

## **MINUTES OF THE DECEMBER 14, 2009 BOARD OF SELECTMEN'S MEETING**

**MEMBERS PRESENT:** Chairman David Canada, Selectmen Bruno Federico and Tim Copeland, and Town Administrator Paul Deschaine.

The meeting opened at 7:34 PM.

**TREASURER'S REPORT:** Town Treasurer Kevin Peck reported he had \$1,113,050.58 in the general checking account.

### **NEW BUSINESS:**

Dan Crow and John Sapienza were present on behalf of the Stratham Hill Park Association to discuss progress and improvements to the ice skating area at Stratham Hill Park. Greg Blood has helped by leveling the area. Dan Whittier has been assisting with electrical upgrades along with John Sapienza, who helped by placing the conduit. Five Hundred Dollars has been provided by the Park Association, which has essentially funded the wiring infrastructure necessary for flood lighting of the area. An additional \$1500 is needed to buy and install (3) 100 watt lights. It was reported that \$500 of the \$1500 would be provided from the Park maintenance budget. The Recreation Commission has pledged an additional \$500. Mr. Canada moved to approve the expenditures and an additional \$500 for the project, contingent on Mr. Deschaine finding an appropriate source of the funds. Mr. Copeland seconded the motion, which passed unanimously. Mr. Crow noted that they were installing three lights, two timers and a switch for the additional electrical upgrades, costing \$1,500, for a total project cost of \$2000.

The discussion moved on how to set the timers. The plan is that the two timers would allow one timer to be set to turn off the main lights at 9:15PM and the second timer would shut off the lights in the warming hut at approximately 9:30PM, giving appropriate warning to anyone on the skating rink. Both lines would be energized at dusk using a photocell switch. Mr. Sapienza suggested that a toggle light switch be added so the lights would not be on when there was no one there. The Board agreed with that suggestion. Mr. Deschaine; however, suggested leaving the lights on for some period of time to help advertise the availability of the area for public use. The Board also agreed that that was a good idea.

### **DEPARTMENT REPORTS:**

**Police:** Chief John Scippa was present to provide his monthly report. He had spoken with Lesley Kimball on the Virtual Town Hall website and he is working on the Police Department's page for the new and improved Town website. He is working diligently to populate the page and also is working on his 2010 budget. He hopes to have a draft to Mr. Deschaine by December 18, 2009.

Chief Scippa then reported on the administrative record keeping for leave time. To date, it was mostly recorded by hand on pages with pen, which has not lent itself to easy access of reporting. Effective January 1, 2010, the Department will be transitioning to implementing an electronic record keeping process currently available to them in the IMC Program. Mr. Scippa thanked

Jaye Aither and David Pierce for being very helpful in researching and validating the holiday leave time owed. Mr. Canada asked how many days have been found to be owed. Chief Scippa reported that up to sixty-eight days have not been paid out. Payment for these days will wipe the holiday time accrual off the books with no carry over to 2010. Mr. Canada said that that would represent nearly \$15,000. Mr. Deschaine said that this is one of the consequences with the possible under-reporting in the Police Department budget when holiday pay is not paid out until the very end of the year. Mr. Canada suggested that he wanted to discuss vacation time and holiday pay and how to compensate individuals for working on holidays. He would like to implement offering compensatory time, which would be paid out at time and a half. Mr. Copeland advocated having a separate line item in the budget just for holiday pay. That way, it was a known quantity for the year.

Chief Scippa stated that he had met with the Stratham Memorial School Board and received a tour of the building with Principal Tom Fosher. It was a very enjoyable experience. After the first of the year, he will be meeting with Mr. Fosher to discuss the possibility of programming in the coming year.

Chief Scippa then reported that he is working on acquiring the three AEDs with the help of Kelley Dold. He hoped to have the order in this week after receiving a doctor's prescription allowing the purchase.

George Malgeri has announced his intent to resign to become a member of the Sheriff's Department. Chief Scippa stated that he will be a great contribution to the Sheriff's Department and it is very regrettable that he is leaving.

Lucien McCarty, from the audience, asked about the Wendy Towle investigation. Chief Scippa said the toxicology report is in place and the results of the investigation will be shipped to the Attorney General's Office shortly. That office will be making any further comment regarding this case.

**Town Assessor:** Andrea Lewy was present to present several abatements to act upon (please see the attached list). Mr. Canada moved to approve the abatement for Teddy Czyz. Mr. Federico seconded the motion, which passed unanimously. Ms. Lewy then reviewed several requests for a Veteran's Credit (also see attached). Mr. Canada moved to approve the Veteran's Credits for Collins, Cortes, Erwin, Swett, Thomas and VanWinkle. Mr. Federico seconded the motion, which passed unanimously.

At 8:35 PM, Mr. Canada moved to go into non-public session to discuss confidential information on the elderly exemption applications. Mr. Copeland seconded the motion, which passed unanimously. At 8:58 PM, Mr. Canada moved to come out of non-public session and to seal the minutes due to the confidential nature of the elderly exemption applications discussed. Mr. Federico seconded the motion, which passed unanimously. It was noted that the Board had accepted the recommendations of Ms. Lewy in approving and/or denying the requests as noted on the attached sheet.

