

**BOARD OF SELECTMEN**  
**Minutes of July 1, 2013**

**MEMBERS PRESENT:** Vice-Chairman Kathleen DiFruscia called the meeting to order at 7:00 PM. Selectmen Ross McLeod and Roger Hohenberger were present; as was Town Administrator David Sullivan. Selectmen Al Letizio and Chairman Phil LoChiato were excused. Mrs. DiFruscia opened with the Pledge of Allegiance.

**ANNOUNCEMENTS/LIAISON REPORTS:** Mr. Hohenberger extended congratulations to Recreation Coordinator Cheryl Haas, and all involved, for another successful Town Day.

**MINUTES:** None.

**CORRESPONDENCE:** Letter received from School District Business Administrator Adam Steele, advising that the School District has no further use for the old Police Station on Route 111, and will be formally turning it back to the Town per the requirements of the 1998 warrant article. Brief discussion ensued regarding the future of the building, which will be determined at a later date.

*Mr. Sullivan* advised that confirmation had been received relative to the LGC's returning a total of \$221,640 in collected health premiums to the Town as per court order. He indicated that the Town had received \$67,000 last year, and was expected to receive \$68,000 this year; the additional funds representing returns from 2010. He explained that eligible employees will receive approximately 20% back; and that the intent for the remaining \$197K is for it to go toward the Town's fund balance. Brief discussion ensued.

*Bond release/Medicus 22 Roulston Road:* Mr. McLeod moved and Mr. Hohenberger seconded to approve the full release in the amount \$2,500 for Medicus; which was for landscaping needs. Passed 3-0.

**PUBLIC HEARING/HAZARD MITIGATION PLAN:** Mr. Sullivan read the public hearing notice into the record; noting that the Plan had been posted for an extended period with some comments received which had been incorporated into this final draft. Ms. Theresa Walker of the Rockingham Planning Commission approached noting that she had worked with many of the Town Department Heads to update the plan; which was required by FEMA. She explained that the plan identifies areas prone to natural hazards such as flooding, and is required to be updated every five (5) years. Ms. Walker explained that the Board had held a hearing in the Fall regarding same, and that the State had approved the resulting draft which had then been sent to FEMA. After incorporation of minor changes suggested by FEMA, and subsequent posting, the purpose of tonight's hearing was to formally adopt and execute the final Plan which will then be placed on file with FEMA.

Discussion ensued as to whether this plan subjected the Town to any liability, as it identified problem areas. Ms. Walker clarified that the opposite was the case; noting that the plan is required in order to receive disaster relief funding. Mrs. DiFruscia extended thanks to Ms. Walker, as well as each of the Department Heads who had assisted, for their efforts in completing the plan.

After brief discussion, Mr. Hohenberger moved and Mr. McLeod seconded to approve and adopt the Windham Hazard Mitigation Plan dated July 1, 2013. Passed 2-0-1, with Mr. McLeod abstaining as he had not had time to review the plan in depth.

**PUBLIC HEARING/ADMINISTRATIVE FEES:** Mr. Sullivan read the public hearing notice into the record as attached; explaining that these fees were related to the Junkyard Application as previously approved by the Board.

Mr. McLeod moved and Mr. Hohenberger seconded to adopt the proposed fees for Junkyard Application as posted. Passed 3-0.

**POLICY COMMITTEE:** Finance Director Dana Call reviewed with the Board proposed changes to the Purchasing Policy; noting that same related to increased purchasing levels on all tiers, standardization of multi-year contracts where possible, and giving preference to local businesses.

Discussion ensued regarding the proposed changes to the purchasing levels, with Mr. Hohenberger indicating that he was not in favor of increasing same, versus the current levels and the Town Administrator's authority to approve expenditures. Mrs. Call, along with Chief Lewis, clarified that the proposed changes are consistent with what is currently the norm in surrounding communities.

After further discussion, it was the consensus to post the proposed amendments internally as required, and to schedule for the July 15<sup>th</sup> agenda.

*Community Development Director* Laura Scott approached to review with the Board the proposed repeal of the Town's Swimming Pool Ordinance; which she clarified is in direct conflict with the State Building Code as adopted by the Town as it pertained to fencing requirements.

After lengthy discussion regarding the conflicting language, Mr. McLeod moved and Mr. Hohenberger seconded to send the issue of rescinding the Swimming Pool Ordinance to the 2014 Town Meeting. Passed 3-0.

**BID AWARD:** Chief Lewis advised that two bids had been received in response to requests for proposals for mobile data terminals, including mounts and installation, as follows:

GHA Technologies: \$41,528.69 (Motion J-3600 tablets)  
Solzan Corporation: 34,723.78 (Panasonic Tough Pad tablets)

Chief Lewis advised that \$40,000 is available and, after reviewing the equipment, he would recommend awarding the bid to Solzan. Lengthy discussion ensued regarding the types of tablets, use of a fixed mount, the durability of the equipment, and equipment used by surrounding Towns.

Mrs. DiFruscia sought clarification as to whether the bid amount included a warranty, and Chief Lewis replied in the affirmative; noting it was full coverage for three (3) years.

After a brief discussion regarding the life expectancy of the equipment, which the Chief estimated was five years, Mr. McLeod moved and Mr. Hohenberger seconded to award the bid to Solzan for their bid amount of \$34,723.78 as presented. Passed 3-0.

