

BOARD OF SELECTMEN
Minutes of June 29, 2015

MEMBERS PRESENT: Chairman Al Letizio called the meeting order at 7:00 PM. Selectmen Bruce Breton, Joel Desilets, Ross McLeod, and Roger Hohenberger were present. Town Administrator David Sullivan was delayed and arrived at approximately 7:15 PM. Mr. Letizio opened with the Pledge of Allegiance, followed by a moment of silence in recognition of the recent passing of long-time Town Treasurer, Robert Skinner. Mr. Letizio also noted that a fundraiser is being undertaken for Mr. Skinner toward installation of a second, stained-glass memorial window at the Searles facility; similar to that being installed in memory of Mrs. Skinner. He then noted the tremendous gift to the community via volunteer service of the entire Skinner family.

Mr. Letizio then noted that the Board would conduct a brief, non-public session in order that Chief Lewis could leave in time to be present at the evening's firework display.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Breton seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a. Roll call vote all "yes". The topic of discussion was personnel and the Board, Chief Lewis and Captain Caron were in attendance.

Mr. Hohenberger moved and Mr. McLeod seconded to approve the hiring of the recommended officer candidate, to start July 1. Passed unanimously.

Mr. McLeod moved and Mr. Breton seconded to approve the hiring of the recommended dispatcher candidate. Passed unanimously.

PUBLIC SESSION: Mr. Letizio advised that the Board had approved the hiring of a new dispatcher and officer for the Windham Police Department in non-public.

POLICE CHIEF: Chief Lewis advised that, per the Board's request, he had explored purchasing an SUV rather than a pickup truck for use as a new detail vehicle. He indicated that he had discovered that the former does not have the capacity to tow the Emergency Management trailer when fully loaded and that, after speaking with Firefighter/Mechanic Scott Zins, his recommendation would be to purchase the F250 as originally requested. Chief Lewis reminded the Board that the total of same, per the State's bid, would be \$35,564.50.

Mr. Breton moved and Mr. McLeod seconded to approve the request to purchase an F250 per the State's bid; funding to come from the Police Detail account. Mr. McLeod sought clarification as to whether Mr. Breton intended to waive the bid process as well, and Mr. Breton replied in the affirmative. Motion passed 4-1, with Mr. Hohenberger opposed

ANNOUNCEMENTS/LIAISON REPORTS: Mr. Hohenberger advised that Town Day had been very well attended and was a job well done by Recreation Coordinator Cheryl Haas. He extended thanks to all who had assisted during the event.

Mr. Breton extended thanks to Governor Pataki for recently stopping in Windham. He noted the Governor had presented a gift in thanks to the Fire Department of a flag that had been flown over the World Trade Center. Mr. Breton also extended thanks to Mr. Sullivan for accompanying him to greet the Governor. Brief discussion ensued.

Mr. Letizio noted there was new website available to the community, "windhamnhhistory.com", which had been compiled by Derek Saffie; a 2014 graduate of Windham High School. He then invited Mr. Saffie to review the site for the Board, and the latter did so; explaining that the site is based upon his personal collection of postcards/documents, and that every week he posts a new story centered on a particular document.

Mr. Letizio inquired what had prompted Mr. Saffie to develop the site, and the latter explained that he had become interested in the Town's history after receiving a copy of Brad Dinsmore's book. He indicated he had begun purchasing items on eBay, and felt a website would be a good way to share same with the Town. Discussion ensued regarding tying in of Mr. Saffie and Mr. Dinsmore's work, and whether the former would be interested in serving on the Town's 275th Celebration Subcommittee. Mr. Saffie indicated he would be interested, and he will follow up with Mr. Sullivan.

Mr. Saffie then extended thanks to the Board for allowing him to speak and show the website. Mr. Letizio encouraged the youth of Windham to take a similar interest in their community.

Mr. Letizio then reviewed with the Board a map of the Economic Development Committee's proposed Market Square zone, which he indicated was geared toward tax positive development in keeping with the goals of the Master Plan. He noted that this new zone could potentially allow for development of a lifestyle center encompassing walkability, restaurants, shops, and entertainment along with a small amount, 10%, residential. Mr. Letizio noted that area encompasses a specific 167 acres of land located to the west of I93, north of the By-pass and up to Wall Street; adding there are six (6) parcels involved some of which are State owned, Town owned, and privately owned. He indicated there is more than enough land available for a developer to create the type of area the EDC envisions, and that the area has a potential value of \$100M.

Mr. Letizio went on to explain that the EDC has moved away from the idea of re-zoning area; rather they are now proposing an overlay district. He noted that the Planning Board had posed some questions regarding the potential value cited, that he'd asked Mr. Norman to look at it, and that the latter stands by the figure of \$100M. Mr. Letizio noted that the Master Plan calls for increasing commercial tax revenue to at least 10%, and that this plan endeavors to do so; adding that a \$100M development would net approximately \$1.75M annually in taxes, which is a huge benefit to the Town. He summed up by noting he was advising the Board of this as the EDC has been charged with providing this information to the Planning Board in order that they may begin discussions in hopes of placing an article on the ballot in March.

