

BOARD OF SELECTMEN
Minutes of July 13 and 14, 2009

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at approximately 7:00 PM. Selectmen Bruce Breton, Ross McLeod, Roger Hohenberger and Charles McMahan were present, as was Town Administrator David Sullivan and several department heads. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. McMahan announced that the ongoing Little League tournament resulted in a win for one of the Windham teams, and as part of that win, the pitcher – Tim Hillman – pitched a perfect game. The Board congratulated Mr. Hillman, as well as the team's coach, Jim Bail. Mr. McMahan noted that the State title tournament will take place in Windham this year, with a chance that a Windham team may be in the title game.

Mr. Stearns noted that the Annual Town Day event held on Saturday was well attended and was a very nice day. *Mr. Breton* added that the Saturday would have been Andy Griffin's 97th birthday. Mary Griffin attended Town Day as well as a following event held at the Rockingham Race Track.

MINUTES: Mr. Sullivan noted that the minutes of June 29 would be forwarded to the Board shortly.

CORRESPONDENCE: Bond release request to release the entire bond balance of \$2,355 to Trimmer's Landscaping. Mr. McMahan motioned to approve as read and Mr. Breton seconded. Passed 5-0.

Letter from David Marcinkevich requesting a waiver of a building permit fee as a result of the project being substantially delayed. Mr. Sullivan noted that the applicant initially paid the \$992 permit fee in 2006, however, didn't begin any work until recently and did not pay the \$100 fee to extend the existing permit for a six-month period and, therefore, would be charged the full permit fee again now that work is underway. Mr. Sullivan indicated the Board could refuse the waiver request, grant the request for the full fee of \$1,104.76, or approve charging the differential between the original permit fee and the revised, current fee. Discussion ensued regarding coverage for current overhead costs to complete the building inspections as well as the \$100 extension fee that was not paid. Mr. Breton motioned to grant a partial waiver and allow the applicant to pay the differential of \$112.76, plus the \$100 extension fee, for a total of \$212.76. Mr. McMahan seconded. Passed 4-1 with Mr. McLeod opposed.

Letter from CART notifying the Town of a proposed fee increase to take effect October 1, 2009. It was noted that public hearings will be held in each town during July.

Letter to Chief Lewis from Part-time Police Officer Louis Palermo notifying the Town that he does not intend to complete the physical testing that is required by Town Policy to maintain his status as a part-time officer and, therefore, must tender his resignation effective July 10, 2009. Mr. Hohenberger motioned to accept Officer Palermo's resignation with regret and Mr. McLeod seconded. Passed 5-0.

Letter from NH Housing Finance Authority indicating receipt of the application from the Windham Housing Authority for federal housing tax credits relating to the proposed Senior Apartments project in Windham. The letter indicates that any comments on the project must be submitted to the NH Housing Finance Authority by July 31, 2009. Mr. McMahan indicated that he will follow up.

Copy of the Decision from the State of NH Board of Tax and Land Appeals in the case involving The Commons at Windham, Inc. Mr. Norman summarized the decision, indicating that the case was found generally in the Town's favor. Although the landowner felt the value was \$4.2 million, the Court ruled that the Town's value of \$7.1 million should be only slightly reduced to \$6.5 million for the two years in question, resulting in an abatement of taxes of approximately \$27 thousand. The Court found that the Town's sales-based valuation approach was valid.

Letter from Sandra Roulston notifying the Board of her complaint regarding the Manor Motel. The Board deliberated the reading of the letter in its entirety. Mr. Sullivan noted that the letter is signed, was requested to be read, and is a matter of public record. Consensus of the Board was to not read the full letter but refer the matter to the Planning and Development department to respond.

ANNOUNCEMENTS, continued: Mr. Poulson introduced Mr. Dennis Senibaldi as the new Transfer/Recycling Station Supervisor. Mr. Poulson gave a brief overview of Mr. Senibaldi's background and qualifications and welcomed him aboard.

COMMITTEE INTERVIEWS: Mr. Sullivan introduced Mr. Kyle Dacruz, who has applied for an open position on the Recreation Committee. Mr. Dacruz gave a brief overview of his background and interest in the position, noting that he is a 2004 Salem High School graduate and recent UNH graduate and has had previous involvement with a Salem Men's Softball League, thus generating his interest in Town Recreation. After a brief discussion, consensus of the Board was to have Mr. Dacruz attend the next scheduled Recreation Committee meeting and then reiterate his interest to the Board to be appointed at a future date.

