

BOARD OF SELECTMEN MEETING
Minutes of March 28, 2022

CALL TO ORDER: Chairman Heath Partington called the meeting to order at 7:00 pm; opening with the Pledge of Allegiance. Selectmen Bruce Breton, Jennifer Simmons, Ross McLeod and Roger Hohenberger were present.

ANNOUNCEMENTS: Mrs. Simmons announced the following on behalf of Recreation:

- Easter Bunny will be at Glenn's Kreme and Kone on Saturday, April 2 between 1P and 2:30P; a portion of the proceeds will benefit the Inclusive Play Area at Griffin Park
- Annual Easter Egg Hunt will take place at Griffin Park on April 9; sponsored by Dipietro Group Real Estate, Premier Mortgage Lending, and the Windham Police Department. Ages up to 2 will be at 9AM, 3-5 at 9:45AM, and 6-9 at 10:15AM. Easter Bunny will be present for photos.
- Per the regulations, the lock for the Willard E Dow (Hayes Hart) boat ramp will be changed on 4/1. Resident may obtain a new key from the Town Clerk beginning 3/28.

Mr. McLeod extended thanks to all who had performed the recount on the Master Plan warrant article the previous Monday; noting it had gone from losing by 5 five votes to losing by 1. Discussion ensued in that the recount had been well done.

PARKS AND RECREATION DIRECTOR: Mr. Partington advised that Ms. Haas was requesting the Board waive Section VIII:E of the Field and Facility Use Policy, which has to do with the timing of the field openings.

Ms. Haas explained that the fields are currently closed, as are the bathroom; adding the porta-potties will be put out on April 1. She noted that the policy was established in 2010, primarily due to pressure on Recreation and Maintenance to open the fields before they were ready.

Mr. McLeod recused himself from the Board due to his affiliation with soccer.

Ms. Haas further explained that the Policy works well, and a good relationship has been established with the youth sports leagues, however, she was looking for a waiver for this year to open the fields in mid-April for practice use only. She went on to note that, if the fields are ready, she would like to authorize the leagues to hold games; going on to explain that sometimes only certain fields/facilities are involved.

Mr. Partington sought clarification that, if waived, it would still be at Ms. Haas' discretion to decide when the fields are ready. She replied in the affirmative, explaining that if the fields are ready for use she did not want to have to wait until May 2.

Mr. Breton moved and Mr. Hohenberger seconded to approve the request for a waiver of Section VIII:E for 2022. Passed 4-0.

Mr. McLeod resumed his seat with the Board.

IT DIRECTOR: Eric Delong updated the Board on the Town's cyber security activities, explaining what is protected and by whom; noting that he endeavors to follow industry best practices. He advised that, internally, the Town protects Police records/activity, our Assessing database, working Office files, and our email, while our financial data is secured by Munis offsite. Mr. Delong went on to note that our Fire department and Library data is also secured offsite, and our internet access is protected by a firewall; going on to explain that the latter is a physical device maintained by an outside vendor with experience in cyber security. He indicated he has asked the vendor to limit access to our system to the web and email, and to block inappropriate websites. Mr. Delong indicated that the vendor monitors threats and learns to address same, propagating that knowledge to all of their appliances. Discussion ensued regarding the name of the vendor, which Mr. Delong preferred not to reveal publicly.

Mr. Delong then explained that our financial data is protected via a second firewall device provide by the vendor, and our Police data via our connection to the State. Mr. McLeod inquired as to the State's maintenance practices, and Mr. Delong explained the workings of the device in relation to our overall system and advised it is programmed such that only specific computers can access it.

Mr. Delong then indicated that he maintains a seven day rotational backup of our data, which is stored offsite, and went on to explain that email is the number one source of issues. He noted that our service involves an antivirus program on every message coming in or going out, as well as an anti-spam system; adding at the work station level Trend Microsystem is utilized, which is a cloud based anti-virus software, and user access is limited to their drive, containing the impacts of any malware to user folders. Discussion ensued in that Mr. Delong is the only individual with administrative rights to install programs, etc., on machines.

Mr. Breton inquired as to who serves as backup should Mr. Delong be out for an extended period, and the latter advised that the Town has an agreement with RTM of Bedford to manage the Town's security systems, but there is no backup for him in the event of a catastrophic failure. Discussion ensued regarding the importance of a second individual, with HR Director Paula Carmichael clarifying that a second IT person will be proposed as part of the Strategic Planning discussion. Mr. Delong clarified that all passwords are held by HR, and all accounts are based upon his generic Town email so that everything could be recovered if the need arose.