Mr. Desilets indicated that members of the EDC and Planning Board had conducted a site walk on the previous Saturday of the State and Town owned parcels; noting their great location and visibility to the highway. Mr. Letizio added that access had been discussed, and it was clarified that there is a curb cut already planned by the State which had been intended for the new Park and Ride that can serve as a viable, researched entry point.

BOARD OF HEALTH PUBLIC HEARING: Mr. McLeod moved and Mr. Breton seconded to recess and go into the Board of Health. Passed unanimously.

Ms. Scott then joined the Board as Health Officer, and read the public hearing notice into the record as attached; clarifying that the notice reflected the wrong map, block and lot due to the applicant's error, however the address was correct. She advised that all abutters had been notified, and Mr. Hohenberger sought clarification as to whether return receipts had been required. Ms. Scott replied in the negative, and a discussion ensued. Mr. Hohenberger expressed concerns that most abutters are seasonal residents and that simply mailing the notice does not mean it was received. Ms. Scott noted that while certified mail is required, return receipts are not.

Ms. Scott then noted that the Board had received a packet containing all relevant information to the waiver request, and that the application had been reviewed by the Building Inspector who had no concerns regarding the septic plan as submitted. Mr. McLeod noted that he had concerns regarding responses on the application to questions regarding how the enforcement of the ordinance represents an unnecessary hardship, as well as how the health, safety and environmental requirements of the ordinance can be achieved without strict application of the ordinance. Mr. McLeod indicated he did not feel the answers had been responsive to the specific questions.

Mr. Joe Chamberlain, septic designer, approached on behalf of the Lynches reiterating that the latter is seeking relief from Section 102.2 relative to the setback requirements from the wells. He noted that the wells in question are artesian, and are located upslope from the proposed septic system. Mr. Chamberlain then reviewed the parcel with the Board, clarifying that he had been able to locate information on the McCoy's well, which was at a depth of 200', however, no information could be found on the Orne's well. He also noted that there is already a waiver in place from the Churchill's who reside next door to the Lynches.

Mr. Chamberlain then advised that an advanced, Presby system would be installed, and went on to give a brief background of the State's establishment in 1989 of the well release process due to difficulties with radius/overlap. He indicated that the State provides that, in the event an abutter does not wish to sign a release, applicants can apply for an encroachment waiver; adding that the State would review whether the well and/or system could be moved and, if not, will grant the waiver as they do not want to see holding tanks, etc.

Mr. Chamberlain explained that the Presby is a passive, enviro-septic system whereas the alternative, by Clean Solutions, is mechanical and must run 24 hours day and is subject to a maintenance contract with the vendor.

Ms. Scott asked for clarification as to why the new system was proposed in this area versus another on the parcel. Mr. Chamberlain replied that the system cannot be placed anywhere else on the site, as there is only 6.5' available on one side of property, and none on the other, unless it were moved nearer to the water. He then advised that the McCoy well has 42' of casing into the bedrock.

Discussion ensued in that the proposed location keeps the system further from Cobbetts Pond, as well as Mr. Chamberlain's experience as a septic designer/inspector in Salem. He indicated that, in his time, he'd never had a well contaminated by a septic, and that the Presby is the only type of system which will fit this parcel other than a Clean Solutions.

Mr. Desilets asked that Mr. Chamberlain explain the mechanics of the Clean Solutions and the delta in costs to the owner. Mr. Chamberlain reviewed the schematics and functionality of the Presby system; noting that, with it, by the time the effluent hits approximately 2' the majority of bacteria has been removed. He then reiterated that he prefers the Presby over the Clean Solutions.

Discussion ensued regarding the plans received by the Board. Mr. McLeod queried why the patio area could not be used, which is outside the radius requirements. Mr. Chamberlain explained that getting into that area would be an issue, as well it being closer to both the Pond and the lot line. He indicated he would look into if the Board wished, and a discussion ensued regarding the drop off in the area as well as the substantially sized trees.

Mr. Hohenberger sought clarification as to whether there is currently a septic tank on the site and thus this was just the effluent system being proposed. Mr. Chamberlain noted there is a 2000 gallon holding tank which needs to be replaced with a 2500 gallon system. Discussion ensued, and Mr. Chamberlain clarified that the house is not being enlarged.

Mr. Hohenberger inquired whether the holding tank is in failure, and Mr. Chamberlain replied in the negative, noting that the owners are simply trying to improve the property. Discussion ensued in that the tank is not leaking, however, the new system would be more cost effective for the owners as it pertained to frequent pumping costs.

Discussion moved to the neighboring wells, of which one is 40' and the other 68' upslope from the proposed system. Mr. Hohenberger indicated he would much rather see an alternate solution than placing the new system 40' from the neighbor's well; adding that it is also only 38' from the Lynches own well. Mr. Chamberlain confirmed the latter, but reiterated the wells in question are hundreds of feet down. He also noted that he has no concerns regarding the distance to the Lynches own well;

clarifying that these are family members who reside in the home. He then went on to explain the State's rationale in developing the 75' set back regulation and the lack of scientific data for same.

