

BOARD OF SELECTMEN
Minutes of September 23, 2013

CALL TO ORDER: Chairman Phil LoChiatto called the meeting to order at 7:00 PM. Selectmen Ross McLeod, Al Letizio, Kathleen DiFruscia, and Roger Hohenberger were present; as was Assistant Town Administrator Dana Call. Town Administrator David Sullivan was excused. Mr. LoChiatto then noted the addition of new flags to the meeting area, and deferred to Mr. Letizio prior to conducting the Pledge of Allegiance.

FLAG DONATION: Mr. Letizio noted the condition/position of the previous US and State flags; explaining that he felt it was part of the Selectmen oath to uphold those ideals represented by the US and State flags, as well as the Town. Given that, he and his wife Patty had decided to donate new flags, as well as the first ever Town of Windham flag; which he felt sends a clear message to all what the Board stands for. He went on to note that the old flags are currently out being cleaned, and will be retired with honor at a future date. Prior to that retirement, however, Mr. Letizio noted that his son who is a Navy Pilot, and his daughter who is currently also Navy, will take those flags and fly them over Windham and Camp Pendelton before they are returned and encased for donation to the Museum. After a brief discussion, Mr. Hohenberger moved and Mrs. DiFruscia seconded to accept the donation of new flags with sincere gratitude. Passed unanimously.

ANNOUNCEMENTS/LIAISON REPORTS: Mrs. DiFruscia noted that members of the Windham Fire Department had participated in the "Flags on 48"; which involves hiking to the highest NH peaks and placing flags in memory of the victims of 9/11. She went on to express gratitude to these individuals for their continued remembrance efforts.

Chief McPherson approached and extended thanks to all who had attended the Department's 9/11 Memorial Ceremony; as well as to those local businesses who had donated refreshments, etc. Chief McPherson reminded all that the Department conducts this service annually, and the public is always welcomed to attend.

Mrs. DiFruscia reminded all that Harvest Fest is scheduled for October 19th at Griffin Park.

Mr. Letizio reminded all that the 1st Annual Foodie weekend is coming up on September 28/29; with a food expo/farmer's market at the Searles facility on the 28th.

Barbara Coish, President of Windham Seniors, approached noting that she had been working with Mr. Sullivan relative to resolving parking issues at the Senior Center. She noted that Mr. Sullivan had met with the Historic District Commission regarding two additional spaces where the screen house was formerly located; which the latter had approved. Mrs. Coish advised that a plan will now be submitted to the Planning Board for review, and the State consulted; and asked that the Board approve these new parking spaces contingent upon approval from these parties. Discussion ensued regarding the bushes currently planted in this area, some of which will be relocated and some used in the green space between the new spaces, and that these will not be handicapped spaces due to size limitations.

Mr. Hohenberger moved and Mrs. DiFruscia seconded to authorize staff to proceed as described. Passed unanimously.

Mrs. Call advised that the Girl Scouts have completed their Silver Award project to repair the gazebo located on the Town Common. The Board extended their thanks to the girls, Taylor and Molly, for their efforts.

Mrs. Margaret Case, Chairman of the WCAB, approached and advised that official notice had been received from Comcast that, as of November, they will be encrypting their digital signal which means that, regardless of the type of television owned, a DTA or cable box will be required. Mrs. Case explained that the purpose of encryption is primarily as a deterrent to cable theft, and that residents are eligible to receive up to two (2) DTA's at no charge for a period of one year. Brief discussion ensued.

Mrs. Case then advised that, in August, the Town had received \$60,425.31 in franchise fees; which is a substantial increase over the norm. Mrs. Case indicated that this is a result of both an increased number of Comcast customers and pricing increases. Brief discussion ensued regarding the need for DTA's and ongoing channel line-up changes.

SEARLES DONATIONS: Mrs. Case requested that the Board accept additional donations to the Searles Fund, totaling \$1,310, as follows:

Salem Co-Op Bank	\$	500.00
ConvenientMD	\$	250.00
Frederick & Mary Linnemann	\$	100.00
Joan & Neil Mitchell	\$	20.00
Sheelah Martin	\$	25.00
Anne-Marie & Christopher O'Neil	\$	10.00
Theresa & James Arangio	\$	50.00
Peter Naylor	\$	50.00
Tracy & Debra Talcott	\$	25.00
Rose-Lynn & Steven Armstrong	\$	150.00
Bank of New England	\$	100.00
Anonymous	\$	30.00

Mrs. DiFruscia moved and Mr. McLeod seconded to accept these donations with thanks. Passed unanimously. Mrs. Case then advised that she will be fundraising for Searles at Harvest Fest by way of a carnival game for various, donated prizes.

