

BOARD OF SELECTMEN
Minutes of July 15, 2013

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

ANNOUNCEMENTS/LIAISON REPORTS: Mr. Sullivan requested a moment of silence in response to the passing of former Deputy Fire Chief Bill Wallace.

Mr. Letizio noted that he has been asked how people can assist those impacted by the tornados in Moore, OK; where his son is stationed on active duty with his family. He explained that Coca Cola® is offering a \$100,000 grant towards rebuilding of local parks impacted by the tornados; with Moore currently in good position to win. Mr. Letizio noted that there is no charge to vote online, that voting ends at 11:59 PM, and residents can find the link on his Facebook page.

Mr. Letizio then made the following liaison reports on behalf of the Economic Development Committee:

- He and Ms. Scott had attended a “Marketing the Brand” seminar in Manchester; which was very informative.
- The Marketing Subcommittee has been changed to the Communications Subcommittee; as they feel it better embodies the goals of the group.
- Mr. Ralph Valentine is now Chair of the EDC, and Ms. Diane Connolly is Vice-Chairman.
- On August 8th, the Greater Salem Chamber of Commerce will host a business event at the Searles Chapel from 5PM to 8PM.
- A “Certified Sites Program” presentation was made to the EDC, which the EDC advised the Planning Board they did not support. However, the Planning Board has unanimously moved forward to adopt the program and send it to Town Meeting.

Chief McPherson approached and announced that the “Vial of Life” program has been reinstated through the cooperative efforts of the Department and Dartmouth Hitchcock. Vials will be distributed amongst the assisted living facilities, and residents who are in need of one for themselves or a family member can contact the Department.

Chief McPherson then reviewed the attached memo relative to a recent EMS call to the Department; extending thanks to the Town Departments who set aside budgetary items of their own in support of the chest compression machine. He also thanked the Board, the residents, and the Department staff. Discussion ensued regarding the equipment and the importance of calling 9-1-1 right away.

MINUTES: Mr. Letizio noted an amendment to the June 17th minutes; correcting “Al” Gallagher to “Ed”. Mr. McLeod moved and Mr. Hohenberger seconded to approve the minutes of June 17th as amended. Passed unanimously.

Mr. McLeod noted an amendment he had contacted Ms. Devlin about relative to the motion to adjourn vote count on the July 1st minutes. He then moved to approve them as amended; which was seconded by Mr. Hohenberger. Passed 2-0-2, with Mr. Letizio and Mr. LoChiatto abstaining due to absence that evening.

COMMITTEE INTERVIEWS: Mr. Sullivan noted that Mr. Justin Pare (Conservation Commission), Mr. Ed Gallagher (Economic Development Committee), and Mr. Russell Montenero (Historic District/Heritage Commission), had all applied for positions as noted, however they were unable to attend that evening.

The Board then heard from the following candidates as to why they were interested in serving: Mr. David Appleby (Historic District/Heritage Commission); Mr. Fred Connard (Recreation Committee); and Ms. Neelima Gogumalla (Local Energy Committee).

Mr. Hohenberger then moved and Mr. McLeod seconded to appoint all the candidates to their respective, requested positions. Passed 4-0.

Mr. Sullivan noted that positions remain vacant as follows: two Alternates to the Conservation Commission; one HDC Alternate; one Recreation Alternate; one Regular member to the Housing Authority; and one Museum Trustee.

DONATION ACCEPTANCE: Mrs. Margaret Case approached and requested the Board accept the following donations, totaling \$7,774.99, toward the Searles facility:

\$ 100.00	Margaret & Charles Crisler 10 Sunridge Rd
\$ 100.00	Leo & Jean Hart 8 Brookview Rd
\$ 100.00	Paul Burgarella P.O. Box 466
\$ 50.00	Alan & Wiltrud Shoemaker P.O. Box 655
\$ 100.00	Robert & Aggie Gustafson 12 Ridgemoor Rd
\$ 25.00	Shaws Windham
\$ 100.00	Roger Hohenberger 5 Thomas St
\$ 100.00	Louise Peltz 70 Blossom St
\$ 4,999.99	Maria L Webber c/o Carlton Griffen 96 Haverhill Rd
\$ 200.00	Dorothy Richter & Gene Simmons 149 Range Rd
\$ 200.00	Windham Senior Citizens, Inc. 2 North Lowell Rd P.O. Box 283
\$ 100.00	Jonathan Sycamore & Jocelyn Leary 15 Cobbetts Pond
\$ 50.00	Jeannine & Paul Zins 88 Lowell Rd
\$ 125.00	Beverly & Howard Glynn 321 N. Main St Salem NH 03079
\$ 500.00	Edward & Elaine Yourtee 45 Sharon Rd
\$ 100.00	D.J. Rogers Collision Center LLC P.O. Box 295 (2 Rockingham Rd)
\$ 100.00	William & Judith Newcomb(Revocable Trust) 7 Alder Rd
\$ 50.00	Gennaro Ruocco, Jr 5 Crestwood Rd
\$ 100.00	Dianna & Neil Fallon 26 Rock Pond Rd
\$ 25.00	Frank & Patricia Provenzano 25 Faith Rd
\$ 100.00	Priscilla & Frank Rydstrom 5 Baldwin St
\$ 100.00	Thomas Surette 3 Langdon Rd
\$ 150.00	Dr Timothy and Sharon Butterfield 2 Humphrey Rd Derry NH 03038
\$ 50.00	Carol & Norman Babineau 188 Rockingham Rd
\$ 150.00	Paul & Beatrice Heinze 14 Grove St