Mr. Desilets noted the size of the home appeared to be a one bedroom of 1300 sft and thus the existing system should be sufficient; inquiring what the new system was designed for. Mr. Chamberlain replied that the State's minimum design is a two bedroom system. Discussion ensued regarding moving the system to the patio area and the lack of information available regarding other property which may be impacted by doing so. Ms. Scott sought clarification as to what the owners will do if the waiver is denied; specifically will they keep the holding tank as it is not in failure. Mr. Lynch approached noting that he would have no other options.

Mr. Lynch then went on to note that, as to the patio area, moving the system there would require it to be installed by hand due to the location of the driveway and a cinder block pump house. He also noted that the patio is a good 6' below the road grade, thus one cannot get equipment back there, and that he will not have them digging next to his house. Mr. Lynch also noted the holding tank only requires pumping every three months or so, as only he and his wife reside in the home; adding, however, that he does have six grandchildren that often visit. Mr. Breton sought clarification as to whether the home is seasonal, and Mr. Lynch replied in the negative.

Mr. McLeod noted that he would be willing to revisit the waiver request at the next meeting, but that he was reluctant to make a decision as there was no information available regarding the well on 16-Q-174. He also noted that he would like to see photographs of the area in order to get a better idea. Mr. Chamberlain clarified that, as proposed, the well on 174 is outside the 75' radius. Discussion ensued in that if the proposed system is moved it will no longer be outside the radius; with Mr. Lynch reiterating that the patio area will not work. Mr. Chamberlain concurred with Mr. Lynch, noting that it is a beautiful property and encouraging the Board to visit.

Further discussion ensued, and Mr. Breton suggested that photos be taken of the area, the other well located on the plan, and that the hearing be continued. Mr. Chamberlain advised he has photographs of the area as they are required for the State application; distributing same to the Board for review.

Mr. Chamberlain then clarified that the owners of the two wells in question were notified by certified letter requesting waivers; and that each had signed in receipt. Mr. McLeod inquired whether the letter had given specifics regarding the waiver request, and a copy of same was provided to him for review. Mr. McLeod felt that the letter was vague, as it simply advised that the Lynches wished to upgrade their septic and requested a waiver be executed allowing them to do so, but it did not advise that the new system will be closer to the addressee's well.

Discussion ensued regarding Mr. Chamberlain's letter and that which was sent out by Ms. Scott; the latter of which differed. Ms. Scott indicated that the confusion may be stemming from the fact that Mr. Chamberlain's letters had gone out approximately a year ago, whereas hers had been sent only recently. Mr. Breton sought clarification that procedure had been followed, and Ms. Scott replied in the affirmative.

Ms. Gladys McCoy approached noting that hers is the well 40' from the proposed septic system. Ms. McCoy confirmed that she had received the Lynches request for waiver; adding that the latter's system is not in failure. She noted that the Presby system being proposed is not top of the line, rather Clean Solutions is better; adding that although her property is upslope her well is at street level. Mr. Chamberlain noted that it is still uphill from the proposed system, and a discussion ensued.

Ms. McCoy noted the need for caution, citing an incident years ago in which children had been sickened by a holding tank leeching into the Pond at the beach. She noted that this is a waterfront lot, and the Board must be very careful; adding that if the Lynches have a system that is working she would be opposed to the proposal and putting her well in jeopardy.

Ms. Phyllis Churchill, 22 First Street, approached noting she had provided the Lynches with a waiver several years ago when she put her well in; adding she supports their putting in a septic system, however, she just wants it to be the appropriate one. She indicated that she'd had Mr. Maynard review the plan and that he had expressed concerns that the design does not include pre-treatment of effluents. Ms. Churchill indicated that Mr. Maynard had suggested that she attend and advise that the Board member's should consider this information. Discussion ensued, and Mr. Chamberlain clarified the system does pre-treat the effluent prior to it going into the ground. He indicated he believed Mr. Maynard may have been referring to the modules that the Clean System requires in order to aerate the material before sending it to a smaller field.

Discussion then ensued regarding the costs involved with the systems. Mr. Chamberlain explained that the Clean System must run 24/7/365; and that issues can result from extended power losses. Ms. Scott added that the Clean Solutions is similar to a mini processing plant, and that they are excellent for tiny lots as they are so small. Discussion ensued as to the cost delta, and Mr. Chamberlain noted that the costs are comparable excepting the increased electrical costs and mandatory maintenance contract requirement of the Clean Solutions system. He then reiterated that the Presby system clears effluent by only 2' down, and that the known wells in question are 200' down. Discussion ensued regarding the latter, Ms. McCoy's concerns, and the data on same from the State.

Mr. Hohenberger then requested that, if the hearing were being postponed, Mr. Chamberlain add a line of distance from the Pond to the back of the patio area. Mr. Chamberlain agreed, and noted he will include the well on 174, as well. Mr. McLeod also requested that the 68' line to the well for 180 be clarified as well, as he was unsure where Mr. Chamberlain was connecting that to the proposed system. Discussion ensued regarding the need for consistency in the measurements.

