

**BOARD OF SELECTMEN**  
**Minutes of July 25, 2016**

**CALL TO ORDER:** Chairman Joel Desilets called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Jennifer Simmons, Ross McLeod and Roger Hohenberger were present; as was Town Administrator David Sullivan. Mr. Desilets opened with the Pledge of Allegiance.

**ANNOUNCEMENTS/LIAISON REPORTS:** Mrs. Simmons advised that Recreation would be hosting a free event on August 4<sup>th</sup> at 6 PM at the High School involving a bicycle stunt rider.

*Mrs. Simmons* announced that the Town's 275<sup>th</sup> Anniversary celebration has been scheduled for August 11, 12, and 13, 2017.

*Mr. Hohenberger* announced that the Annual Senior Picnic will take place on August 5<sup>th</sup> at the High School.

*Mr. Breton* advised that he had recently attended a meeting of the Southeast NH Hazardous Materials Mutual Aid District; noting that under Chief McPherson's direction the District has obtained a total of approximately \$987,000 in grant monies and over \$1M in equipment. He indicated that Chief McPherson serves as Chairman of the District's Board of Directors. Discussion ensued, with Chief McPherson noting that most of the equipment in question is stored in Windham.

*Mr. Desilets* noted that the Town Common Beautification Subcommittee will be before the Board on the 22<sup>nd</sup> with an update on cost information and plans for their beautification project.

*Mr. Desilets* indicated he, Captain Caron, and Chief McPherson had all met with the Director of Community Caregivers; the goal of which was to obtain information on the services the group offers to Windham, possibility increasing same, and establishing synergy between the Town and the group. Mr. Desilets noted that Dan Dawe, one of the Town's Senior Services officers, was also present. He advised that they will meet again in a couple of months, with Mr. Sullivan and Human Resource Coordinator Kathy Davis being invited. Mr. Desilets then cited several upcoming opportunities to spread awareness about the group including the Senior Picnic, Fire Prevention Week, at the Transfer Station and via a cable show.

**BID AWARDS:** *Searles Septic:* Mr. McCartney advised that eight (8) bids had been received, as follows:

<b>Vendor</b>	<b>Total Cost per Scope of Work</b>
Busby Construction Co., Atkinson NH	\$54,321.00
JR Gauthier Jr., Pelham NH	\$34,838.00
BH Construction, Ashland NH	\$29,275.00
Devlin Construction, Windham NH	\$29,880.00
Felix Septic Service, Bow NH	\$22,900.00
Henniker Sewer & Drain, Henniker NH	\$45,475.86
J. Parker & Daughters, Pittsfield NH	\$23,340.00
NNEFS, LLC, Stewartstown NH	\$28,059.00

Mr. McCartney indicated that the recommendation would be to award the bid to J. Parker & Daughters; explaining that although not the low bidder, theirs had not included any exceptions for ledge, etc.

Mr. McLeod moved and Mr. Breton seconded to award the bid for the Searles School and Chapel septic system to J. Parker and Daughters as recommended.

Mr. Hohenberger inquired whether the Town had experience working with this company, and Mr. McCartney and Mr. Sullivan replied in the negative; however, their references had been checked and they had much experience with installations.

Mrs. Simmons noted that the only concern the Searles Trustees had regarding the project was that they be notified before the bushes in the area are moved.

Mr. Desilets inquired whether consideration was given to the Windham-based bidder, and a discussion ensued with Mr. McCartney indicating he would have liked to but could not given their price.

Mr. Sullivan requested that the motion be amended to clarify the funds are to come from the Property Maintenance Trust. Mr. McLeod amended his motion, and Mr. Breton his second, accordingly.

Passed unanimously.

*Paving projects:* Mr. McCartney advised that three (3) bids had been received, as follows:

<b>Vendor</b>	<b>Total Cost Heritage Hill Rd</b>	<b>Total Cost Hardwood Rd</b>
Brox Industries, Methuen MA	\$105,600.00	\$148,500.00
Hudson Paving, Hudson NH	\$ 91,369.00	\$125,356.00
Tate Bros. Paving, Hudson NH	\$115,462.00	\$130,056.00

Mr. McCartney noted that the recommendation would be to award the bid to Hudson Paving for a total bid price of \$216,725.