Mr. McLeod moved and Mr. Hohenberger seconded to accept these funds with gratitude. Passed 4-0.

Mrs. Case advised that the windows have been ordered, and will be installed in the next couple of weeks. She added that the flooring of the bell tower will be the next project undertaken.

Mrs. Case then updated the Board on the installation of the remote cameras in the Town Hall; noting it has begun and will hopefully be completed the following day.

Mr. Sullivan, on behalf of Recreation Coordinator Cheryl Haas, requested the Board accept the following donations toward Town Day: Convenient MD, \$500 as well as glow sticks (\$75 +/-) and water (\$25); and, Howie Glynn, ice valued at approximately \$50. Mr. McLeod moved and Mr. Hohenberger seconded to accept these donations with gratitude. Passed 4-0.

RIGHT-OF-WAY REQUEST/SCHOOL DISTRICT: Mr. Sullivan explained that this was a follow-up to the previous discussion with the WHS Jaguar Boosters relative to installation of a sign in the Town's right of way off London Bridge Road; and serves as the School District's official request for authorization to proceed. He noted that the School District is going through sign process with the Town.

Mr. Don Bielinski, Boosters, approached adding that Mr. Karl Dubay is also working to officially establish the location of the State's right-of-way on Route 111, so that the installation can avoid that area. He went on to note that if the Board authorizes the installation, the School Board will then schedule their official acceptance of the sign as a donation from the Boosters. Mr. Bielinski indicated the process will then move to the Planning Board before installation can begin on or around August 1, 2013. Mr. Sullivan clarified that the Planning Board review would be non-binding.

Mr. Letizio indicated that he did wish to see a sign installed, and added that the EDC had some concerns about the location of same and possible impacts to the adjacent commercial property that is currently for sale. Discussion ensued, including review of the maps/plans for the sign, which will be installed 30' off the center line on London Bridge Road. Mr. Bielinski noted that, at the previous discussion, Mr. Joe Maynard had clarified that the proposed sign would not impact the location of any future signs; as the latter would be placed further down. Further discussion ensued regarding the topography of the site, which is steeply sloped and cannot be built up for a future sign in the area of the HS sign, and the previous concerns discussed by the Board. Mr. Letizio noted that, based on these clarifications, it does not appear that it would be an issue relative to future development.

Mr. Sullivan noted that, should the Board be so inclined, the motion would be to approve the School District placing a sign in the right of way as presented. Mr. McLeod indicated he still had concerns regarding the land; adding that he fully supported the sign being on School rather than Town property.

Ms. Scott approached indicating that several items would need to be clarified for the Planning Board's discussion, including the precise location, the full height including the base, and the intent regarding the scrolling display. Discussion ensued as to the location of the sign off London Bridge Road having been established but that the State right of way still needs to be determined. Mr. Bielinski clarified that the base height cannot be determined until the latter is established given the topography in the area, however, it will be 1' off of the State's right of way. Further, lengthy discussion ensued regarding the proposed site/sign versus the Town ordinance, whether the Town was sending a mixed message; and whether the sign ordinance itself needed revision.

Mr. Letizio then moved and Mr. Hohenberger seconded to allow the School District to construct a sign for use by Windham High School, as depicted on the plan dated July 3, 2013, that being 30' from the double yellow centerline of London Bridge Road; not to exceed 3' outside of the Department of Transportation right-of-way on Route 111; and not to exceed 12' in height from the highest natural grade. After further discussion regarding Mr. McLeod's concerns regarding the ownership of the land, motion passed 3-1, with Mr. McLeod opposed.