Mr. Desilets noted that when this comes back to the Board he would like to see a fully planned option for the best system to protect both the owner's and neighboring wells. Discussion ensued in that Mr. Desilets would also like to see more information on the Clean Solutions system and whether it would be feasible. Ms. Scott suggested that the Board schedule a site walk, and discussion ensued regarding the next agenda on which a legislative update is scheduled. Ms. Scott inquired of Ms. Churchill and Ms. McCoy whether they could mark their wells for the Board, and both concurred.

Ms. Scott then moved and Mr. Breton seconded to continue the public hearing to the 13th of July; beginning with a 6:30 PM site walk and then to reconvene at the Community Development Department. Brief discussion ensued, and Ms. Scott amended her motion to continue the Public Hearing to 7:00 PM on July 13th, with a 6:30 PM site walk beforehand. Mr. Breton confirmed his second, and the motion passed unanimously.

BOARD OF HEALTH – KONA ICE: Ms. Scott advised that a permit application had been received to allow for vending on town property, which the Board of Health must approve. She advised that Kona Ice has done so for the past few years, without a problem, and that she would recommend if the Board were inclined to approve the permit, they do so contingent upon a satisfactory inspection by the Building Inspector.

Mr. Breton sought clarification as to whether the Town has regulations in place regarding vending, and Mr. Sullivan replied in the affirmative. Discussion ensued regarding same, that all vendors have a fair opportunity, and that the number of permits can be limited by the Board of Health if they wish.

Mr. Desilets sought clarification as to what the Building Inspector will be looking at, and Ms. Scott noted his inspection is conducted as the Deputy Health Officer. Discussion ensued in that Kona Ice's background checks have already been completed.

Mr. Breton moved and Mr. McLeod seconded to grant a permit allowing Kona Ice to vend on Town property; contingent upon the Health Officer's review. Passed unanimously.

Mr. McLeod moved and Ms. Scott seconded to adjourn the Board of Health and reconvene as the Board of Selectmen. Passed unanimously.

MAINTENANCE DEPARTMENT: Mr. Poulson opened the discussion by acknowledging the collaborative of efforts among Mr. McCartney, Mr. Sullivan, and himself; noting they were before the Board as a common voice in efforts to connect the Selectmen with the Maintenance Department. He then reviewed with the Board a handout detailing the mission of the Department and their goals; noting there are four main items which impact Maintenance, as follows:

1. The number of buildings maintained, which is currently 14, and their
 - Age – all are in excess of 15 years old save for the Highway garage
 - Condition – most are only average
 - Uniqueness – ranging from the library to the museum to various kitchen areas
 - Assets such as HVAC, elevators, cells, etc.
 - Varied footprints
2. The grounds involved, at both the buildings and recreational fields and their related infrastructure such as drainage and irrigation
3. Departmental and civic demands from parties who have vested interests in or individual expectations regarding buildings or grounds. Mr. Poulson noted there are eleven departments and ten civic organizations that have vested interest and that there is a big distinction between requests and demands; adding many “demand” things of the Department. He indicated he believed there is a disconnect as demands draw away from other things and staff is constantly being pulled away from their duties; citing as an example the setup of the Searles building which one staff member spends approximately 15 hours per week completing, which takes away from cleaning duties. Mr. Poulson noted there are many individuals in the loop, and that there must be a mechanism by which all can partner together; noting as an example that he had been working closely with Historic regarding the Community Development Department which now can be sided. He indicated pest control at the Armstrong building was also a joint project, and that he has also met with Mr. Yennaco of Baseball.
4. Adequate and competent personnel to ensure the Department’s mission is achieved within a reasonable budget.

Mr. Poulson then noted that it is important to look at the situation globally, due to the disconnect, and that the performance standard needs to be defined for the Department. He indicated the Board must determine what they want, and then they and staff must come together as a united team to meet those goals; stressing that solutions must be worked on rather than blame.

Mr. Desilets expressed that he thought it was great staff was coming forward with this, which he felt was coming from a good place. He noted he would like to see quarterly plans from staff, with a prioritization of items, and then garnering of the Board’s support to send a consistent message to help all to understand what the goals are. Mr. Poulson noted that he would ask the Board’s assistance in insulating the Department from some of the organizational demands; citing the limited resources of only four staff to handle all items.

Mr. Breton expressed concerns that the perception was being given that staff does things such as paint building, which is contracted out. Discussion ensued, and Mr. Poulson noted that the farming out of those items is encompassed within the duties he spoke of; adding that he was trying to demonstrate that such types of projects fall under Maintenance as it relates to their bidding out/determination of need.

Mr. McLeod noted that Windham Soccer has been a tough customer for both Recreation and Maintenance given that irrigation is a big concern for them; adding that staff is very dedicated and Soccer greatly appreciates their efforts. He indicated the situation between the parties has improved through better communication and that he would like to see earlier discussions, perhaps in March, come out of this. Discussion ensued.

Mr. Sullivan noted that Mr. Poulson was not endeavoring to convey that the four staff members we have paint buildings, etc., but to allow the Board to full understand the responsibilities involved not only staff wise, but also budgetary. Mr. Sullivan stressed that the Town could not survive without the efforts of our civic groups and, collectively, they are a part of the whole with the Town.