Mr. McLeod requested that Mr. Delong address questions that he had received from a resident and distributed to the other members. Mr. Delong explained the following:

- The need to update the Town's computer policies and for employees to sign off on same to ensure they are read. Discussion ensued regarding various, related Town policies and updating of same.
- That some of the questions related to high level, security issues that do not apply to the Town.
- That he has recently begun an email testing campaign with employees.
- The Town's backup procedures; with discussion in that this was not yet fully documented and that Mr. Delong can do so.
- That he believes the network access procedures should be documented.
- As to a disaster response and recovery plan, and lack thereof, he noted his expectation for disaster would be a hardware failure, which has only happened once in 20 years.
- The Town is not audited to an industry standard.
- The Town does not have a vendor management plan, however, the outside vendors do not have access to our data other than in the context of their own services.
- As to data retention, the Town currently follows statutory requirements for paper retention. Mr. Delong has spoken to the State regarding email retention, and the latter does not have defined archival rules other than those for paper retention. He noted the Town currently archives everything, which is getting unmanageable. Discussion ensued regarding what is being archived, the number of email addresses, the need for a policy decision regarding retention, particularly relative to former employees, and obtaining a legal opinion regarding same.

Mr. Breton asked that the Chair share information he had provided with the Board, and discussion ensued in that it related to the use of ARPA funding to evaluate the Town's system and correct deficiencies, as well as changes made at the State level to handle their remote workers, of which the Town does not have any at this time. The Chair noted that discussion of remote access was a different matter than cyber security and may come up again during the Strategic Planning presentation in April.

Mr. Partington then noted that the Town's physical hardware had not yet been discussed, including possible physical vulnerabilities to same, as well as the lack of a ticketing system for tracking issues. He also agreed more was needed in writing along with a broadening of policies and procedures; going on to cite support for ISO 9000 and the use of mandatory training for employees to get to that point.

Mr. Delong noted that security does not relate just to hacking but access to data and much of this relates to Strategic Planning; adding that in the long term data should be stored in safer locations, single points of failure identified, and it should be backed up in some fashion. Discussion ensued regarding current backup procedures, remote workers and processes during Covid, and the planned April Strategic Planning presentation for IT. Mrs. Simmons advised the latter will be on 4/11 and will also include a software recommendation for computer inventory; adding at the first meeting in May Mr. Delong will present the current inventory list.

TAX ASSESSOR: Paul McKenney, MRI, presented the following to the Board:

- *1-B-1009, 76 Londonderry Road:* The property was transferred to the owner's children in 2017 and the \$500 veteran credit removed; however, the previous owner had reserved a life estate in the property and, as he is still eligible and qualified for the veteran credit, it should be reinstated. Recommendation is to award an abatement in the amount of \$500 plus any accrued interest for TY2021. Discussion ensued regarding the sale and workings of a life estate, and that abatements had also been filed for TY2017-2020.

Mr. McLeod moved and Mr. Hohenberger seconded to grant the abatement as requested for TY2021. Passed unanimously.

After further discussion regarding the nature of the life estate and when the credit had been removed, Mr. Hohenberger moved and Mr. Breton seconded to grant abatements for the additional years requested, as the owner was a qualified veteran. Passed unanimously.

- *24-G-100, 233 Range Road:* The property was transferred to the owner's son in 2018, also reserving a life estate. The veteran credit continued to be received by the owner as an eligible spouse after the sale, but should have been removed for TY2021 when she passed away. Recommendation is to issue a supplemental bill in the amount of \$500 plus interest accrued after 4/21/2022.

Mr. Hohenberger moved and Mr. Breton seconded that a supplemental bill be issued as recommended, as the current owner does not qualify for a veteran credit. Passed unanimously.

NON-PUBLIC SESSION: Mrs. Hohenberger moved and Mrs. Simmons seconded to enter into non-public session in accordance with RSA 91-A:3, II e. Roll call vote – all "yes". The Board and Mr. McKenney were present.

The Board discussed a tax abatement case with Paul McKenney.

