much money has been collected by Town Counsel for similar issues. Mr. Breton also requested the Board schedule a future meeting to consider whether to extend Attorney Campbell's contract upon the expiration of the first year of the contract, which is March 31, 2008. Consensus was to have Mr. Sullivan follow up on Mr. Breton's concerns prior to making any decisions.

Mr. Senibaldi moved to adjourn at 11:55 pm. Mr. Hohenberger seconded; passed unanimously.

Respectfully submitted,

Dana Call  
Asst Town Administrator

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

