

**SELECTMEN'S WORKSHOP**  
**Minutes of 05-18-09**  
**4:15 p.m.**

*Selectmen:*

*Peter F. Brothers, Chairman*  
*Miller C. Lovett, Vice Chairman*  
*Robert C. Flanders*  
*Charles G. Palm*  
*Colette Worsman*

*Co-Interim Town Managers:*

*John C. Edgar*  
*Brenda L. Vittner*

*Recording Clerks:*

*Karin Nelson*  
*Karin Landry*

Call to Order: Chairman Peter Brothers called the meeting to order at 4:00 p.m. He introduced the Board, Co-Interim Town Managers, and the Recording Clerk, and made announcements pertaining to cell phones.

**W 09-24      Junkyard Licensure**

Co-Interim Town Manager John Edgar introduced the matter. An application for licensure of an auto salvage yard located on Philbrook Ave. is anticipated in the near future. The license application/application process is implemented by the governing body. Pursuant to a change in law that became effective in 2007, all motor vehicle salvage operators seeking a "junkyard" license under RSA 236:111-129, must certify in their license application that their salvage yard operates in compliance with best management practices as established by the New Hampshire Department of Environmental Services. Code Enforcement Officer Bill Edney familiarized the Board with the licensure requirements and answered questions in anticipation of the forthcoming application for licensure. The yard is a pre-existing, non-conforming, grandfathered facility. The final site plan approval granted by the Planning Board on April 28, 2009, included a sign off from the NHDES Wetlands Bureau. There are no standard formats for the application form for licensing. Mr. Edney drafted an application form for the Board's review. Once the application form is finalized, it will be forwarded to Donald G. Hoyt, the owner of the yard. A public hearing must be held within two to four weeks from the date the application is received. The license must be renewed on an annual basis, which will allow for verification of continued compliance with all requirements. An inspection and public hearing is required during the renewal process. The licensing process provides an opportunity for operators to avoid litigation by complying with state laws. The license can be issued subject to various conditions.

Selectman Flanders pointed out that enforcement action might be necessary on other locations in Town that meet the statutory definition of a junkyard. He will follow up on the matter with Mr. Edgar. He also commented that the Board needs to be cautious because issues with low legal standing can result in neighborhood and family disputes.

Selectman Lovett inquired if the governing body is required to issue a license for a facility that is not in full compliance. Mr. Edgar suggested that it would be prudent to seek professional legal advice on the matter. He reminded the Board that the objective of licensure is to safeguard the environment by meeting requirements from a licensing point of view as opposed to using legal avenues. The Board will rely on the Code Enforcement Officer for advice regarding compliance, including compliance on Planning Board and Wetlands issues. Selectman Lovett wants assurance that everyone with concerns surrounding the licensure has the opportunity to express them. The notification requirements are set forth in the statute. Mr. Edgar cautioned the Board about creating a precedent for notification that goes beyond the law.

There is written material available in the Selectmen's room to familiarize the Board with the licensing requirements. The Co-Interim Town Managers are available to assist the Board in making decisions on the matter. Mr. Edgar suggested that a walk of the facility prior to the public hearing would be prudent.

Selectman Palm posed questions regarding how the application and renewal process will work. There is no deadline for filing the application. The renewal process is triggered on April 1, but the inspection process will be moved to late fall, when there is low or no snow cover.

Selectman Worsman expressed concerns that the licensure will be a segway for the Town to be heavy handed in enforcement of the salvage yard regulations, particularly in the current economy. She thanked Mr. Edgar for the work that has been done thus far toward licensure of the yard.

Mr. Edney suggested that the Board schedule another workshop to ensure that they are comfortable with the process. Mr. Edgar will schedule a site visit and follow up session if there is a need for additional information.

In closing, Selectman Flanders pointed out that the owner of the facility has been cooperative through the entire licensure process.

#### **W 09-25 Revenue/Expenditure Update**

Co-Interim Town Manager Brenda Vittner provided the Board with a four-month update of revenue/expenditures for the period January – April 2009. The documentation set forth expenditures by department and category, revenue by category, and a potential savings list by department.

Revenue continues to be behind the pace of 2008. The difference in revenue collections for the period January – April, 2008-2009 is approximately \$67,000, or 7.10% less than 2008. The largest non-property tax revenue, motor vehicle registrations, is down \$28,277.00 or 7.03% from 2008. Although the reduced projections for revenue appear to be in line with what has been collected to date, it is difficult to project revenues because

the state budget has not been finalized. Revenue will continue to be monitored monthly and reported to the Board.

Expenditures have been monitored for general operating expenses as well as potential savings items that were identified several weeks ago. 24.8% of 2009 expenditures have been expended through the end of April. The outlook for release of the savings items will become clearer as the six-month point of June 30, 2009 is approached.

Ms. Vittner reviewed expenditures to date by various departments. She pointed out that some departments have expended 100% of certain line items for the year, such as Parks & Recreation's line for turf management. The Town has taken additional steps to reduce expenditures including:

- Working with janitorial and flower vendors to reduce contracts
- Procuring road stripping bids lower than expected
- Investigating power surge issues at the community center that will eliminate the purchase of new recording equipment.

She acknowledged the department heads for finding economies within their departments.

Ms. Vittner is available to answer questions once the Board has the opportunity to review the documentation in greater detail. The Town will receive approximately \$5,000 from the sale of the bucket truck, Explorer, and old tanker at the state auction. Ms. Vittner continues to work with departments to identify additional sources of revenue. The Board will be updated again at the June 15 workshop.

The Board is encouraged by revenue numbers to date, but acknowledges that it is premature to suggest that road ahead will not be difficult. All items on the potential savings list will continue to be held at this time. The Board expressed appreciation for the contributions by department heads and staff thus far.

The Chair thanked those who put together the newsletter that went out with the tax bills for their efforts.

*Selectman Palm motioned to adjourn the meeting at 5:25 p.m. Seconded by Selectman Flanders. 5-0. All in favor. Motion passed unanimously.*

Respectfully submitted,

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John C. Edgar, Co-Interim Town Manager

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Peter F. Brothers, Chairman

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Brenda L. Vittner, Co-Interim Town Manager

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Miller C. Lovett, Vice Chairman

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