Motion to accept the assessed valuation of \$748,700 for the property in question with two conditions:

- The property owner drops the abatement appeal.
- The property owner agrees to this agreement within 14 days.

Motion passed 5-0.

Public session resumed at 8:00 PM, with Mr. Partington advising the Board had made a determination on a Board of Tax and Land Appeals case.

BID WAIVER/AWARD REQUESTS: *Duty Pistols:* Captain Caron explained that, as part of the department's five year replacement plan, they would like to purchase twenty-four (24) new handguns for the officers direct from Sig Sauer, our manufacturer. He indicated that the overall cost of the purchase, including accessories and after our trade in allowance, would be \$15,216.

Mr. Hohenberger noted he would prefer this be placed out to bid, as there are many dealers who carry Sig Sauer. Captain Caron advised he had spoken to another company and, even with our trade-ins, their costs were much higher. Discussion ensued.

Mr. Partington inquired whether there was a timing issue with going out to bid, and Captain Caron replied that if the weapons are ordered now they will likely not arrive until August; adding the war may impact that timing further and noting that ammunition supplies are also drying up.

Mr. Breton moved and Mrs. Simmons seconded to waive the bid process and allow the purchase through a sole source vendor. Motion failed 2-3, with Mr. Partington, Mr. McLeod and Mr. Hohenberger opposed.

Captain Caron will place the duty pistols out to bid.

Mobile Radios: Captain Caron advised we are in the second year of a three year process to replace our mobile radios; adding the current ones are ten years old and he is asking to purchase five mobile and eight portable radios directly from Motorola Solutions. He noted this was similar to last year’s purchase, and advised the overall cost, including accessories, will be \$49,578.52. Brief discussion ensued.

Mr. McLeod moved that, given the uniqueness of the equipment, the bid process be waived. Mrs. Simmons seconded. Passed unanimously, with Mr. Hohenberger clarifying he supported same only because we are in the second year of a multi-year contract.

Mr. McLeod then moved and Mrs. Simmons seconded to authorize the Chief to proceed with year two of three of the radio purchases as presented, in the amount \$49,578.52. Passed unanimously.

Mr. Breton sought clarification as to how the trade-ins will be worked into the handgun bids, and Captain Caron advised he will incorporate it into the bid specifications.

BID AWARDS: *Captain Caron* advised that five bids for gym equipment had been received, as follows:

<i>Vendor</i>	<i>Total Cost</i>
<i>Fitness Superstore, Benicia CA</i>	<i>\$5,896 (\$2,548 for Elliptical; \$3,348 for Treadmill)</i>
<i>Top Fitness, Natick, MA</i>	<i>Option A - \$6,798 (\$2,566 for Elliptical; \$4,199 for Treadmill) Option B - \$10,630 (\$5,395 for Elliptical; \$5,235 for Treadmill)</i>
<i>Fitness Equipment ETC, Salem, NH</i>	<i>\$10,397 (\$5,198.50 for Elliptical; \$5,198.50 for Treadmill)</i>
<i>BSN Sports, Farmers Branch, TX</i>	<i>\$10,314.64 (\$4,722.98 for Elliptical; \$5,591.66 for Treadmill)</i>
<i>Johnson Health Tech NH Inc, DBA Matrix Fitness, Illinois</i>	<i>Option A - \$4,500 (\$2,550 for Elliptical; \$1,950 for Treadmill) Option B - \$9,214.43 (\$5,147.18 for Elliptical; \$4,067.25 for Treadmill) Option C - Option B - \$8,500 (\$4,250 for Elliptical; \$4,250 for Treadmill)</i>

He indicated his recommendation would be to award the bid to Fitness Equipment, Etc., out of Salem for their total bid price of \$10,397; going on to explain that he had looked at the lower priced equipment and was concerned that, among other things, it will not last the ten or 12 years the current items had. He indicated that, after review, it had come down to Fitness Etc. and Matrix Fitness and explained that while the equipment is the same there are differences in the warranty. Captain Caron outlined those differences, and then clarified that the previous purchase had been from Fitness Etc. and they would prefer to stay with a local vendor rather than one out of Chicago.

Lengthy discussion ensued regarding the lower bids available, equipment quality and warranties, and possibly delaying the award to allow for a deeper review of the specifications and options.

It was the general consensus that the Board would like more information, which Captain Caron will forward to the Board for a future meeting.

