

BOARD OF SELECTMEN
Minutes of May 16, 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 Finance Director Daniel Popovici-Muller. Town Administrator David Sullivan was excused. Mr. Desilets opened with the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. McLeod, on behalf of former Selectman Letizio, extended thanks to Town Clerk Nicole Merrill, IT Director Eric Delong, and staff of the Windham PD for their assistance after his vehicle was damaged while at the Town Hall. Subsequently, through the use of video evidence, the perpetrator was caught.

Mr. Breton noted today was Representative Mary Griffin's 90th birthday; adding she was, at the moment, celebrating her milestone at the Common Man. Birthday wishes were extended by all.

Mrs. Simmons extended thanks to Community Development Director Laura Scott for coordinating the recent "How to Succeed in Business..." event. She then also noted the following upcoming items:

- The Garden Club will be awarding two (2) scholarships, and more information is available at windhamgardenclub.com
- The Garden Club's Annual Plant sale will take place at the Town Hall beginning at 9:30 AM on the following Saturday.
- On Sunday, May 22nd, there will be a celebration of the steeple restoration at the Presbyterian Church.
- The Historic District Commission is planning a meeting with Londonderry to discuss the upcoming Nutfield 300th Anniversary.
- There will be a Shred Day, free to residents, on the following Saturday at the Windham Police Station between 10A and 2PM.

Mr. Desilets advised that staff has processed several police public safety impact fee returns, which were not spent within the required six year period, as follows: 14 North Shore Rd (\$518.30); 6 Rosewood Street (\$517.16); 12 Horseshoe Road (\$516.90); 37 Meetinghouse Road (\$516.82); and 8 Horseshoe (\$516.73).

EAGLE SCOUT PROJECT: Eagle Scout candidate William Shattuck approached to detail a proposed project on the Town Common, for which he has been working with the Town Center Beautification Committee. He indicated his proposal was to clean-up an area of the Common and construct a fire pit. Recreation Coordinator Cheryl Haas approached and noted the Eagle Council has approved Mr. Shattuck's proposal, however, he needs Board authorization to work on Town property. Discussion ensued regarding the need to work with the Fire Department on the location of the pit. Mr. Shattuck clarified the pit will be located by the brook and he will also be providing a hose to the building.

Mr. Desilets noted he and Mr. Sullivan are also on the Committee and have reviewed the project; which he termed as being wonderful. After further brief discussion, Mr. Hohenberger moved and Mr. McLeod seconded to approve Mr. Shattuck's working on Town property and to endorse his proposed project as presented. Passed unanimously.

RECORD RETENTION COMMITTEE: Town Clerk Nicole Bottai approached to request that amendments be made to Section V of the Record Retention Policy, as follows: replace "Assistant Town Administrator" with "Finance Director", and; addition of the Planning Board Administrative Assistant as a member. Brief discussion ensued regarding the ongoing project aimed at organizing/preserving the Town's records.

Mr. McLeod moved and Mrs. Simmons seconded to amend Section V to replace the Assistant Town Administrator with the Finance Director and to add the Planning Board Administrative Assistant as requested. Passed unanimously.

Mrs. Bottai then advised that Cathy Brown, part time clerk, had submitted her resignation, but is willing to stay on until she is replaced. Mr. McLeod moved and Mr. Hohenberger seconded to accept same with regrets. Passed unanimously.

LOCAL ENERGY COMMITTEE: Chairman Mark Kovacs, along with LEC members Peter Tousignant and Pat Manzo, and Liberty Utilities' representative Michael Licata, requested that the Board authorize the LEC to speak before the Public Utilities' Commission on May 24th in support of Liberty Utilities' request to expand their natural gas franchise. Mr. Kovacs made a powerpoint presentation to the Board, noting that the LEC had voted unanimously to request this authorization to speak on the Town's behalf.

Mr. Licata approached to add that the PUC has the sole authority to grant such franchises, and on 5/27 will be hearing the merits of the case (eg whether there was a public interest) and whether Liberty meets the necessary requirements to do so. Mr. Licata noted that having Towns attend such meetings is very impactful.

Mr. Hohenberger sought clarification as to whether the expansion is exclusive; thus barring others from doing so, and Mr. Licata replied in the negative (eg Unitel could do a different geographic area). Mr. Licata noted that Phase I of the project is a build out from the existing line in Hudson, and the intention is to serve as much of Windham as is economically viable; with more developments being added in the future.

Mr. Desilets noted he would like to see the initial marketing information and future phase(s) to allow for public input on same. Mr. Hohenberger expressed concerns that, after the Kinder Morgan issue, once the expansion begins to grow it may impact personal properties; adding that right now all the work will be within the road rights of way. Mr. Licata confirmed the latter, adding that this project involves a much different type of infrastructure and doesn't travel through private property. He indicated that no eminent domain or easements are required, and they endeavor to work with towns to couple their work with such things as paving projects. Discussion ensued regarding timing of the expansion and working with the Town's Economic Development Committee.