WINDHAM SOCCER ASSOCIATION: Mr. McLeod recused himself from the Board and approached as representative of the Soccer Association; requesting authorization to utilize temporary lighting at Griffin Park for evening practices in the fall. Mr. McLeod explained that this was the 3rd or 4th year that WSA has made this request and that the lights would, as always, be directed away from Squire Armor Road. He indicated WSA would work with Recreation regarding the placement, and would assume any responsibility for any damages that might occur from their use. Mr. McLeod noted that, as in the past, the lights will facilitate evening practices between the hours of 6 and 7:30 PM, and would be removed approximately the last week of October/first week of November.

Mr. Hohenberger inquired whether there had been any complaints received last year regarding the lights, and Mr. Sullivan replied in the negative; adding there had been none since the first year after which the lights had been re-directed away from Squire Armor Road. Discussion ensued regarding the timing of placement/removal and when the lights would be extinguished each evening. Mr. McLeod clarified that the lights would be put in place after Labor Day, and would be off by 8 PM every night as the practices were for the U-14 teams that are finished by 7:30 PM.

Mr. Letizio moved to authorize the use of temporary lights at Griffin Park for WSA for the months of September and October as needed. Mr. Hohenberger seconded for discussion, which ensued regarding the soccer season itself and the potential for use to extend into the first week of November for playoff games. Mr. Letizio withdrew his motion and Mr. Hohenberger his second.

Mr. Letizio then moved and Mr. Hohenberger seconded to authorize the use of temporary lights at Griffin Park for WSA for the months of September through November as needed. Passed 4-0.

POLICY COMMITTEE/PURCHASING POLICY: Committee member David Poulson approached and reviewed with the Board proposed changes to the Purchasing Policy; noting that the Board had requested more information regarding potential impacts of changes to purchasing levels.

Mr. Poulson explained that the goal of the Procurement Committee focused on the belief that the Town can purchase more efficiently by way of bulk purchasing, long-term contracts, and increased levels to avoid delays for items valued at \$15K or below. He also noted that the Committee recommended catering to local businesses via a 5% differential ceiling.

Mr. Sullivan noted that the goal is not to remove any authority from the Board of Selectmen; rather the Committee was endeavoring to address matters discussed at the Department Head/Selectmen workshop in the spring such as reducing the Board's agenda load. He clarified that any exceptions, such as bid waivers or single source requests, would still come to the Board for approval; adding that he would not advocate the proposed 5% differential. Mr. McLeod concurred with Mr. Sullivan, noting that it essentially added 5% to the Town's costs.

Mr. Poulson noted that raising the purchasing ceiling allows the Department Heads to develop a rapport with vendors; whereas a bid document is impersonal. He noted he did agree with removal of the 5% and language regarding catering to local business. Further discussion ensued.

Community Development Director Laura Scott approached, noting that she had drafted much more extensive language regarding favoring local business; which the Committee had dramatically trimmed down. She indicated that she hears from businesses all the time that they wanted to do work with the Town. Lengthy discussion ensued regarding the proposed amended language.

Discussion then moved to the proposed change relative to budgeted purchases over \$15K, shifting authorization to approve those to the Town Administrator. Mr. Sullivan clarified that any purchases that were not recommended for award to the lowest bidder would be brought to the Board for approval. Discussion ensued regarding the clarification of language to read "price equal and qualifications similar"; and the Board concurred with this.

Mr. Hohenberger indicated that he still disagreed with increasing of the purchasing levels, as it removed the ability to see what else is available via a bid process. He indicated the bid process affords the opportunity to be presented with better products and/or services; adding that the process was not broken and wondering why the Committee was endeavoring to fix it. Lengthy discussion ensued regarding the review of the policy by the Department Heads, and the attempt to respond to the Selectmen's feedback.

Mr. Letizio indicated that he agreed philosophically with Mr. Hohenberger, however, he supported empowering the team of Department Heads; suggesting the amendments be approved and evaluated. Mr. LoChiatto then read the following into the record:

"Dear Selectmen,

Approximately one year ago, the Windham Board of Selectmen adopted a new purchasing policy for the town of Windham. The policy currently includes guidelines for a competitive bidding process that seeks to obtain the lowest possible bids. It is also designed to provide our town's finances to run efficiently, while still providing a simple level of checks and balances by keeping the Board of Selectmen in the decision making loop for purchases that exceed \$5,000.

It has come to our attention that you will consider adopting a new purchasing policy tonight. We believe that, among other things, the proposed changes will negatively alter the bidding process as well as reduce your input and influence, as Selectmen, over future town purchases. We ask that you reject this proposal and keep in place the policy that was approved last year.