Mr. McLeod moved and Mr. Breton seconded to award the bid to Hudson Paving as recommended.

Mr. Breton then inquired whether, given the savings, any more road work will be scheduled Mr. Sullivan replied in the affirmative. He then added that, as it pertains to the Searles, as the septic bids had come in so low the second lot will be able to be paved with the donation of materials offered by Cairns.

Motion passed unanimously.

Brief discussion ensued regarding funds available for the Searles, with Mr. Sullivan clarifying that the Trustees wish to use the \$10,000 +/- in their Special account towards a window replacement.

Mr. Desilets noted the benefits to paving the second lot to the upcoming wedding season; suggesting we move quickly on completing the project. Discussion ensued regarding putting it out to bid, and that the estimated cost is only \$10-15,000 as Cairns is donating the materials.

Mr. Breton suggested it be bid now, as the septic is being done. Mr. McCartney noted it had been bid last year, and that the vendor is willing to hold their price which reflects the donated materials. Brief discussion ensued, and it was clarified that the vendor in question was Hudson Paving at a cost of \$17,000.

Mr. Hohenberger questioned what projects, if any, would be forfeited in favor of the paving. Mr. Sullivan noted that, even if \$17,000 were expended on the paving, there will still be approximately \$165,000 available to put another road out to bid. Discussion ensued regarding the Searles funds, the marketing/maintenance of the building, and that the Trustees do not have the monies to do the paving project.

Mr. Hohenberger sought clarification that Mr. McCartney was okay with these funds coming from his budget, and the latter concurred.

Mr. Desilets then moved and Mr. Hohenberger seconded to approve paving of the Searles lot, to be funded from the Highway budget, by Hudson Paving for their bid of \$17,000. Passed unanimously.

*East Nashua Road reconstruction:* Mr. McCartney advised that four (4) bids had been received, as follows, with the recommendation being to award same to Tate Bros. Paving:

<b>Vendor</b>	<b>Total Cost per Scope of Work</b>	<b>Ledge Removal per diem</b>	<b>Optional \$/ft to extend</b>
Busby Construction Co., Atkinson NH	\$268,862.00	\$5,000.00	\$155.00
American Excavating, Derry NH	\$204,500.00	\$2,400.00	\$115.00
Hudson Paving, Hudson NH	\$311,295.00	\$5,000.00	\$172.94
Tate Bros. Paving, Hudson NH	\$194,490.00	\$4,720.00	\$117.00

Mr. McLeod moved and Mr. Hohenberger seconded to award the bid to Tate Bros. Paving as recommended. Mr. Desilets questioned why Hudson’s bid was so much higher, and Mr. McCartney replied he did not know.

Mr. McLeod then amended his motion, and Mr. Hohenberger his second to extend at a cost of \$117/linear foot as deemed appropriate by the Highway Agent.

Discussion ensued regarding the budget, with Mr. McCartney clarifying he would not spend the \$360,000; rather he would probably only extend the reconstruction to the next intersection with a final cost of \$280,000 +/- . Further discussion ensued regarding the stone walls in the area, that the final road width will range between 22-25’, and possible use of this area for the Community Streets program.

Motion passed unanimously.

**HEALTH OFFICER APPOINTMENT:** Mr. Desilets noted that, with Ms. Scott’s resignation, the Board must appoint a new Health Officer. Mr. Breton moved and Mr. McLeod seconded to appoint Dick Gregory to the position. Passed unanimously.

Mr. Breton clarified that the RSAs require that the Health Officer be a resident of NH, which Mr. Gregory is; whereas our Deputy Health Officer, Mike McGuire, resides in Massachusetts.

**COMMUNITY DEVELOPMENT HOURS:** Mr. Desilets noted that the Board had revised policy last year regarding the changing of office hours, and that this request was to discontinue Saturday hours at the Department effective immediately. He indicated the request was based upon staffing issues and a documented lack of need for the extended hours.

After a brief discussion, Mr. McLeod moved and Mrs. Simmons seconded to approve discontinuing Saturday hours at the Community Development Department. Passed unanimously.

**PERMIT REQUEST – NEWLIFE DOG TRAINING:** Mr. Doug Cass, owner of NewLife, explained that he would like the Board’s permission to host boot camps at Griffin Park. He indicated that these sessions are free, open to all, and donations are accepted which are given to a local, animal-related non-profit organization.