CORRESPONDENCE: Mr. LoChiatto noted that a Right of Way Permit request had been received from CATV Construction seeking permission to trench along Industrial Drive to install new utility conduit; which has been reviewed and approved by the Highway Agent. Mr. Hohenberger moved and Mr. McLeod seconded to approve the permit as requested.

Discussion ensued regarding the need for a bond, and Mr. McCartney advised that CATV is a subcontractor of Comcast who has a standing bond in place. Mr. Letizio expressed concern that the permit requires the Town to determine a bond amount, and Mrs. Call clarified that Comcast has a standing \$50,000 bond in place and that in the case of other permit requests Mr. McCartney would recommend a bond amount.

After further, brief discussion, motion passed unanimously.

WINDHAM'S HELPING HANDS: Mr. Al Pappalardo approached noting that the group was celebrating ten years of activity and, in looking at ideas for different methods to raise funds, was proposing a Walk-A-Thon at Griffin Park. Mr. Pappalardo noted that insurance will be in place for the proposed five-lap event which they would like to hold on November 9th from 8:30 AM to 10:30 AM. In addition, he noted that Recreation has confirmed that it will not interfere with any local sports, and that there will be no selling involved; rather walkers will be able to do pledges in addition to their \$10 registration fee.

After a brief discussion, Mr. Letizio moved and Mrs. DiFruscia seconded to approve the request from Windham's Helping Hands as described. Passed unanimously.

WINDHAM BASEBALL/SOFTBALL LEAGUE: Mr. Jay Yennaco approached to review with the Board a proposal from WBSL to construct batting cages at Griffin Park in the area of the multi-purpose building. Mr. Yennaco noted that, thanks to Griffin Park, the League has one of the premier baseball facilities however, it does not have cages which are a necessity. He went on to review two alternative designs for the batting cages, one of which would lie perpendicular to the building while the other would run parallel to same. Mr. Yennaco indicated that the batting cages would be 70'Lx28'Wx12'H chain link areas with no roofs and no maintenance Astro turf within; adding that WBSL would be seeking to use Fences Unlimited for the project. He further clarified that the area near the multi-purpose building is the least obtrusive area to construct the cages as it pertained to disruption of utilities/irrigation. Mr. Yennaco advised that the estimated cost for the project is \$15,000 which WBSL will fully cover, and that they would like to complete the installation this fall.

Mrs. DiFruscia inquired whether a way was planned to secure the area when it was not in use. Mr. Yennaco indicated there would be two gates into the cages, which could be locked. Discussion ensued regarding off-season security. Mrs. DiFruscia then noted that, given the extensive use of the building, she preferred the first option as it was less intrusive, and further discussion ensued.

Mr. Yennaco clarified that other areas of the Park, further away from the building were looked at, however, constructing the cages closer to the building afforded easier power/storage access and maintenance. Discussion ensued as to the extent the area would need to be disturbed to construct the cages, and Mr. Yennaco indicated that only minor disturbance was needed for the purpose of post holes for the chain link fence.

Mr. McLeod noted that he felt the batting cages would complement the baseball program, and indicated that he preferred the first alternative location. Mr. McLeod added, however, that he would prefer the span between the building and the cages to be no wider or narrower than was necessary to maintain same with a deck mower. Discussion ensued, and Mr. Letizio moved and Mr. McLeod seconded to support the construction of batting cages at Griffin Park as proposed, perpendicularly aligned, and to waive any related Town fees for same.

Mrs. DiFruscia sought clarification as to whom would be authorized to use the cages, and Mr. Yennaco detailed the various portions of the league/tournament seasons; adding that, realistically, nobody else would be utilizing the cages save for the teams.

Mr. LoChiatto expressed concerns regarding the proximity/height of the cages as it pertained to the multi-purpose building; questioning whether the fence could be scaled to gain access to the roof. Discussion ensued in that WBSL would consult with Fences Unlimited regarding this possibility and that, after evaluation of the site, the gap would be expanded to 7' or 8', if deemed necessary.

Motion passed unanimously.