Mr. Sullivan then went on to explain that no less than ten scenarios have been considered to address Maintenance needs. He advised that, candidly, we do not have the personnel needed to address those needs, but that staff is also aware of the budget limitations. Mr. Sullivan noted that last year a proposal had been presented regarding contracting out of janitorial services, however same was rejected by the Municipal Union. Management was ready to make a staffing recommendation this evening, however, in deference to the Union requesting an opportunity to reconsider their previous vote, he felt it best to wait until July so that all options were available. Discussion ensued in that the proposal being reconsidered is identical to that presented last year, and that the Board will need to discuss whether or not to reconsider same as well. Mr. Sullivan noted that, unless a directive is given that the Board does not even want to consider the proposal again, he advised that the staff prefers to defer its restructuring recommendations until July 27th. He further clarified that staff has discussed three main options, and believed the restructuring/contracting proposal to be the best long term plan for the Town.

Mr. Breton expressed his disappointment with the analysis by staff of the Department, noting he believed there a time problem and he would like Mr. Poulson and Mr. McCartney to complete a detailed analysis of how and where staff time is being spent; similar to how legal or engineering firms provide their billing. He cited, for example, the time Mr. Poulson noted was spent at Searles; questioning just when that was done. Mr. Poulson replied nearly every day of the week, plus overtime on Saturday dependent on the schedule of events. Mr. Sullivan added that the Searles is being booked quite often, and staff must setup, tear down, and clean the facility. Discussion ensued regarding analysis of how employees spend their day and reorganization of the Department.

Mr. Breton pointed out that he took issue with such things as bats being reported in the Armstrong Building in 2012 that still were not addressed. Discussion ensued regarding same, which the Town had been advised it did not need to address at the time, and Mr. Poulson noted that staff must be allowed the chance to put programs and strategies together; adding there is a need to be proactive but doing so requires money. Mr. Sullivan noted that when the recommendation is presented to the Board it will include an analysis of what existing staff does and what the new people will handle. Mr. Breton noted that he wanted time sheets, beginning the following day, of what staff handles. Mr. Sullivan sought clarification that Mr. Breton's wanted to see an itemization similar to that of a lawyer (eg. how the latter details minutes spent on the phone). Mr. Breton replied in the affirmative, and a lengthy discussion ensued with Mr. Breton expressing concerns regarding outstanding JLMC items and the inadequacy of the analysis. Mr. Sullivan noted that, since 2012, the six page JLMC report had been reduced to two pages. He noted there are still some items remaining, such as the removal of the asbestos in the Town hall ceiling that is not necessary as it is currently contained, but there are very few others. Mr. Sullivan noted that, for those that want it, he can provide the full list inclusive of what's been completed. Mr. Desilets felt he would benefit from seeing that list, and indicated that looking forward he thought it important to engage with each of the Department Heads and groups to get everything on the radar even if doing so quadruples the list; noting that Historic has concerns that they would like to marry with the Town's list. Mr. Sullivan clarified that the Department Heads are already involved in the process, and a discussion ensued.

Mr. McCartney reiterated that from 2012 to June of this year the list had been reduced to two pages; with a massive amount of things having been taken off including items from this year which are already handled. As to the remaining, such as issues with the sign at the Senior Center, such things are not safety issues or priorities at this time. Mr. McCartney noted the asbestos at Town Hall is currently covered and thus is not a hazard but, once one starts to remove it, it becomes a hazard; adding that neither is the ponderosa window a safety issue, however, it will be covered by protective

glass. Mr. Desilets noted he would like to see on the list a priority rating, even if it is done per building, and that he would like to see time and cost estimates for same; adding thus needs can be a little clearer for the Board as they review the list and they can better understand why some things did or did not happen.

Discussion ensued regarding the placement of items on the list and Mr. Breton reiterated his displeasure with the outstanding items. Mr. McCartney pointed out that some of those items to which Mr. Breton were referring had been fixed, and were now in need of repair again, which is why they were on the list. Further discussion ensued.

Mr. Letizio suggested staff compile the list of items in Excel to include a log date/completion date and prioritization columns. Discussion ensued, and Mr. Breton suggested the maintenance request form be used rather than a phone call to Maintenance regarding items. Further discussion ensued regarding a detailed analysis and logging of items.

Mr. Poulson noted that he was brought in to serve as the Administrative wing of the team, whereas Mr. McCartney is the project manager. He indicated he understood the dynamic of the Joint Loss Management Committee, and that the team is endeavoring to get where the Board wants (eg. a more sophisticated management analysis). He noted he did not want the Board worrying about micro-managing the Department, and he did not want to have to come to the Board having to defend himself; rather he wants to work with the Board. Mr. Poulson noted they will be coming back to the Board with staffing recommendation and a more specific presentation.

Discussion ensued, and Mr. McCartney noted over the past few years the Property Maintenance Trust has been expended on big ticket items, such as roofs, etc. He noted these projects have been completed, along with projects that never made the list; stressing that staff is not hanging around and doing nothing. Mr. McCartney noted that work continues to be added, such as the beautification project the Board will be discussing, which may not involve staff but will require funds. Discussion ensued regarding outside contracted projects versus internal staff responsibilities, and development of two distinct list regarding same. Mr. Sullivan clarified that, of the items remaining on the list, 80% were contract items.