Mr. Sullivan advised that his/Ms. Haas’ suggestions regarding the request would be that the camps be coordinated with Recreation, that liability insurance be in place, and that any donations received go to a Windham non-profit or directly towards the passive area at Griffin Park. Mr. Breton suggested it would be more appropriate for Mr. Cass to speak with Community Resource Officer, Anna Jenoski.

Mr. McLeod noted that, procedurally, the Board would have to waive the policy section, as being a non-resident, Mr. Cass does not fall under the provisions of same. He also noted that Saturdays in the fall are very busy and, as a for profit entity, Mr. Cass still benefits from the exposure the camps offer. Discussion ensued regarding the benefits of the program versus profit.

Mr. Desilets sought clarification as to the non-profits to which the proceeds would be donated. Mr. Cass noted he usually provides same to animal-related non-profits such as the Derry Pound. Mr. Desilets expressed his support for same, and then questioned whether residents are given priority to attend the camp. Mr. Cass replied in the negative, noting it is first come/first served. Mr. Desilets suggested Mr. Cass could allow the Town a few days advance advertising opportunity; and a brief discussion ensued.

Mrs. Simmons sought clarification that the boot camp involved only walking skills. Mr. Cass replied in the affirmative, noting it would involve cones in the grassy area. Mr. Desilets inquired how many dogs would be involved, and Mr. Cass noted there were generally 10-15 dogs for a two hour period. Discussion ensued regarding the lack of liability insurance, and Mr. Cass clarified that he does not allow flex leads or any contact between the dogs; adding he has never had an incident.

Mr. Breton reiterated that he would like Mr. Cass to coordinate this with Officer Jenoski, adding he would also not like it to be first come/first serve, but rather it be for Windham residents.

Mr. McLeod moved and Mr. Hohenberger seconded to deny Mr. Cass' request as it does not fall under the current policy exceptions. After further discussion, motion passed 3-1-1, with Mr. Desilets opposed and Mr. Breton abstaining. Further discussion ensued regarding the impetus of this request, however, no further decisions were made.

**PROPERTY TAX ABATEMENT/WARRANTS:** The Board reviewed, with MRI Consultant Scott Marsh, several property tax abatement requests, as follows:

- 2-A-995, \$4,635.05: adjusted due to the availability of an appraisal and condition of the land. After discussion, Mr. Hohenberger moved and Mr. Breton seconded to deny the abatement request as presented. Passed unanimously.
- 9-A-1016, \$662.46: adjusted due to listing/condition errors, as well as topography issues and the availability of an appraisal. Mr. Hohenberger moved and Mr. McLeod seconded to grant the abatement request as presented. Passed 4-0-1, with Mr. Desilets abstaining.
- 11-A-860, \$3,423.07: adjusted due to listing errors. Mr. Hohenberger moved to deny the request due to the size of the decrease. There was no second. Further discussion ensued regarding the sale price, the appraisal, and that the property is to be torn down.

Mr. Breton moved and Mrs. Simmons seconded to grant the abatement request as presented. After further discussion, motion passed 3-2, with Mr. Hohenberger and Mr. Desilets opposed.

*Mr. McLeod* recused himself from the Board.

- 11-A-1602, \$3,312.30: adjusted due to listing/quality errors, as well as the availability of an appraisal. Mr. Hohenberger moved and Mr. Breton seconded to grant the abatement request as presented. Passed 4-0.

*Mr. McLeod* resumed his seat with the Board.

- 11-C-1000, \$12,982.04: adjusted due to function/access issues. Mr. Desilets sought clarification as to whether the property was about to renovated, and Mr. Marsh noted he had no confirmation of that. Mr. Breton suggested this be tabled to allow the Board to review income/expense data for the property. It was the consensus of the Board to concur with Mr. Breton, and Mr. Marsh will provide the Board with this data and an analysis of same for their review.
- 16-L-360, \$1,400.94: adjusted due to listing/grade errors and the amount of wetlands on the property. Mr. Breton moved and Mr. McLeod seconded to grant the abatement request as presented. Passed 4-1, with Mr. Hohenberger opposed.