Ms. Lewy lastly reported on her preliminary sales assessment ratio studies. The study period is from October 1, 2008 to September 30, 2009. It is interesting to note; however, the State requires that the revaluation timeframe be from April 1, 2007 to April 1, 2009. The resulting analysis showed a ratio of 97.5% using a sampling of one hundred and thirty three sales. Ms. Lewy and Mr. Deschaine explained the process involved in reaching this result. Mr. Canada moved to approve the study and signed the certification, which goes to the State. Mr. Copeland seconded the motion, which passed unanimously. It was noted that this assessment ratio was still preliminary and needs to be approved by the State after their review; therefore, it is not an official result from the revaluation in 2009.

**Administration:** Mr. Deschaine brought forward the renewal of the Center for Occupation and Employment Health contract for CDL drug and alcohol testing. Mr. Canada moved and Mr. Federico seconded to renew the agreement. The motion passed unanimously.

Mr. Deschaine then brought forward the maintenance contract for all the HVAC systems in four different Town buildings. The maintenance contract was by Dowling Corporation. Mr. Canada said that the size and nature of this maintenance agreement would lend itself to an RFP in the future. Mr. Federico moved to accept the contract as presented and to authorize Mr. Deschaine to execute any necessary documents related to it. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine then discussed the proposal from Proulx Oil and Propane to provide heating fuels for the Town. Mr. Copeland moved to accept the proposal as presented and to authorize Mr. Deschaine to execute any necessary documents. Mr. Canada seconded the motion, which passed unanimously.

The Chair noted that there were minutes needing approval; however, further discussion was postponed until next week.

Mr. Canada said he wanted to discuss a few more amendments to the employee manual. First, he wanted to clarify the terms under which there would be mandatory overtime required. After reviewing Mr. Canada's suggesting wording (see attached) the Board adopted the language and it will be placed under the section called "Work Schedule." The second amendment Mr. Canada brought forward related to a promotion policy. The Board adopted the use of the promotion policy as drafted by Mr. Canada (see attached). There was a lengthy discussion regarding sick time, accruals, how the sick bank works, and how to avoid the NH State Retirement spike charge. It was suggested that short-term disability and long-term disability insurance policies be used as a replacement of the sick bank. No consensus was gained during the discussion. Mr. Deschaine suggested that sick time accruals could be reduced significantly if the short-term and long-term disability policies were adopted. Discussions regarding vacation accruals continued. Mr. Canada felt the amounts being paid to retiring employees are going to invoke the spike in fee from the Retirement System. Mr. Canada suggested lowering the maximum accumulation from twenty days to ten days. The discussion also touched upon the accrual of carryover amounts. Mr. Copeland felt that he needed time to think about this more. It was an important recruiting tool for veteran Police Officers and he would not want to change it indiscriminately. Mr. Canada moved to reduce the accumulation maximums to ten days for new hires starting January 1, 2010.

Mr. Federico seconded the motion, which passed with two for and one against. Lastly, the issue of holiday pay was discussed at length. Mr. Canada suggested requiring people who work on a holiday due to Town staffing requirements be obligated to take a different day off within a fixed number of days or lose that day. The resulting overtime or compensatory time when the holiday was used was discussed. No action was taken.

Mr. Deschaine noted that the Local Government Center recommends a "Management Rights" statement in employee manuals. The Board asked him to bring draft language to this effect back to the Board's next meeting.

Mr. Canada asked for authority from the Board to request a report from each Department, which has vehicles assigned to it, which report shall state the mileage and/or the engine hours for each vehicle. Mr. Copeland and Mr. Federico agreed and so authorized making that request. Mr. Federico wondered why we did not accumulate such information on a monthly basis. Mr. Canada thought that that information was not as useful as acquiring it on an annual basis.

**OLD BUSINESS:**

John Boisvert, the Chairman of the Public Works Commission, was present to discuss the future of the commission. Mr. Boisvert had created a flow chart to describe the continuing role for the Commission while maintaining the Board of Selectmen's authority over the Commission's functions. The inter-relationship between the Board and the Commission was described in detail by Mr. Boisvert and that a positive working relationship should be maintained. Important to that relationship, was recognizing the ultimate authority of the Board of Selectmen for all the actions and tasks delegated to the Commission. Mr. Copeland said the flow chart was well thought out and clear to him. . Mr. Canada expressed reservations about putting too much authority with a non-elected Commission; however, he felt that the flow chart presented maintains the authority of the Board of Selectmen for their actions. The Board agreed to use the flow chart as the basis to work on a bylaw that describes the activities of the Commission. Mr. Federico moved to adopt the flow chart. Mr. Canada seconded the motion, which passed unanimously.

Mr. Boisvert reported on the Southeast Watershed Alliance meeting that he had just come from. The organizational issues are still being worked out. Michael Perfit was elected to Co-Chair a working group on organization, which was a good event for Stratham.

Mr. Canada reported on the efforts to gain access to the Scamman wells for testing. Access to the site has been extremely challenging due to the wet weather and area soil conditions. It is hoped that with freezing weather expected by the end of the week, access should improve.

**MEETINGS SCHEDULED THIS WEEK/MEETINGS TO REPORT ON:**

The Chair then reported on meetings held during the last week and meetings scheduled during the coming week.

At 10:56 PM, Mr. Canada moved to go into non-public session to discuss a personnel matter and a matter that would affect the reputation of another not on the Board and/or issues of a litigious nature. Mr. Federico seconded the motion, which passed unanimously. At 11:34 PM, Mr. Copeland moved to come out of non-public session and to seal the minutes due to the confidential nature of the information discussed. Mr. Canada seconded the motion, which passed unanimously.

At 11:35 PM, Mr. Federico moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow  
Recording Secretary

Paul Deschaine  
Town Administrator