**BID AWARD/SURPLUS SKATE PARK EQUIPMENT:** Mr. Sullivan advised that two (2) bids had been received, as follows:

John Gallagher: \$ 850 (for surplus sheets only)  
Town of Salem: 4,100 (for three ramps, surplus sheets, and one grinding bar)

Mr. Sullivan noted that neither was in compliance with the bid specifications, and that the Board could either reject or accept them as presented. He went on to note that he would suggest, if the Board rejects the bids, that they considering utilizing GovDeals.com to auction the equipment; adding it would involve a 12.5% auction fee.

Discussion ensued regarding the estimated price of \$10K which was quoted to move the equipment, the bid specifications, and other alternatives beyond GovDeals.

Mr. Hohenberger moved and Mr. McLeod seconded to reject the bids as received. Passed 3-0.

Mr. Hohenberger then moved and Mr. McLeod seconded that staff proceed to utilize GovDeals.com to dispose of the skate park equipment. Passed 3-0.

**OLD/NEW BUSINESS:** Mr. Sullivan advised that the deadline for CIP submissions has been set for July 19<sup>th</sup>, adding that he would suggest the culvert on Castle Hill Road be included. He asked that the Board advise him prior to the 19<sup>th</sup> of any other suggestions they may have.

*Mr. Sullivan* noted that the Department Heads had reviewed the Town's Mission Statement and would be submitting some proposed revisions for the Board's review.

*Mr. Sullivan* advised that the Board would meet on July 22<sup>nd</sup> with the Department of Transportation regarding the traffic signal at Range Road/Route 111; adding that although the meeting is open to the public no input from same will be solicited.

*Mrs. DiFruscia* asked that Mr. Sullivan clarify the impact, if any, of the recent Eagle Tribune article regarding proposed charges to residents for use of the Rockingham County Dispatch. Mr. Sullivan clarified that the latter was discussing a \$1/resident fee for their service, however, it is intended only for those in communities which utilize the County's service. He indicated it does not impact Windham residents, as we utilize our own Police Dispatch and dispatch our Fire services out of the Town of Derry. Brief discussion ensued.

*Mr. Sullivan* advised that the Community Development Department's engineering copier, which has been broken for approximately five (5) years due to the excessive cost for repairs, would be placed out for sealed bids.

*Representative Charles McMahon* approached requesting time under New Business to speak with the Board regarding the Skate Park. *Mrs. DiFruscia* approved this request.

*Mr. McMahon* requested that the Board place the proposal from the Save our Skate Park (SoS) group on the agenda as an item; noting that it had been impossible for the latter to meet with Recreation due to scheduling conflicts. *Mrs. DiFruscia* indicated that she believed that the Board would have to reconsider their previous vote in order to do so, and noted the lack of a full Board present.

*Mr. Hohenberger* inquired whether the group had been on Recreation's agenda. *Mr. Peter Ventolo* approached noting they had met with Recreation in April regarding their proposal, and that the latter had not returned to SoS with an alternative proposal. *Mr. Sullivan* clarified that the Committee had voted 2-1 to do nothing in response to the proposal, and had also voted 2-1 to request an extension from the Board of Selectmen relative to the sale of the equipment. He indicated that, subsequently, the Committee's quorum requirements had been questioned and their votes determined to be null.

*Mr. Ventolo* noted that the group had met with Recreation Committee member *Tim Kelleher*, who had indicated he did not wish to discuss SoS's proposal but rather his own. Discussion ensued regarding the Recreation Committee's by-laws, and the vote of the Selectmen to not hear anything further regarding the Skate Park barring the Recreation Committee coming to the Board.

*Mr. Ventolo* indicated that he was tired of hearing the group had not tried to meet with Recreation; citing eight (8) "no shows" since April. *Mrs. DiFruscia* noted that the onus was not on the Recreation Committee to develop a proposal, and noted that the Board's decision was to close the park. She felt that if an agenda item was requested, that was fine, however she reiterated she believed a reconsideration of the Board's vote would be required.

Further discussion ensued as to whether Recreation had been responsive and scheduling this matter as an agenda item. *Mrs. DiFruscia* indicated she would like input from Recreation prior to whichever agenda this were scheduled on. *Mr. Hohenberger* suggested that it be bid for 30 days, scheduled on the Recreation Committee's July 18<sup>th</sup> agenda, and then for the Selectmen to hear subsequently to that.

Discussion ensued regarding advising Recreation to schedule this matter, that the Selectmen will adopt amendments to Recreation's by-laws regarding the quorum at their meeting on July 15<sup>th</sup>, and that a reconsideration of the Board's vote will be required to allow separate presentations from SoS in the event that either a joint presentation is not prepared or Recreation does not meet prior to the Selectmen hearing this matter again.

*Mr. McLeod* moved and *Mr. Hohenberger* seconded to adjourn. Passed 3-0.

Meeting adjourned at 8:20 PM.

Respectfully submitted,

*Wendi Devlin*, Administrative Assistant

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



# TOWN OF WINDHAM, NEW HAMPSHIRE

OFFICE OF THE SELECTMEN AND TOWN ADMINISTRATOR

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## **PUBLIC HEARING NOTICE** **SELECTMEN – APPLICATION FOR JUNK YARD LICENSE FEES**

In accordance with RSA 41:9A, the Board of Selectmen will hold a Public Hearing on July 1, 2013 at 7:00 PM at the Community Development Department for the purpose of adopting the following fees to be charged by the Selectmen:

<b>Application for Junk Yard Licenses</b>	<b>Existing</b>	<b>Proposed</b>
Application for a New Facility	\$0.00	\$200.00
Renewal Application for Existing License	\$0.00	\$ 50.00
Application for an Existing Unlicensed Facility	\$0.00	\$ 50.00
Criminal Record Check Fee (per person)	\$0.00	\$ 25.00