

**BOARD OF SELECTMEN**  
**Minutes of July 27, 2009**

**MEMBERS PRESENT:** Chairman Galen Stearns called the meeting to order at 7:05 PM. Selectmen Bruce Breton, Roger Hohenberger, Ross McLeod and Charles McMahan were present, as was Town Administrator David Sullivan. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mr. Breton announced that after two (2) months of interviewing, and from a pool of over 30 candidates, the Board of Selectmen had selected Ms. Laura Scott as Community Development Director. Mr. Breton noted that Ms. Scott has been running the Department for the last few months, and had made great changes to date. Ms. Scott approached to thank the Board this opportunity, to note that her door is always open, and to state she looked forward to working with all.

*Mr. Sullivan* reminded all that the Annual Senior Picnic was scheduled for the following Friday at noon at the Fire Department; and that the Planning Department, Town Hall, and Administrative Offices would be closed for the day. The Transfer Station will remain open.

**LIAISON REPORTS:** None.

**MINUTES:** Tabled.

**CORRESPONDENCE:** Bond release/Bear Hill Road. After a brief discussion with Ms. Scott, this matter was tabled.

*Bond Release/Ryan:* Mr. McLeod moved and Mr. Breton seconded to approve the partial release of \$378,180, retaining \$437,670 as stated. Passed unanimously.

*Letter received* from the Windham School District requesting a waiver of fees related to positioning of the Kindergarten portables. Mr. McMahan moved and Mr. McLeod seconded to approve the waiver as requested. Passed unanimously.

*Copy received* of memo from the Fire Chief to Building Inspector Michael McGuire relative to a satisfactory, final inspection of the High School. Mr. McMahan inquired as to how confident Chief McPherson was regarding the percentage of completion of the second access. The Chief replied that, based on his conversations with the Highway Agent, he is comfortable that the roadway will at least meet the minimum requirements within 60 days of the school's opening.

**CTAP TASK FORCE INTERVIEW:** The Board interviewed Mr. Heath Partington of 17 Galway Road for possible appointment.

**CHIEF MCPHERSON:** The Chief opened the discussion by noting that it was in response to concerns raised the previous week regarding overtime at the Department and filling of the fifth person per shift. He noted he was not surprised that overtime expenses had come up, as it does every year, however he was concerned as to why it was being broached so early in the year. Chief McPherson noted he understood the economic times, but believed the Department's had presented budgets that were supported by both the Board and the voters. He then inquired whether it was the whole Board who had concerns. Mr. Stearns indicated that he felt the whole Board was concerned with expenses as a whole in light of the State budget, and was endeavoring to find means to assist the taxpayers.

Mr. McLeod indicated he was very comfortable with the usage to date and where the budget currently stands, however, he was interested going forward whether the Department will stay within budget. Chief McPherson clarified that, for the 2009 budget, \$16,000 in overtime had been removed per the Board's request.

Mr. Breton indicated he had raised the issue because of falling revenues and that, while he supports the Department, the Board has to speak on behalf of the taxpayers as well. Chief McPherson inquired why, if there was such a deficit, only the Fire Department was being looked at by the Board for savings. Mr. Breton replied that the remaining departments are not currently at full staff, and that the Fire Department overtime is quite a bit of money as compared to other departments. Mr. Sullivan clarified that, Police and Fire overtime represents very similar percentages of the overall department budgets, at approximately 9%.

Mr. Hohenberger indicated he hoped the Chief would touch on filling of the fifth person per shift. With that, the Chief began a lengthy Powerpoint presentation to the Board of the Department operations as it pertained to overtime. Highlights included:

- Department Rank and Structure: 27-30 available call firefighters in 1990. Hours of Work: 24 hour shift coverage via four shifts of five personnel with the Chief officers on 24 hour on-call rotations.
- Based on current staffing levels, each staff member protects: 3300 residents, 5.4 square miles of land, and 2,495,765 square feet of property.
- In 1990, while staffed with 3 per shift, the department responded to 1,048 calls. In 2008, with 5 per shift, the department responded to 1,548. Over the years calls have steadily increased, as have the number of simultaneous calls, and by 2013 the number is projected to be approximately 1700.
- Per NFPA response guidelines, staff responds as a team to each event. In 2006, with a four person shift, of the fifteen primary calls for service, thirteen required immediate call-backs resulting in overtime expenses. In 2008, with a five person shift, the number of incident types requiring call backs was reduced to five.
- Over the years, various overtime control measures have been implemented by the Department at the Board's request and, in May of this year, the Chief initiated a spending freeze on his staff with the exception of ambulance re-stocking.
- As to maintaining a five-person shift, the Chief cited a study conducted in Dallas, which was supported by the NFPA, that exhibited that a five person shift affords fewer injuries, fewer workman's comp claims, and less liability to municipalities. It also exhibited that such a shift accomplishes tasks more expeditiously and effectively.

A lengthy discussion ensued regarding the safety aspects of four versus five per shift and the SAFER grant, overall. Mr. Breton also reiterated his concerns relative to the amount of overtime being expended on small group of particular individuals. It was noted that overtime is made available to all, and those represent the individuals who avail themselves of it.

Mr. Breton then asked that the Chief take a closer look at the overtime and see if any further reduction measures can be taken. The Chief replied in the affirmative, but reiterated that he does not wish to reduce services.

Mr. McLeod pointed out that individual cases of overtime use should not be focused on, but rather the overall aggregate figure. Discussion ensued. Mr. McMahon then noted that it does appear the SAFER grant has lessened the delta in overtime, and inquired whether it could be reduced further. Discussion ensued, and it Mr. Stearns requested that an analysis be provided the Board for budget discussions of all departments overtime expenses.

Mr. Walter Kolodziej approached to commend Mr. Stearns for replying that the Board as a whole had concerns, and to indicate that he did not blame Chief McPherson for the overtime issues. He suggested that the Board look for ways to save during the collective bargaining process, and noted it is the Board's responsibility to keep taxation at a level where people can remain in Windham.

**OLD/NEW BUSINESS:** Mr. Sullivan noted that a new Town Hall is the only project remaining from previous Board submissions to the CIP program, and inquired whether the Board wished to add additional items. After a brief discussion, there were none.

*Mr. Stearns* inquired as to the completion date of the Lowell Road bike paths. Mr. Sullivan noted the target date is September 15th.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McMahon seconded to enter into non-public session in accordance with RSA 91-A:3-II c and e. Roll call vote - all members "yes". Topics of discussion were reputations and legal and the Board, Mr. Sullivan, and Ms. Devlin were in attendance in all sessions.

Mr. Sullivan updated the Board on an abatement matter. Mr. McLeod moved Mr. Hohenberger seconded to accept the settlement agreement as recommended. Passed unanimously.

Mr. McLeod moved and Mr. Hohenberger seconded to appoint Mr. Heath Partington to the CTAP Task Force. Passed unanimously.

Mr. Sullivan updated the Board on a reputations matter. No decisions were made.

Mr. McMahon moved and Mr. McLeod seconded to adjourn. Passed unanimously. The meeting was adjourned at 10:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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