

**BOARD OF SELECTMEN**  
**Minutes of May 9, 2011**

**MEMBERS PRESENT:** Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Kathleen DiFruscia and Roger Hohenberger were present, as was Town Administrator David Sullivan. Selectman Phil Lochiatto was excused. Mr. McLeod opened with the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mr. McLeod requested that Community Development Director Laura Scott provide an update on the activity between Shaw's and the Village Green. Ms. Scott advised that the property owners had been approached by a logging company regarding clearing the lot, and that after filing an Intent to Cut with the Assessor, 3-4 acres were cleared. She indicated that the DOT had initially been contacted because the contractor had failed to obtain a driveway permit; and the State had subsequently shut the site down until the permit was obtained. Ms. Scott noted that after work resumed with the driveway permit in place, the site was shut down a second time due to a lack of proper traffic controls. However that issue had been resolved, as well, and the contractor cleared to proceed.

Ms. Scott noted that, although there does not appear to be any wetlands violations, she had asked the DES to investigate the site; and has also requested that the owner provide her with a sketch of the area cut in relation to the wetland boundaries and that silt fencing be installed. She then added that the DES has changed their investigation procedures, in that they will not inspect a site prior to obtaining permission from the property owner, a process which can take some time.

**LIAISON REPORTS:** None.

**MINUTES:** None.

**CORRESPONDENCE:** None.

**COMMUNITY DEVELOPMENT DEPARTMENT FEES:** Ms. Scott advised the Board that she had amended the proposed fee changes to incorporate the Board's suggestions including:

- Increasing of all ZBA fees to \$100
- Planning Board fee increase will be posted at \$0.15/sft as opposed \$0.25/sft as originally proposed
- A clarification note will be included in that Open Space subdivision applications will be assessed the "Subdivision" fees; while Residential Condominium applications will be assessed the "Site Plan" fees

Mr. McLeod inquired whether Open Space and Condo applications would always be presented as subdivision or site plan, respectively. Ms. Scott replied that Open Space would always be a subdivision, while Condos could come either way; however, only the site plan fee would be assessed regardless.

Mrs. DiFruscia sought clarification of why Ms. Scott had reduced the proposed Planning Board fee to \$0.15, and Ms. Scott replied that it was in part due to Mr. Valentine's analysis presented the previous week, as well as to maintain consistency with the Derry's fees. Discussion ensued regarding other community fees, which are lower, but include additional fees assessed separately; therefore Windham's proposed fees would be consistent.

Mr. Breton moved and Mr. Hohenberger seconded to post the proposed fee schedule for Public Hearing on May 23, 2011. Passed 4-0.

**OLD BUSINESS:** Mr. Sullivan advised that, per her previous discussion with the Board, Finance Director Dana Call had obtained several rate quotes relative to obtaining a \$1M tax anticipation note. He advised that three quotes had been received from Northway Bank in Plymouth, Citizens Bank in Manchester, and People's United Bank (formerly Ocean Bank) in Manchester; and that it was staff's recommendation that the Board approve a line of credit with Northway at a 1.54% interest rate with no additional fees required other than standard legal expenses.

After a brief discussion, Mrs. DiFruscia moved and Mr. Hohenberger seconded to approve the issuance of a Tax Anticipation Note Line of Credit with Northway Bank in the amount of \$1,000,000 at an interest rate of 1.54% and due January 31, 2012. Passed 4-0.

**NEW BUSINESS:** Mr. Sullivan advised that a request had been received from the Girl Scouts to utilize the Town-owned grills for an event on June 12<sup>th</sup> at the High School. He noted that such requests have been granted before, but the Board must officially approve such uses. Brief discussion regarding Maintenance staff making arrangements to have the grills delivered to the High School on the Friday before and being secured at the site, which Mr. Sullivan indicated that Mr. Barlow would arrange to do.

Mrs. DiFruscia then moved and Mr. Breton seconded to approve the request of the Girl Scouts to utilize the Town grills on June 12<sup>th</sup>. Passed 4-0.

*Mr. Sullivan* then presented several draft items to the Board for review, as follows:

- Winter maintenance policy regarding unaccepted/private streets. This item will be scheduled for initial discussion at the May 23<sup>rd</sup> meeting; and has been forwarded to Town Counsel for review.
- Amendments to the Safety Policy relative to Section VI, paragraphs 7 and 8, having to do with departmental authorities. This item will be scheduled for discussion at the June 6<sup>th</sup> meeting.
- Proposed formal service agreement relative to volunteer service, such as driving the Town van. This item will also be scheduled for discussion on June 6<sup>th</sup>, and is in response to recommendations from Primex as the Town's insurance carrier.
- Three proposed amendments to the Personnel Policy which will codify current practices pertaining to: working at home; children in the workplace, and; dress code. This item, which will be scheduled for June 6<sup>th</sup> as well, will be posted in-house for a period of fourteen (14) days to allow for employee input.

Mr. Sullivan advised that there are several other policies in development, including a Workplace Bullying Policy. Brief discussion ensued regarding the proposed dress code as it pertained to the display of union logos and similar in the workplace, and Mr. Sullivan advised such things are addressed within Departmental Standard Operating Procedures.

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

Mr. Sullivan and Ms. Scott updated the Board on a legal matter relative to reimbursement of fees. No decisions were made, and staff will follow-up with Town Counsel to clarify the Board's authority to consider alternative means of reimbursement.

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

The meeting was adjourned at 7:45 PM.

Respectfully submitted,  
Wendi Devlin, Administrative Assistant

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