SURPLUS SKATE PARK EQUIPMENT: Mrs. Call advised that, while no bids had been received for the sale of same, the Town had received reimbursement in the amount of \$1,500 for the lost/missing extra sheets from the vendor with whom they had been stored. Further, Mrs. Call advised that the Town of Salem had amended their offer to purchase three (3) ramps and (1) rail to \$750 in light of the extra sheets being unavailable.

Mr. Letizio noted that he had recently learned of the upcoming construction of the "Charles River Skate Park", and that he had spoken to representatives for same who may have an interest in purchasing our remaining equipment. Discussion ensued, and Mrs. Call clarified that similar offers have been made to the Town, however, the drawback is the need to move the equipment. Mr. Letizio then indicated that he believed there was still a local business willing to remove the remaining equipment at no cost to the Town.

Mr. LoChiatto excused himself from the meeting, and Mrs. DiFruscia assumed the Chairmanship.

Discussion ensued regarding sale of the items to Salem and the timing of their move versus when the rest of the items could be removed. Mr. McLeod moved and Mr. Letizio seconded to award the bid for the requested items to the Town of Salem in the amount of \$750; contingent upon the Salem Board of Selectmen's approval of same. Mrs. Call indicated confirmation of the Salem Board's decision was expected by the first week in October. Motion passed 4-0.

Mr. LoChiatto returned and resumed the Chairmanship. Brief, further discussion ensued regarding the remaining equipment, however, no decisions were made.

JOINT LOSS MANAGEMENT COMMITTEE: Building Inspector Mike McGuire on behalf of the JLMC, reviewed with the Board the Committee's Annual Safety Report, noting the following:

- There is an ongoing issue at the Police Department with water seeping into the basement in the area of the electrical lines. The JLMC is recommending bids be sought from electrical contractors to establish where the line enters the building and repair same. In addition, a French drain and/or corrections to the swale between the Library and Station may need to be considered in order to redirect the water.
- The roofs on the Community Development Department and Administrative offices are in need of replacement.
- Installation of bollards/stripping in front of Community Development are still pending.
- Other cosmetic/small maintenance items were noted, such as vision panels in the Fire Department doors.

Mr. Hohenberger moved and Mr. McLeod seconded that quotes be solicited to repair the water issue at the Police Department. Discussion ensued, and Mr. McCartney advised that it will likely be a several thousand dollar project, as it entails mostly hand digging to follow the line. Motion passed unanimously.

Mr. McGuire clarified that, as it pertained to the roofs, price quotes have been received and will be presented to the Board at a future date. Discussion ensued regarding the status of the roofs, in that there are only minor leaks evident during severe/blowing rain that could be temporarily fixed, as well as the Property Maintenance Trust monies available.

Mrs. Call clarified that the roofs have a remaining two-year life expectancy, and that staff could ask the vendor to evaluate those small areas of concern for temporary repair; adding that the Board may want to consider prioritizing the available PMT funds.

Mr. LoChiatto inquired whether the formerly noted bay doors on the old Fire Station were still a safety issue. Discussion ensued regarding them still being on the project list and the \$16,000 estimate received to replace them. Mrs. Call suggested that the Board schedule a workshop to prioritize all outstanding projects, and it was the consensus of the Board to schedule same on the next available agenda.

OLD/NEW BUSINESS: Mrs. Call advised that Mr. Sullivan had clarified with Mr. Bill Johnson that his lead mitigation plans relative to exterior painting are fully compliant with all EPA, Federal, State/local regulations regarding same.

After a brief discussion, Mr. McLeod moved and Mr. Letizio seconded to award the bid for the exterior painting of the Senior Center, Bartley House, and both the front and rear of the Searles facility to Bill Johnson Painting. Passed unanimously.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mrs. DiFruscia seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a. Roll call vote, all members “yes”. The topic of discussion was personnel and the Board, Mrs. Call, Ms. Scott, and Ms. Devlin were in attendance.

After a brief discussion, it was determined that this matter was a not a non-public issue and no decisions were made. Mr. McLeod then moved and Mr. Hohenberger seconded to resume the public portion of the meeting and to accept, with regret, Cathy Pinette’s resignation effective October 31, 2013. Passed unanimously.

Brief discussion ensued regarding filling of this vacancy. Mr. Letizio moved and Mr. McLeod seconded to waive the recruitment procedure requirement to advertise same in a regional newspaper. Passed unanimously.

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

Meeting was officially adjourned at 8:30 PM; and, as part of the non-meeting that followed it was the consensus of the Board to approve a tentative agreement with IAFF Local 2915.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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