Fire Department Command Vehicle: Chief McPherson advised that this had been placed out to bid prior to Town meeting and only one response had been received; adding it had then been re-bid. He noted he had sent it to seven different vendors, both Chevy and Ford, and had received the following two responses:

<i>Vendor</i>	<i>Total Cost</i>
<i>McFarland Ford - Exeter, NH (Ford Expedition)</i>	<i>\$40,730</i>
<i>Irwin Ford - Laconia, NH (Ford Expedition)</i>	<i>\$44,108</i>

Chief McPherson noted that, once the bids were opened, the vendors had advised that production on the Ford Expedition had been halted, however, these two bidders had ordered vehicles. He indicated his recommendation would be to award the purchase to McFarland for their bid price of \$40,730.

Mr. McLeod moved and Mr. Breton seconded to award the purchase of the Fire Command Vehicle to McFarland Ford for an amount not to exceed \$40,730. Brief discussion ensued regarding financing, which will be over a three year period, and the Finance Director will present it to the Board at a future meeting.

Motion passed unanimously.

SEARLES SCHOOL & CHAPEL TRUSTEES: Peter Griffin, Trustee, went over several items with the Board, including:

- The bid specifications for repairs to the Tower had been prepared prior to Town Meeting, and Trustee Mike Mazlewski will now be reviewing both the specs and the tower to see if anything else should be included. He went on to give a background of the work completed with the bond monies thus far, and advised that as soon as the tower bid specifications are updated he will return to the Board.
- Trustee Neil Fallon and interim Coordinator Cheryl Haas have been working diligently on a marketing plan, which will they present to the Trustees. Mr. Griffin explained that the Searles “brand” essentially needs rebuilding due to Covid.
- The back door of the chapel room has been problematic for over a year, as it is disintegrating, the veneer is lifting off, and it opens on its own. Mr. Griffin advised he has been working with General Services Director Dennis Senibaldi, who had obtained an estimate of \$6,200 to replace the door with a combination aluminum/glass one. He indicated the Trustees do not feel this would fit the aesthetic of the building and had obtained another estimate; explaining the latter was \$7,891.30 but there are grant funds left over from the woodworking project that could be put towards the difference between this estimate and the \$6,200. Discussion ensued regarding whether this had gone out to bid, and the state of the existing door.

Mr. Senibaldi advised that the door is beat up and had just been repaired the other day; adding he had suggested an extruded aluminum door to match the woodwork and windows. He noted it will come down to available property maintenance trust funds, explaining the JLMC facility walk will be done in April to compile the list of necessary items; adding he is aware the door needs replacement but it not on the priority list. Mr. Senibaldi indicated he did not expect to have much of the \$75,000 trust monies left over; explaining he also likes to ensure \$10,000 or \$20,000 is available in the fall in case of such things as an HVAC failure. He clarified he supports replacing the door, and agrees an aesthetically matching one would be great, however, it comes down to funding; noting the majority of the latter will go toward things at the Fire Department which has not been touched in 24 years.

Discussion ensued as to the timing of trust expenditures, other projects which funds are earmarked for, such as re-doing the bricks under the Administrative Office, and whether there are items on the list which remain on the bottom and never get completed. To the latter, Mr. Senibaldi replied in the negative, noting things get moved up in priority barring full failures elsewhere; adding the only item that has been on the list for an extended period of time is the concrete at Griffin Park.

Mr. McLeod sought clarification that all Property Maintenance funds are accounted for already, and Mr. Senibaldi replied in the negative, reiterating that the list of projects will be established in April. Further discussion ensued regarding the last JLMC inspection list, on which there are still some active items, which was over \$700,000 in projects.

Mr. McLeod noted that the Board would get to make the call as to whether something jumps the queue, and Mr. Senibaldi clarified that the list will be updated to reflect completed items, outstanding items, and new items. Further discussion ensued regarding available funds, cost of the door, timing of projects, and the need to see the entire project list.

Mr. McLeod then moved to authorize the expenditure of \$6,200 from the Property Maintenance Trust to repair the chapel door. Motion failed for lack of a second.

Further discussion ensued, with input from Mr. Griffin and Chief McPherson, regarding available funds for maintenance projects, the current state of the door after repairs, items needed at the Fire Station and potential donors toward same, and when the list is finalized. Mr. Senibaldi again noted that the inspections are done in April and the list goes to the Board in May.

