

**BOARD OF SELECTMEN**  
**Minutes of March 1, 2010**

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

**ANNOUNCEMENTS:** Mr. McMahon noted that updates regarding ongoing storm repairs are available from PSNH by calling 800-662-7764. In addition, PSNH was reporting 90% of power had been restored as of 4 PM.

*Mr. McMahon* noted that the following morning Commissioner Clagherty would be in Town to host a meeting relative to the proposed legislation effecting LLC's. The meeting will begin at 8AM at the Windham High School.

*Mr. Stearns* reminded all that Tuesday, March 9<sup>th</sup>, was election day, and the polls will be open from 7 AM to 8 PM at the High School.

Mr. McLeod added that Candidates Night was scheduled for the following evening at 7 PM at the Town Hall.

*Fire Chief McPherson* presented an update on the storm.

*Chief McPherson* then briefly addressed an email being circulated anonymously relative to the High School access. He clarified that, contrary to the claims being made, Londonbridge Road does meet his approval and, in fact, exceeds the requirements and his initial recommendation. Discussion then ensued regarding the content of the email and Londonbridge Road itself, and Chief McPherson noted that the roadway had proven an asset to the department's response during the latest storm, as several primary accesses to the west part of town had been blocked; including Range and Lowell roads.

Chairman Stearns then asked the Chief to speak to the matter of ice safety. Chief McPherson replied that the ice is starting to breakup, and added that the Fire Department will at no time advise regarding the safeness of the ice. He urged residents to use caution.

**MINUTES:** Mr. Hohenberger moved and Mr. McLeod seconded to approve the minutes of February 1<sup>st</sup> and 8<sup>th</sup> as written. Passed 4-0-1, with Mr. Stearns abstaining.

**CORRESPONDENCE:** Letter received from Planning Board Chairman Phil Lochiatto, clarifying the process of discussing and finalizing proposed planning board amendments for the warrant. Discussion ensued regarding the timing of the Planning Board hearings as it pertained to holidays, etc., and public awareness of/participation in the process.

*Letter received* from Governor Lynch relative to the establishment of tolls on I-93. Discussion ensued, and Mr. McMahon indicated that Massachusetts was not looking to add additional tolls, and that NH needs to look at spending. He added that residents need to speak up and let the legislatures know their position on this matter.

Further discussion ensued and Representative Kolodziej, who was in attendance, agreed to speak to Department of Transportation Commissioner Campbell for a further update.

*Copy of letter* received from the NHDOT to the Cobbetts Pond Improvement Association relative to a discharge incident and the use of flockulant as part of the I-93 project for silt control.

*Protest petition* received relative to Citizen Petition #3/Workforce Housing.

**SALT SHED BID UPDATE:** Mr. Sullivan discussed design alternatives with the Board, including wood versus concrete for the structure, height requirements, and run-off controls. In addition, radiant heat and ingress/egress to the site and the potential for a retaining wall were discussed. No decisions were made, and Mr. Hohenberger indicated he hoped that these matters would be discussed in greater detail after the ballot vote.

**CTAP FUNDING:** Community Development Director Laura Scott approached seeking the Board's approval to submit a grant application for CTAP funds in the amount of \$10,000 for the following projects:

- Development of a Community/Economic Development website
- Development of Town marketing materials
- Development/distribution of an in-depth community survey on community development
- Final payment for the October 2008 CURP survey

Ms. Scott indicated she would also be seeking the support of the Chamber of Commerce and the Rockingham Planning Commission for these items. Brief discussion ensued, and Mr. McLeod then moved and Mr. McMahon seconded to support the grant request as presented. Passed unanimously.

**CABLE BY-LAWS:** The Board discussed proposed amendments to the Cable Advisory Committee by-laws, including: membership increase of one, to be a Board of Selectmen alternate; clarifications to the definition of "member"; and, clarification that the BOS alternate can only assume the ex-officio Selectman member's seat if absent.

It was the consensus of the Board that the discussed amendments be incorporated into a final draft for review and acceptance.