Respectfully, The Board of Directors, Windham Taxpayers Coalition Ken Eyring Bruce Breton Phil Messina Rick Okerman"

Mr. McLeod indicated his opposition to the 5% differential; as did Mr. LoChiatto, and further discussion ensued regarding the proposed changes to purchases over \$15K.

It was ultimately the consensus of the Board that no change be made to the authorization to award purchases over \$15K, that the purchasing levels remain unchanged, and that any reference to 5% and/or preference to local vendors be removed. Staff will amend the draft and re-post for approval at a future meeting.

TAX ASSESSOR: Mr. Norman reviewed with the Board several abatement recommendations, as attached, noting the total amount to be returned to property owners if approved was \$22,500; half of which was in reference to a single owner. After a brief discussion Mr. Hohenberger moved and Mr. McLeod seconded to grant the eleven (11) abatements as presented. Passed 4-0.

After a brief discussion regarding those recommended for denial, as attached, Mr. Hohenberger moved and Mr. Letizio seconded to approval the denial as recommended. Passed 4-0.

OLD/NEW BUSINESS: Mrs. Call advised the Board that she had signed up with GovDeals.com relative to the skate park equipment; adding that while it was a free service it is an auction site and a reserve amount was recommended. Discussion ensued in that this should be a non-public matter.

Mr. Letizio noted that the auction listing needs to be very specific as to the cost to move being born by the successful bidder. Further discussion ensued regarding the need to discuss this in non-public, and it was the consensus of the Board that this be deferred to the July 29th meeting.

Town Clerk Nicole Bottai approached to review with the Board her progress to date regarding the purchase of new department software. She indicated that she has reached out to several vendors, and clarified there are only a handful to choose from. Mrs. Bottai indicated she has obtained quotes for the software, which are within budgeted funds, and that she was seeking the Board's direction.

Mr. Sullivan clarified that Mrs. Bottai was looking at three (3) state-licensed vendors who can provide this software; adding that it would be difficult to spec out. He requested that the Board consider allowing Mrs. Bottai to proceed with the process of obtaining quotes as opposed to bids for the software. Discussion ensued regarding the need to ensure/establish ongoing maintenance costs, hardware/MUNIS compatibility, and training time/costs.

Mr. Hohenberger then moved and Mr. Letizio seconded to allow Mrs. Bottai to proceed with obtaining quotes. Passed 4-0.

Mr. Sullivan noted that the State of NH has advised that they have been approached by a buyer relative to the property on Harris Road; however the Town does, as always, have the right of first refusal. Discussion ensued regarding the property in question, which is on the southeast corner of Route 111/28.

Mr. Letizio moved and Mr. McLeod seconded to dispel with the process of soliciting input from the Planning Board etal regarding this parcel; and that staff advise the State the Town has no opposition to the sale. Passed 4-0.

Mr. Sullivan inquired whether the Board had any suggestions for inclusion in the CIP; noting he would recommend \$45K be included for the Town's portion of funding to complete the Windham Rail Trail. Discussion ensued, and it was the consensus that this be submitted to the CIP.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McLeod seconded to enter into nonpublic session in accordance with RSA 91-A:3 II d and e.

Before the roll was taken, Mr. Sullivan reminded all that the Board would meet with the DOT the following week regarding the signal at Route 111/Range Road; seeking clarification from the Chair that no public input would be solicited. Discussion ensued in that it was very clear that the DOT did not wish to hear any further public input; but rather they desired a clear direction from the Selectmen regarding this intersection. It was noted that the Planning Board had recently held a discussion regarding this matter and drafted a recommendation regarding same, and that the Chair of the Planning Board should be asked to present same to the Board/DOT next week.

Non-public roll call vote: all "yes". The topics of discussion were land acquisition and legal.

The Board, Mr. Sullivan, Conservation Commission member Wayne Morris, and Ms. Devlin were in attendance in the first session. The Board discussed the potential purchase of parcel 8B-4000. Mr. Hohenberger moved and Mr. McLeod seconded that the Conservation Commission move forward with a public hearing to purchase this parcel as discussed. Passed 4-0.

The Board, Mr. Sullivan, and Ms. Devlin were in attendance in the final session.

Mr. Sullivan updated the Board on a legal matter. After lengthy discussion regarding same, it was the consensus of the Board that no action be taken.

Mr. Hohenberger moved and Mr. Letizio seconded to adjourn. Passed 4-0. Meeting adjourned at 10:00 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.