Wendy Williams, Bear Hill Road, inquired whether the list will be made public. Mr. Senibaldi replied it is given to the Board each year, and Ms. Williams suggested it be posted on the website as well. She then went on to note concerns that historic-related items seem to get pushed down the list and are not prioritized. Mr. Senibaldi indicated that General Services had spent \$17,000 between the Searles building and Dinsmore Wall in 2021; explaining trees had been cleared at the latter and at Searles LED retrofits and exposed wiring repairs had been completed.

After further, brief discussion, no decisions were made. The list will be provide to the Board by the JLMC and the Trustees will provide the marketing bid specifications, as well.

BOARD LIAISON ASSIGNMENTS: Mr. Hohenberger indicated that he had not submitted his selections to Mr. Sullivan, however, wherever he was assigned last year he would continue so long as no other Board member wished to.

Mr. McLeod then moved and Mr. Hohenberger seconded to approve the following liaison assignments:

- CIP Regular, Mr. McLeod and CIP Alternate, Mrs. Simmons
- EDC Regular, Mrs. Simmons and EDC Alternate, Mr. Breton
- Cable, Mr. Hohenberger
- Recreation, Mrs. Simmons
- Searles Trustees, Mrs. Simmons
- Historic District Commission, Mr. Partington
- Town Common Beautification, Mrs. Simmons
- Route 111 Beautification, Mr. Partington
- Joint Loss Management, Mr. Breton
- Local Energy Committee, Mr. McLeod
- Depot Advisory Committee, Mr. Hohenberger
- Information Tech Advisory Committee, Mr. Partington
- Haz Mat District, Mr. Breton
- Records Retention, Mr. McLeod
- Welfare Overseer, Mrs. Simmons
- Housing Authority Regular, Mr. Hohenberger, Housing Authority Alternate, Mr. Breton
- Department Head Strategic Planning, Mrs. Simmons

Motion passed unanimously.

After brief discussion, Mr. Breton moved and Mr. McLeod seconded that Mr. Breton be primary liaison to the Planning Board and Mr. Hohenberger the alternate, with Mr. Hohenberger attending all Master Plan discussions. Passed unanimously.

OLD/NEW BUSINESS: Chief McPherson requested that the Board renew his appointment as Fire Warden, and all trained firefighters in the Department as deputies.

Mr. McLeod moved and Mr. Hohenberger seconded to approve the Fire Warden and Deputy reappointments as requested. Passed unanimously.

Mr. Partington advised that Pennichuck is seeking communities willing sell a portion of their water allotment; reminding all that the Town had previously sold 30,000 gallons of our Phase 1 allotment. He indicated they are now seeking 60,000 gallons of the Phase 2 capacity.

Discussion ensued regarding the timing of Phase 2 and the total allotment available. Mr. McLeod suggested that the new Town Administrator be asked to determine whether we have room in our allotment for such a sale; noting that if we can sell it would provide revenue to the Town. It was the consensus to concur and that this be looked at again in June.

Mr. Partington inquired whether the Board wished to stay on the same meeting schedule given vacation week and the July 4 holiday. It was the consensus to not change the schedule at this time.

Mr. Partington noted that he had spoken to several individuals regarding upgrades to the meeting room such as a larger monitor and burying wires; noting funds could perhaps be requested from the Cable Fund. Discussion ensued, with Mr. Hohenberger advising he could bring the possibility to the Cable Board meeting the following day. It was the consensus to support Mr. Hohenberger doing so.

CORRESPONDENCE: None.

MINUTES: None.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McLeod seconded to enter into non-public session in accordance with RSA 91-A:3, II c. Roll call vote – all “yes”.

Initially attended by: Bruce Breton, Roger Hohenberger, Ross McLeod, Jennifer Simmons, Heath Partington and Conservation Chairman David Curto.

Discussion about the Conservation Commission alternate members and their terms and attendance and any related actions taken by the Conservation Commission. No action taken.

David Curto left the room.

General Services Director Dennis Senibaldi and HR Director Paula Carmichael joined the board.

Discussion about future staff related areas of improvement. No action taken.

Mr. Hohenberger moved and Mr. McLeod seconded to exit non-public. Passed unanimously.

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

Meeting was adjourned at 9:46 PM.

Respectfully submitted,

Heath Partington, Chairman
Wendi Devlin, Administrative Assistant