Mr. Ralph Valentine, Chair of the EDC Infrastructure Subcommittee, approached indicating he would also like the Board's permission to speak at the PUC hearing.

Mr. Galen Stearns, Bridle Bridge Road, approached questioning whether area residents had been surveyed to see if they want natural gas. Mr. Licata replied they have not yet begun marketing, as the PUC must authorize the expansion first. He went on to clarify that their project involves a main line of 6"-8" in diameter, with services lines of 1". Discussion ensued and Mr. Stearns noted that he wasn't even aware of the proposal, and didn't know if his neighbors were either.

After further discussion regarding the Board's previous vote to support the expansion request, Mr. McLeod moved and Mr. Breton seconded to allow the LEC and EDC to participate on the Town's behalf at the PUC meeting on 5/27 relative to Liberty Utilities' request for a natural gas franchise expansion.

Mr. Breton suggested that the motion be amended to include that they may speak on the Board's behalf. Mr. McLeod declined.

After further brief discussion, motion passed unanimously.

SNHPC ENERGY CONSORTIUM: Mr. Desilets reminded the Board they had previously supported moving forward with the consortium at 100% green energy at a cost of \$0.075/kwh or less; adding if the latter had come in higher it would have been brought back to the Board. He noted that Mr. Rounds, broker for the SNHPC, was present. Mr. Desilets explained that the actual price, averaged over three years, would be \$0.08, which is higher than approved. Lengthy discussion ensued regarding the bid costs and 100% green versus blended.

Mr. Hohenberger inquired how the Board knew this to be a good price. Mr. Rounds, President of Standard Power, explained that the \$0.075 price quoted is for brown power, noting that 99% of the cost relates to capacity. He advised that Standard Power is also an administrator for hydropower, and the Town is getting a very good price versus \$0.08 +/-.

Mr. McLeod inquired whether the Town could lock in at one year versus three, and Mr. Rounds explained that the capacity costs are fixed so if the Town were to wait six months or a year it would be impossible for the costs to go down. Discussion ensued regarding the percentages of increase, the varied costs per year, and approving of less than three years.

Mr. Hohenberger moved to approve a two year purchase for the stated rates.

Mr. Rounds noted that there is a limited supply of hydro solution and that it may not be available the third year. Discussion ensued regarding the Northern Pass project and hydropower, and that smaller hydropower does not involve capacity costs.

Mr. Breton expressed concerns that the Board did not have the contract in front of them to vote on. Staff was able to provide a hard copy to the Board, after which a lengthy discussion ensued regarding same, the previous vote of the Board, the difference in cost of \$0.00155, and capacity versus commodity costs.

There was no second to Mr. Hohenberger's motion.

Mr. McLeod then moved and Mrs. Simmons seconded to award the bid for years 1-3 based upon the blended, 100% green rates as given: year 1 - \$0.07321/kwh, year 2 – \$0.07683, and year 3 – \$0.07961.

After further discussion regarding the potential \$19,000 in savings, the motion passed 3-1-1, with Mr. Hohenberger opposed and Mr. Breton abstaining.

ABATEMENTS: Mr. Scott Marsh, MRI, presented several abatements to the Board, noting that to date 54 applications have been filed, which is less than 1%. He indicated that each of the following properties has been viewed by staff and listing/coding errors corrected.

The Board took the following actions:

- 1-B-514 (\$660.29): Mr. Hohenberger moved and Mrs. Simmons seconded approve the abatement as presented. Passed unanimously.
- 2-B-251 (\$2,252.36): After discussion, this was tabled and more information requested.
- 21-B-28 (\$1,309.72): Mrs. Simmons moved and Mr. Breton seconded to approve. Passed 4-1, with Mr. Hohenberger opposed.
- 21-F-36 (\$1,277.14): Mrs. Simmons moved and Mr. Breton seconded to approve. Passed unanimously.
- 21-G-302 (\$1,211.98): Mr. McLeod moved and Mr. Hohenberger seconded to approve. Passed unanimously.
- 24-D-16 (\$451.78): Mr. Hohenberger moved and Mr. McLeod seconded to approve. Passed unanimously.

- 24-F-642 (\$2,145.94): After discussion, this was tabled and comparables requested.
- 24-F-4020 (\$1,735.43): After discussion, this was tabled and comparables requested.
- 24-F- 4022 (\$1,370.53): After discussion, this was tabled and comparables requested.
- 25-G-25 (\$375.76): Mr. Hohenberger moved and Mr. Hohenberger seconded to approve. Passed unanimously.
- Land Use Change Tax abatement 13-B-85 (\$12,500): Mr. Marsh explained that this related to the state's taking a large portion of the parcel prior to it being sold. He indicated Town Counsel had reviewed the documents, and agreed the Current Use Tax should have been assessed, thus the recommendation was to deny the abatement. After discussion, this was tabled and more information requested.