**FINANCIAL UPDATE:** Mrs. Call presented her year-end update to the Board with a review of reports submitted to the Annual Town Report. Highlights of her discussion included:

Comparative Statement:

- Amounts in the “Unexpended” column reflect unexpended 2009 budgeted amounts, after taking into consideration encumbrances/carryovers into 2010, which are available towards the Town’s 2009 year-end fund balance
- Encumbrances/Carryovers to 2010 reflects purchase orders issued and bids awarded by the Board of Selectmen prior to 12/31/09, as well as certain expenditures/contracts from 2009 for which invoices had not been received by year-end, as well as prior year capital appropriations which have not lapsed
- Statement also reflects certain receipts which have been accepted by the Board and available as a direct offset to expenditures (such as for Londonbridge Rd contributions and the JAG/FEMA grants as reimbursement for 2009 expenses)
- Unexpended balances, primarily in the Police and Community Development line items, are mainly due to personnel vacancies discussed in prior budget reports
- Total net unexpended for the Town budget represents \$214,417 that will be available towards the fund balance (\*final amount subject to annual town audit).

General Fund Revenue Report:

- State Shared Revenue not available for 2009 due to State budget cuts – overall impact of \$69,298 in lost revenue, however, the Meals & Rooms revenues from the State were slightly higher than 2008
- Motor Vehicle revenue – ended the year slightly higher than budget, but \$92k less than 2008
- Building Permit Fee revenue continues to be down significantly from prior year
- Cable Franchise fees were higher than 2008 due to Comcast changing its frequency of payment from once per year to quarterly; this will be a one-time benefit and then will revert back to the normal \$190k (approximate) per year
- Income from departments were higher than budgeted, but down \$31k from 2008
- Interest revenue continues to be down significantly from prior year, as discussed in previous quarterly reports
- Overall, 2009 revenue came in slightly over budget and is generally available towards fund balance, however, as previously noted this is subject to normal audit adjustments, specifically regarding income relating to State Projects (i.e. Depot).

General Fund Balance Sheet:

- Fund balance represents the difference between assets and liabilities (i.e. it does not represent a “cash balance” in a bank account); changes in fund balance from year to year are impacted favorably by unexpended budget amounts and revenues over budget, however, the change in fund balance is also affected by changes in receivables, payables and deferred revenues throughout the year. The portion of 2009 ending fund balance that is not designated for encumbrances/carryovers is referred to as “Undesignated” and is available for reducing the tax rate in 2010.

**FORMATION OF LOCAL ENERGY COMMITTEE:** Mr. Sullivan noted that the previous August, as part of Go Green’s audit/analysis, the Board had supported the concept of establishing an LEC. He, along with Go Green members Neelema Gogumalla and Diana Fallon, then reviewed with the Board a proposed set of by-laws for the Committee.

After a lengthy discussion, it was the consensus of the Board that the draft be revised with minor changes and resubmitted to the Board for final approval.

**OLD/NEW BUSINESS:** Mr. McLeod requested that the parking area at Dunkin Donuts be reviewed by staff, as it did not appear that the spaces had been laid out to code. Mr. Sullivan will follow-up with Ms. Scott.

*School Board* member Michael Hatem approached regarding the email discussed earlier by Chief McPherson, indicating he would like it to be ascertained who sent it and who received it. He expressed concerns that the party in question was posing as a government official by mimicking the “Alert Now” system used by the District.

After a brief discussion, it was the consensus of the Board that Prosecutor Newell be asked to look into the matter.

A *brief* discussion ensued regarding the issuance of the Town warrants via mail annually, and the cost involved to print the documents; a large number of which are simply discarded within the post office. Staff noted that the cost to print the warrant alone this year was in excess of \$6,000, and the postage approximately \$1,000. The reduction in the number of mailings, and possible elimination of the warrant mailing and its replacement with a postcard notification were suggested.

No decisions were made.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McMahon seconded to enter into nonpublic session in accordance with RSA 91-A:3 II c and d. Roll call vote all “yes”. The topics of discussion were reputations and land acquisition, and the Board, Mr. Sullivan and Ms. Devlin were in attendance in all sessions.

*Mr. Sullivan* updated the Board on a reputations matter relative to Chapel Road. It was the consensus of the Board that town staff proceed as recommended.

*The Board* discussed the volunteer of the year award. Mr. Sullivan will follow-up with the award for presentation at a future Selectmen's Meeting in April.

*Mr. Sullivan* discussed a matter related to the lease of property for the Highway Department. It was the consensus of the Board that the Town contribute up to \$1500 towards the cost of alarm installation to protect the town's assets in the leased facility.

*Mr. Sullivan* discussed a legal matter with the Board. No decisions were made pending Mr. McMahon's apprising himself on the matter in question.

Mr. Breton moved and Mr. Hohenberger seconded to recess the meeting to the following evening at 6:00 PM. Passed unanimously.

The meeting was recessed at 11:00 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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