Mr. Sullivan then reiterated that staff will return to the Board in July regarding a restructuring proposal, including the option of adding contracted janitorial services, unless the Board directed they did not wish to see it; adding staff believes they should as it is the best solution. Discussion ensued and Mr. Sullivan clarified there was nothing that was negotiated with the Union, as this is the same exact proposal they rejected last year. Mr. Desilets noted for the record that he stands by his previous decision, regardless of what the Union comes back with. Mr. Letizio pointed out that the balance of this should be discussed in non-public, and Mr. Breton noted he wanted to discuss performance standards in non-public. Discussion ensued as to whether to enter into a non-public session immediately versus those items remaining on the agenda. Mr. Letizio noted he would defer the beautification discussion, and complete the financing, roads and assessing items before entering non-public.

LEASE FINANCING: Mr. Sullivan advised that Mrs. Call had solicited three (3) quotes for the lease financing of the new police cruisers, accessible van, and Fire Department command vehicle. He explained that the quotes involved three (3) year leases for the police and fire vehicles, and a three (3) or four (4) year for the van. Mr. Sullivan noted that, despite the increased principal costs, he would recommend that the Board go with a three (3) year lease on the latter in order to save an extra \$1,000 overall. Mr. Sullivan then advised that Municipal Leasing had quoted the lowest rate of 2.49% for all of the vehicles combined, and that he would recommend awarding the financing accordingly to them.

After a brief discussion, Mr. Hohenberger moved and Mr. McLeod seconded to award the lease financing to Municipal Leasing as recommended. Passed unanimously.

BEAUTIFICATION GOAL: Deferred.

ROAD NAMES: Mr. Sullivan advised that he had received an email from Pete Stamnas notifying him that the State is ready to formally post the new section of 111 as “NH Route 111”, and also the soon to be discontinued section from Castleton to Wall Street. Mr. Hohenberger noted that the latter has not been turned over to the Town nor did the Board vote to accept same. Discussion ensued in that the State is going to turn the road over anyway and three (3) years ago the Board had set certain conditions regarding same.

Mr. Sullivan reiterated that the State wants to name the new 111, which travels behind Mr. Letizio’s office, as “NH Route 111”, and the other as “Indian Rock Road”. He advised that the Highway Safety Committee and public safety staff do not support the latter, as it will result in three (3) separated sections of Indian Rock Road. He indicated that the recommendation would be to name the new area of 111 “Indian Rock Road”, as it is contiguous, and the Board determine the name of the remainder; adding that “Wyman Road” had been suggested as a possibility in that it used to exist in that area.

Mr. Letizio then reviewed the roadway portions being discussed on the map for the remainder of the Board. Mr. Breton questioned why the Board would make everyone on the existing 111 change their address, and Mr. Letizio noted there are only four (4) properties involved.

Mr. McLeod sought clarification as to whether the State intended to name the entire stretch “NH Route 111”, and Mr. Sullivan replied in the negative; noting that the other side has been named “Salem Road”. Discussion ensued regarding the potential safety hazards of having Indian Rock Road split into segments and local names versus State references.

Mr. Letizio noted that he will abstain from the vote, and advised he has spoken with the other property owners who have indicated to him that they would like to have an opportunity to come to the Board with potential suggestions. Discussion ensued, and Mr. Letizio noted that response to the State is time sensitive, as they want to print the new signs before they make the move to shift traffic to the new road. Further discussion ensued regarding the segments of Indian Rock and potential safety hazards. Mr. Sullivan suggested that, if the Board were so inclined, they ask that the State name the new section “Indian Rock Road”, and discuss the other further at a future date.

Mr. McLeod moved and Mr. Desilets seconded to name the new portion of Route 111 “Indian Rock Road”. Discussion ensued regarding the actual location of Indian Rock, and the potential fragmentation of Indian Rock Road. Mr. McLeod clarified that his motion is to name the area of new construction “Indian Rock Road” effective now.

Motion passed 3-0-2, with Mr. Breton and Mr. Letizio abstaining.

Mr. Desilets noted that would like the new sign to read “Rd.” versus “Road”. Discussion ensued, and it was noted the sign will likely reflect conventional State naming patterns, whatever they may be.

Mr. Sullivan noted that, as to the old portion, abutters to same will need to be notified that their addresses will change. Mr. Breton reminded the Board that protocols exist regarding naming of roads; and Mr. Sullivan clarified that they must meet 9-1-1 standards (eg. not rhyme with or be similar to an existing), and that there is a list of Board approved road names for use by developers. He indicated that if the proposed name does not exist, then the authority to approve its use lies with the Board after soliciting input from public safety and Historic. Mr. Letizio requested that Mr. Sullivan send the list to him, and Mr. Sullivan replied in the affirmative.

Discussion then ensued regarding Wall Street and Mr. Hohenberger noted that, with the newly configured intersection, it actually traverses right to the new stub road which ends at Castleton. Mr. McLeod noted that he would propose keeping the current Wall Street as it is.