Memorandum

To: Phil LoChiatto, BOS Chairman
From: Chief Thomas L. McPherson Jr.
CC: File
Date: July 15, 2013
Re: **Medical Aid Call**



On Friday morning July 12, 2013 at approximately 6:42 am our department received a 9-1-1 call for an unconscious patient on Telo Road. On Duty personnel consisting of Lieutenant Scott Delaney, Firefighter/Paramedic Ralph DeMarco, Firefighter Gordon Campbell, Firefighter Danielle Dubowik and Firefighter Charles "CJ" Lundergan, responded. Additional information provided was that bystander CPR was in progress.

When Firefighters arrived, they encountered a 24 year old female patient who was unresponsive, having no pulse and not breathing. Firefighter's immediately took over and continued aggressive treatment. Focusing their full attention on early CPR, early defibrillation and aggressive pre-hospital drug intervention, the patient was successfully resuscitated.

While en route to the hospital, advanced life support measures and drug therapy Intervention was administered. Patient care was then transferred to the Emergency Department Staff of Parkland Medical Center where the patient remained for further treatment.

For their quick work, good judgment and commitment to quality customer service, I ask that you join me in recognizing Lieutenant Scott Delaney, Firefighter/Paramedic Ralph DeMarco, Firefighter Gordon Campbell, Firefighter Danielle Dubowik and Firefighter Charles Lundergan for a job well done.

I bring this particular call to the board's attention not only to recognize the good work by our staff, but to thank the Board of Selectmen and all the residents who through the support of last years' budget, allowed us to purchase a Cardio Pulmonary Resuscitation Chest Compression Unit and replace two aging Heart Monitor's.

The Cardio Pulmonary Resuscitation Compression Unit is a battery operated device that when in operation performs chest compressions to today's American Heart Association's Guidelines. This device delivers 70 percent more effective chest compressions than when performed manually. It also allows freeing up personnel who can then focus their attention on advanced ventilator therapy and aggressive pre-hospital drug intervention. This device was immediately deployed by our personnel on their arrival and because of this, coupled with all of their aggressive treatment; the patient's pulse was restored prior to arriving at the hospital. Our thoughts and best wishes go out to the family.

Thank you for your continued support.

Memo



To: Dave Sullivan, Town Administrator
From: Rex A. Norman, Assessor
CC: Board of Selectmen
Date: July 8, 2013
Re: Abatement Presentation Summary – For Approval – July 15, 2013

I have provided Abatement memoranda for each of the following abatements. Please note - each gives a summary of the property, abatement request, description of error or reason for change, and the amount of value and related tax to be abated.

Please feel free to call with any questions or email prior to the Board meeting.

1. Tran & Pham (8 Squire Armour Road – 22-R-806) - \$1,200.91
2. Wojtanowski (68 Heritage Hill Road – 24-F-206) - \$3,478.25
3. Fontaine (30 Horseshoe Road – 17-L-78) - \$3,335.34
4. Law (2 Brown Road – 2-A-975) - \$2,118.30
5. Horaj (6 Red Fox Road – 9-A-110) - \$458.70
6. Hartmann (14 Haskell Road – 1-B-1055) - \$760.65
7. Brockmeier & Silva (2 Camelot Road – 11-C-2503) - \$456.39
8. Bourdelais (167 Haverhill Road – 14-A-1200) - \$1,820.95
9. Kang Enterprises, LLC (63 Range Road – 18-L-310) - \$10,054.41

Abatement Presentation – For Approval – July 15, 2013 (cont.)

10. Alley (22 Haverhill Road #3 – 11-A-317-3) - \$1,415.27

11. Alley (22 Haverhill Road #4 – 11-A-317-4) - \$1,406.05

The following Abatements are recommended for denial:

1. Cafua (44 Heritage Hill Road – 24-F-164) Used tax representative firm “Droperty Tax” of Omaha, Nebraska. Disputing total valuation – no relevant information provided. My inspection revealed missed improvements that increased the 2013 assessment. Recommend denial.

2. Riviezzo (7 Gardner Road – 17-J-138) Used tax representative firm “Droperty Tax” of Omaha, Nebraska. Disputing total valuation – no relevant information provided. Riviezzo signed a release deed December 28, 2012 agreeing to the assessment and taxation. Recommend denial.

3. Diodati (9 Gardner Road – 17-J-136) Used tax representative firm “Droperty Tax” of Omaha, Nebraska. Disputing total valuation – no relevant information provided. Recommend denial.

4. Jabour (11 Gardner Road – 17-J-135) Used tax representative firm “Droperty Tax” of Omaha, Nebraska. Disputing total valuation – no relevant information provided. Recommend denial.