REPUBLICAN COMMITTEE REQUEST: Ms. Haas approached and advised that the Committee was requesting to hold a barbeque at Griffin Park on 6/12; which would require the Board to waive the Field and Facility Use policy to allow for a grill on Town property. After a brief discussion, Mr. Hohenberger moved and Mr. McLeod seconded to approve the request and that the Committee be responsible for any damage the event may cause. Passed unanimously.

Discussion ensued regarding the non-public session Ms. Haas was to have had with the Board for the purpose of hiring lifeguards. It was noted the Board had received the potential hires' information and, given it, there would be no need for recusal or discussion, Mr. Breton then moved and, Mr. McLeod seconded, to approve the Coordinator's request to hire the recommended lifeguards. Passed unanimously.

PERMIT FEE WAIVER REQUEST: Mr. Desilets noted this request related to waiving of all fees relative the home at 62 Horseshoe Road; site of the recent fire.

Mr. McLeod moved and Mrs. Simmons seconded to waive any town permitting fees related to the rebuilding. Passed unanimously.

JOINT MEETING WITH PLANNING BOARD: Mr. Desilets noted that there is a joint meeting with the Planning Board scheduled for 6/20, and inquired what the Board wished to include as agenda items.

Mr. McLeod noted he would like to discuss a charrette relative to the land in the area of the old Preschool Building. Mr. Desilets noted that the EDC is bringing a plan forward for that land.

Mr. Hohenberger indicated he would like to hear what the Planning Board considers appropriate uses of fire and police impact fees; clarifying what they can be expended on. Chief McPherson noted that there are new guidelines in place for those, which offer looser parameters. Discussion ensued, and Mr. Desilets noted that a strategic plan from both fire and police as to how to use the impact fees would be valuable.

No other suggestions were offered.

2016 BOARD GOALS: Mr. Desilets reviewed the following goals, ranked in no particular order:

1. Employee appreciation and professional development. Mr. Hohenberger suggested that an anonymous employee survey be developed, with the remaining board members concurring.
2. Review goals and improvement plan for Town website. Mr. Hohenberger suggested that a complaint option be made available, with the remaining board members concurring.
3. Review organizational structure of town departments.
4. Hold collaborative workshops.

5. Review town buildings and properties to plan for best uses.
6. Support Town beautification programs.
7. Create comprehensive maintenance plan. This is a new goal, and Mrs. Simmons indicated she will ask that the Searles Trustees provide an update of their maintenance needs.
8. Review and update Strategic Plan.
9. Union negotiations.
10. Review proposed use of Campbell Farm property. It was noted an update is expected from Conservation within the next month or two.
11. Former Skateboard Park at Griffin Park. Update should be available within the next 4-5 months as to the status of funding.
12. Windham's 275th anniversary and other cultural programs. Mr. Hohenberger suggested that the 275th be split into an individual goal, with the remaining members concurring.
13. Review State roads given to the Town as part of the Route 93 project.
14. Consider compensation study. Mr. Breton suggested that the Town purchase the book issued by the NHMA relative to wages/salaries.
15. Review town ordinances. This is a new goal, which Mrs. Simmons had requested. Discussion ensued, and Chief McPherson clarified that there is currently a Policy Committee comprised of Department Heads who periodically review our policies and recommend new ones.

OLD/NEW BUSINESS: Mr. McLeod presented an article for Mr. Sullivan and Chief Lewis to consider relative to establishment of safe areas within Police Department parking lots to make custody exchanges or complete online purchases. He also presented an article relative to a recent liability case for staff reference.

Mrs. Simmons inquired whether the members had ever, as a Board, adopted a spot as part of the Community Development Department's program. Brief discussion ensued.

CORRESPONDENCE: Request received from the Windham Garden Club to use the Town van for an outing to the Beacon Hill Garden Tour in Boston on May 19th from 10:00am to 3:00pm. After brief discussion, Mr. McLeod moved and Mr. Hohenberger seconded to approve the Recreation Coordinator sponsoring a trip to the Beacon Hill Garden Tour in Boston. Passed unanimously.

The Chair called for a ten minute recess, during which those in attendance paused to recognize Mrs. Simmons' birthday.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McLeod seconded to enter into nonpublic session in accordance with RSA 91-A:3 II d. The topic of discussion was land, and the Board and Ms. Devlin were in attendance.

Ms. Devlin presented the Board with two proposed purchase and sale agreements for consideration. After brief discussion, the Board took no action on either.

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

Meeting was adjourned at 9:45 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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