Mr. Desilets moved that the Wall Street sign should reflect “St.” not “Street”. There was no second.

Mr. McLeod then moved and Mr. Hohenberger seconded that Wall Street remain "Wall Street". Passed unanimously.

Mrs. Jenn Zins, Administrative Assistant to the Assessor, approached to remind the Board that there are several local departments which are impacted by road name changes, as well; particularly as it pertains to consistency. Brief discussion ensued.

ASSESSING SERVICES: Mr. Sullivan noted he had provided an analysis to the Board of the three proposals received, and inquired whether they wished to interview all of the submitters, or just two. Mr. Hohenberger suggested the Board interview the two low bidders only. Discussion ensued, and Mr. Sullivan noted that CMP can only provide one day in the Assessing office, whereas the other two can be present more.

Mr. Desilets moved and Mr. Hohenberger seconded to bring in only two firms. Mr. Breton questioned why the three cannot just be brought in, and a discussion ensued regarding the high cost of the third proposal.

Mr. Breton inquired whether there was a summary sheet of what the firm would be expected to do, and Mr. Sullivan noted that the proposed contracts are based upon what the DRA requires plus a cyclical review. He further explained that the request for proposals was very specific as to what is expected, and the question relates to their time in the building; which he thinks should be a minimum of two days per week. Mr. Breton noted his concern is a physical presence so residents can talk to the assessor, and Mr. Sullivan noted the two being considered can offer 24 hours a week.

Discussion ensued as to whether requiring a daily presence would drive up costs and the mapping out of hours available to do non-statutory items. Mr. Sullivan noted that, based upon his experience, the contractors will advise the Board that they have a certain number of staff available for certain days a week; adding we will need to ensure they are present for a certain amount of time on certain days.

Mr. Breton inquired about handling of court cases, and Mr. Sullivan noted that one firm includes appeals in their price, whereas the other is hourly for non-local appearances such as at the Board of Tax and Land Appeals. Mr. Sullivan noted that, on average, the Town handles five (5) appeals annually. Further discussion ensued, and it was the consensus that Mr. Sullivan arrange for the interviews on a Monday evening. Mr. Sullivan advised he will endeavor to have it on the July 27th agenda.

OLD/NEW BUSINESS: Mr. Sullivan noted that the fireworks were taking place that evening, due to the inclement weather on Saturday. He indicated Ms. Haas had texted him, advising there was a huge turnout for the event.

Mr. Sullivan noted that a question had been raised regarding the Cost of Services Study and breaking out of two bedroom or less, non-restrictive condos; which he thanked Mrs. Zins for assisting him in compiling. He indicated he had re-run the numbers and the new residential ratio without these condos was \$1.09 spent for every dollar taken in; where it had been \$1.08. For the two bedroom or less, non-restrictive condos, \$0.85 was spent for every dollar taken in. Discussion ensued, and Mr. Letizio noted that the proposed Market Square district will include such condos.

Discussion ensued regarding further allocation of the cost study to various areas, such as the school district. Mr. Desilets extended thanks for the additional work put into the study, noting it made this a more valuable tool for the Planning Board in clarifying what really is a tax negative/tax positive. Mr. Sullivan indicated he can provide the calculation sheets to the Board members, without a narrative explanation.

Mr. Letizio echoed Mr. Desilets' sentiments, and Mr. McLeod inquired whether a narrative could be done for the Planning Board. Mr. Sullivan noted he could do a short summary with the new numbers. Discussion ensued regarding making the new data an addendum to the existing and the potential benefits of the study to other communities. It was the consensus to add same as an addendum.

Mr. Sullivan asked that, as it pertained to the Board's approval of the lease financing, they also move to authorize him or Mrs. Call to execute same. Mr. McLeod moved and Mr. Desilets seconded to authorize Mr. Sullivan or Mrs. Call to execute the lease documents. Passed unanimously.

Mr. Sullivan noted a trenching permit request had been received from CATV for work on Industrial Drive. He indicated this would be for Comcast, which has a standing bond in place, and that the Highway Agent has reviewed and supports the request. Mr. Desilets noted that he did not see in the application where they were laying additional PVC for fiber; and Mr. Sullivan replied the request was only for cable. Discussion ensued as to whether the Town can require Comcast to install additional pipe, who would then to do so, and who would pay for the pipe.

Mr. McCartney clarified that he had no knowledge of them putting in a separate pipe. Mr. Letizio noted that the EDC Broadband Sub-committee had suggested that whenever work such as this is being done, conduit be installed. Discussion ensued regarding the Planning Board, and that the conduit would be unconnected.

Mr. Desilets moved and Mr. McLeod seconded to request that Comcast put in an additional 6" conduit. Mr. McCartney clarified that it would be either a 2, 3 or 4"; as opposed to 6".

Mr. Desilets amended his motion, and Mr. McLeod his second, to 3". Mr. Sullivan sought clarification that Mr. Desilets was approving the trenching permit conditional upon the extra pipe being laid, and the latter replied in the affirmative.