STRATEGIC PLANNING WORKSHOP: Mr. Sullivan discussed the agenda for the workshop session with the department heads which consisted of each department head presenting their department's SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis. A summary presentation was provided to the Board and several questions among Board members and department heads were addressed.

Mr. Sullivan closed the discussion indicating that the next step will be for department heads to utilize their SWOT analyses to develop goals and objectives for the next two-three years and present a draft Strategic Plan to the Board prior to the fall budget workshops. Mr. Sullivan indicated that the first step for tonight was the primary departments, but that he will work with the committees such as Recreation and Cable, which have substantial budgets, to include them in the overall Strategic Plan.

Several Board members requested information to be included in the next presentation to the Board including:

- 1) A distinction between issues that affect only one department versus issues that are widespread and affect several departments, in order to help prioritize how resources can best be allocated.
- 2) A distinction between what is required to maintain current operations versus what might be considered new and innovative projects and ideas.
- 3) A cost/benefit analysis of requested items and an analysis of the Town's ability to pay.

Mr. Sullivan indicated that these will all be included in the next phase as part of the Strategic Plan draft. He noted that a final Strategic Plan document will not likely be completed until next Spring.

The Board took a brief recess and reconvened at 9:40 pm.

OLD/NEW BUSINESS: Mrs. Call presented the Board with a memo summarizing the impact of the recent legislation regarding the NH Retirement System and the “downshifting” of the State’s share of employer contributions for Group II Police and Fire employees to the Town. Mr. Sullivan also noted the attached letter from the NHLGC/NHMA regarding their intent to pursue a lawsuit against the State as a potential violation of Article 28-a of the NH Constitution. The NHMA is suggesting that Towns that wish to stake a claim as part of any future lawsuit, submit the payment of the additional retirement contributions with a letter of protest from the Town, and a sample letter was provided. Mr. McLeod motioned and Mr. McMahan seconded to submit the letter of protest with payment as stated. Passed 5-0.

Ms. Breton asked when the Board would receive their second quarter financial update, with an update on revenues, and Mrs. Call indicated that this would be scheduled for their next meeting on the 20th. Mr. Sullivan also went over a few items that will be scheduled on the Board’s upcoming agendas.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McMahan seconded to enter into a non-public session in accordance with RSA 91-A:3-II c. Roll call vote – all members “yes”. The topic of discussion was reputations. Mr. Sullivan and Mrs. Call were present for all sessions.

Mr. Sullivan discussed a matter involving a past Planning Board approval. The matter will be discussed further with the Planning Board and Town legal counsel.

Mr. Sullivan discussed potential appointments for residents previously interviewed by the Board who wish to be appointed to the various committee openings. For the Historic District Commission, Laurie Kimball requests to be reappointed to the Regular Member slot and Carolyn Webber and Beth Talbott wish to be reappointed to the two open Alternate Member slots. Mr. McLeod motioned and Mr. Hohenberger seconded to appoint these residents as indicated by Mr. Sullivan. Passed 5-0.

The Board discussed the request from the Planning Board to reappoint Peter Griffin as representative to the Rockingham Planning Commission. After a brief discussion, the Board asked Mr. Sullivan to follow standard procedure and complete an advertising process prior to a formal appointment by the Board.

Mr. Sullivan indicated that the Recreation Committee has recommended that the Board appoint Bill Brennan from Alternate Member to Regular Member. Mr. McLeod motioned and Mr. Breton seconded to appoint Mr. Brennan as recommended. Passed 5-0.

The Board briefly discussed the two open positions of Conservation Commission Alternate Members and no action was taken.

Mr. Breton moved and Mr. Hohenberger seconded to recess the meeting to continue on July 14, 2009 at 6 pm at the Administrative Offices. Passed 4-0-1 with Mr. Stearns abstaining.

NON-PUBLIC SESSION (continued from July 13): Mr. McMahon moved and Mr. McLeod seconded to enter into a non-public session in accordance with RSA 91-A:3-II a. Roll call vote – Mr. McMahon, Mr. McLeod, Mr. Breton and Mr. Hohenberger voted “yes”. Mr. Stearns was excused. Mr. Sullivan was also present. The topic of the meeting was hiring.

The Board and Mr. Sullivan conducted second round interviews for the position of Community Development Director. No decisions were made.

Meeting adjourned at 9:50 pm.

Respectfully submitted,

Dana Call, *Assistant Town Administrator-Finance*

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