- 22-A-2, \$0.00: Mr. Marsh recommends this request be denied as he was unable to inspect the property as requested. Mr. McLeod moved and Mr. Breton seconded to deny the request as recommended. Brief discussion ensued regarding the size of the basement area. Motion passed 4-0-1, with Mr. Desilets abstaining.
- 22-B-26, \$1,057.76: adjusted due to story height/listing/quality errors, as well as comparable data. Mr. Hohenberger moved and Mr. McLeod seconded to grant the abatement request as presented, Passed unanimously.
- 22-L-174, \$4,328.80: adjusted/corrected listing as this is not a waterfront property. Mr. McLeod moved and Mrs. Simmons seconded to grant the abatement request as presented. Passed unanimously.
- 22-R-307, \$721.10: adjusted due to listing/condition errors. Mr. McLeod moved and Mr. Hohenberger seconded to grant the abatement request as presented. Passed unanimously.
- 24-F-167, \$4,259.29: adjusted due to listing/sft errors. Mr. Hohenberger moved and Mr. McLeod seconded to grant the abatement request as presented. Passed unanimously.

The Board then reviewed with Mr. Marsh several timber tax warrants for possible issuance. Mr. McLeod moved and Mr. Hohenberger seconded to issue the following warrants: 11-A-520, \$222.86; 20-D-2300, \$179.59; 21-C-10, \$497.69; and, 21-C-90 & 60, \$385.50. Passed unanimously.

**OLD/NEW BUSINESS:** Mr. Sullivan noted that, at their previous meeting, the Board had voted that Ms. Haas bid out the full repair of the Griffin Park tennis courts in light of monies received from the sale of surplus properties. He indicated that, while he supported obtaining quotes, he wished to clarify that the Board was aware those funds cannot be expended until Town meeting. Mr. Sullivan added that he believed funds will be available in the budget for the repairs.

Mr. Breton clarified that he had wanted Ms. Haas to obtain bids and to direct some of that revenue from the property sales to fix the Town's assets. Mr. Sullivan agreed, but reiterated that a warrant article would be necessary for same. Discussion ensued.

Mr. Breton suggested that the Property Maintenance Trust be kept as it is, and a separate account established to maintain these types of funds for special projects. Discussion ensued regarding the annual fund balance versus unexpected issues/overtime needs.

Mr. Sullivan advised that Ms. Haas would get pricing and come back to the Board.

Mr. Desilets then expressed concerns regarding the completion of the Primex audit report in May; inquiring why it was not available for review until now. Mr. Sullivan noted it had not been sent to the Board, however, as in the past those repairs that could be done, were. Discussion ensued, and Mr. Desilets noted he had hoped it would have been given to the Board right away. He then sought clarification that Ms. Haas is costing out the balance of the repairs, and Mr. Sullivan replied in the affirmative.

*Mr. Hohenberger* inquired whether the Board would be receiving a financial update, and Mr. Sullivan replied they should have a presentation by the last meeting in August.

**CORRESPONDENCE:** Resignation received from Mr. Justin Pare from the Conservation Commission. Mr. McLeod moved and Mrs. Simmons seconded to accept same with regret. Passed unanimously.

*Mr. Sullivan* advised that Comcast had sent notification to the Town regarding the impending franchise renewal.

**MINUTES:** Mr. McLeod requested that the minutes of 6/20 be amended to correct the spelling of his name in one location. He then moved, and Mr. Hohenberger seconded to approve the minutes of 6/20 as amended, and 6/28, 75, and 7/11 as written. Passed unanimously.

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

*Mr. Sullivan* updated the Board on interim staffing in the Community Development Department. It was the consensus of the Board that he proceed as discussed.

*Mr. Sullivan* updated the Board on a personnel matter relative to Worker’s Compensation. No decisions were made.

*The Board* discussed the vacant Community Development Director and Planning Director positions and recruitment for same. It was the consensus of the Board that the same recruitment procedures be followed for both positions, and that staff will follow-up to get the information to the Board.

*The Board* discussed the possibility of conducting an exit interview with a staff member. It was the general consensus that a non-public meeting be posted for the purposes of conducting same on Wednesday, 7/27 at 6:00 PM. Staff will follow up to do so.

Mr. Hohenberger moved and Mr. McLeod seconded to adjourn to a non-meeting in accordance with RSA 91-A:2, I (a). Passed unanimously.

Meeting was adjourned at 9:20 PM

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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