Mr. Breton suggested that, as the Town is allowing them to use our right-of-way, they be asked to simply make their pipe larger. Mr. Desilets replied in the negative, indicating he would like a second pipe. Discussion ensued, and Mr. McCartney clarified that a separate pipe would be needed for Fios and the cost for same in this case would be approximately \$100.

Motion passed unanimously.

Mr. McLeod noted that Ms. Haas had recently extended the lighting at Griffin Park until 9:30 PM, however, per Policy she cannot do so only the Board can. He indicated there are five sections the Board must amend accordingly. Mr. Sullivan advised that staff can redraft the Policy with the amendments, but requested a temporary approval to allow Ms. Haas to do so, as playoffs are ongoing. Discussion ensued.

Mr. McLeod moved and Mr. Breton seconded to grant a waiver of the Policy to extend the lighting on a temporary basis for this season's playoffs involving any Windham baseball/softball leagues at Griffin Park; for no more than 30 minutes. Discussion ensued, and Mr. Breton suggested the motion simply state for July and August. Mr. McLeod amended his motion accordingly.

Motion passed 4-1, with Mr. Hohenberger opposed.

Mr. Sullivan advised that the Town has an opportunity to extend its contract with the current auditor for a period of one or three years; or it could be placed out to bid. He noted his recommendation would be to extend for three years; clarifying the Town currently pays \$14,438 and, by year three of the extension, the increase would be less than \$1,500.

Mr. McLeod moved and Mr. Breton seconded to extend the contract with the auditor for a period of three years. Discussion ensued, and Mr. McLeod clarified his motion was based upon work done three years ago in selecting the current auditor. Mr. Desilets disagreed, noting there are many other auditing firms out there.

Discussion then ensued regarding the percentage of increase being proposed for the first year, and Mr. McLeod withdrew his motion.

Mr. Hohenberger moved to extend the contract with the current auditor for three years. There was no second.

Mr. Breton moved to extend the contract with the auditor for three years if they hold their current price. Mr. Desilets seconded and the motion passed 3-2, with Mr. McLeod and Mr. Hohenberger opposed.

After further discussion, Mr. Letizio moved and Mr. McLeod seconded to reconsider. Passed unanimously.

Mr. Sullivan noted that he would recommend the Board move to continue with them and authorize staff to negotiate a contract up to the numbers presented.

Mr. Desilets moved and Mr. Breton seconded to authorize staff to negotiate with the current auditing vendor for a contract not to exceed a 1% increase per year for the next three years. Motion failed 2-3, with Mr. Letizio and Mr. McLeod and Mr. Hohenberger opposed.

Mr. Hohenberger moved that staff negotiate with the current vendor for a three year contract and try and negotiate a favorable contract not to exceed the posted increases. No second.

Mr. McLeod moved that this be placed out to bid. Mr. Breton seconded with the caveat that no previous vendors be permitted to bid. Mr. Sullivan expressed concerns that doing so will triple the Town's expense. Discussion ensued, and it was noted that last time the bid was not awarded to the low bidder, as it had been the then existing firm.

Mr. McLeod declined to amend his motion to include Mr. Breton's caveat, and there was no other second.

After further discussion, Mr. Hohenberger again moved that staff negotiate with the current vendor for a three year contract and try and negotiate a favorable contract not to exceed the posted increases. Mr. Desilets seconded, and the motion passed 3-2 with Mr. McLeod and Mr. Breton opposed.

CORRESPONDENCE: None.

MINUTES: Tabled.

OLD/NEW BUSINESS CONTINUED: Mr. Letizio noted that a donation of \$50 from Green Sprouts had been overlooked as part of the Board's acceptance of donations towards the Adopt-a-Spot program. Mr. Hohenberger moved and Mr. McLeod seconded to accept same with thanks. Passed unanimously.

Mr. Sullivan requested that the Board re-appoint Mr. Albert Chang as a regular member of the Recreation Committee. Mr. Hohenberger moved and Mr. McLeod seconded accordingly. Passed unanimously.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Desilets seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a. Roll call vote all "yes". The topic of discussion was personnel and the Board, Mr. Sullivan, Mr. Poulson and Mr. McCartney were in attendance.

Lengthy discussion occurred, however, no decisions were made.

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

Meeting was adjourned at 11:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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



OLD VALUES - NEW HORIZONS

BOARD OF HEALTH

3 North Lowell Road, Windham, New Hampshire 03087

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Windham Board of Health Notice of Public Hearing

June 29, 2015

7 pm at Community Development Department

Notice is hereby given that the Windham Board of Health will hold a public hearing on Monday, June 29, 2015 at 7:00 pm in the Community Development Meeting Room. The following application has been submitted for review.

Joe Chamberlain, on behalf of Judy and James Lynch, has submitted a waiver request for 24 First Street (16-R-180). The applicant is requesting a waiver from Section 102.2 of the Sewage and Waste Disposal System Ordinance to permit the construction of a septic system 40' +/- to the well at 37 First Street (Lot 16-R-177) and 68' +/- to the well at 33 First Street (Lot 16-R-180) where 75' is required.

Copies of all Board of Health application material are available for review at the Windham Community Development Department during regular business hours. All members of the public are welcome to attend the public hearing.