

**BOARD OF SELECTMEN**  
**Minutes of October 19, 2015**

**MEMBERS PRESENT:** Vice-Chairman Joel Desilets called the meeting to order at 7:00 PM. Selectmen Bruce Breton and Roger Hohenberger were present, as was Town Administrator David Sullivan. Selectman Ross McLeod was delayed and arrived at 7:20 PM, and Chairman Al Letizio was excused. Mr. Desilets opened with the Pledge of Allegiance.

**ANNOUNCEMENTS/LIAISON REPORTS:** Community Development Director Laura Scott extended thanks to those businesses and non-profit organizations who participated in the Trick or Treat at the Annual Harvest-Fest; and to Recreation for hosting same.

*Ms. Scott* then advised that on 11/5 from 5:30PM to 7:00PM there will be a free business seminar regarding small business financing options at the Nesmith Library. Anyone interested should contact Ms. Scott.

*Assistant Fire Chief Ed Morgan* approached and advised that the previous week the Department's ambulance had suffered a catastrophic failure involving a blown cylinder. He advised that the vehicle was taken to Ford of Londonderry, who indicated the failure was due to the number of hours on the ambulance. Chief Morgan noted the total cost to replace the engine and related parts, with a 3 year unlimited mileage warranty, is \$27,000 +/-, and that Ford of Londonderry has offered to put up \$5,000 of that amount; leaving a final cost to the Town of \$21,420.

Lengthy discussion ensued regarding the age of the ambulance, the Town's replacement policy, and whether the repairs should be placed out to bid. Chief Morgan advised that the ambulance is a 2009, and not scheduled to be replaced until 2018 due to a previous pushing out by one year of a Fire vehicle purchase. Further discussion ensued regarding the turnaround time for the repairs and that Chief McPherson can call around to other vendors for estimated repair costs. Mr. Desilets sought clarification that the cost of \$21,420 for the repairs had been received in writing, and Chief McPherson replied in the affirmative.

Mr. Hohenberger moved and Mr. Breton seconded to instruct the Chief to effect the ambulance repairs at a cost not to exceed \$21,420; with inquiries being made prior to ensure the best price. Passed 3-0.

*Mrs. Barbara Coish*, Golden Brook Road, noted that afternoon the first Senior Trip in the Town van had taken place. She indicated that Recreation Coordinator Cheryl Haas had driven, and fourteen (14) seniors had attended. Mrs. Coish advised that future trips will be scheduled, and ideas for same should be submitted to Ms. Haas. Mr. Desilets extended thanks to Ms. Haas for this new offering.

*Mr. Desilets* advised that NH Tech Fest would take place on 10/24 from 10A - 4P at the High School, and would be hosted by "Windham Windup".

*Mr. McLeod* noted that there will be a retirement celebration in honor of Lt. Jimmy Brown on the following Saturday at Castleton from 2P – 8P. Tickets are available at the Fire Station or Nault's Honda at a cost of \$35/pp.

**BOARD OF HEALTH:** Mr. McLeod moved and Mr. Breton seconded to recess and enter into the Board of Health. Passed 4-0. Health Officer Laura Scott read the public hearing notice into the record as follows: *"Notice is hereby given that the Windham Board of Health will hold a public hearing on Monday, October 19, 2015 at 7:00 pm in the Community Development Meeting Room. The following application has been submitted for review. Deborah Cassidy has submitted a waiver request from Section 2.5 of the Water Supply Regulations for 3 Spring Street (17-C-102C). The applicant is proposing to construct a well approximately 65' from her septic system leach field where 75' is required. In addition, a waiver may be required due to there being less than the required 75' from a septic system leach field for 2 Spring Street (Lot 17-C-5) and 26 Sawtelle Road (Lot 17-C-24). 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."*

Ms. Scott explained that the applicant was present and all abutters notified; further clarifying that the public hearing notice indicated that a waiver “may” be required as this request involved old lots and it was difficult to determine the location of the other septic systems. Mr. McLeod sought clarification whether, based upon that, the applicant was guessing at said locations. Ms. Scott replied in the negative, noting that the location of the neighboring septic systems is known, but the distance to the proposed is being estimated.

Mr. McLeod then expressed concerns that the Board members were dealing with a variety of different plans, rather than a single one depicting the wells/septics in question. Ms. Scott noted that the applicant had done work herself; adding that an engineered plan is not required to be submitted.

Mr. Scott Costa, licensed well driller, approached along with the applicant Deborah Cassidy, and a lengthy discussion ensued regarding the plans as submitted, lack of scaling on same, and the estimated distances. Mr. Desilets sought clarification as to how many abutters had been notified, and Ms. Scott replied that seven (7) were notified, however, only 2 Spring and 26 Sawtelle were relevant to the request at hand.

Mr. McLeod noted that this discussion was an example of the importance of presenting clear plans to the Board. Further discussion ensued regarding same, the well design, and who had taken the measurements.

Mr. McLeod then expressed concerns that the Public Hearing notice, as written, was wrong relative to 2 Spring and to Sawtelle. Ms. Scott noted that she had drafted same with the assumption that this additional waiver would be required; erring on the side of caution.

Further discussion ensued, before Mr. McLeod moved to deny the request for a waiver without prejudice; due to the lack of information available regarding measurements as well as depiction of the wells/septics in question. Mr. Hohenberger seconded.

Mr. Costa noted that Mr. Schofield of the NH Well/Water Board had visited with the applicant at the site and had okayed the proposal; noting any well driller can obtain a permit based upon their word. Discussion ensued regarding the applicant’s hardship and that the waivers go with the property deed. Ms. Scott noted that all the properties around Ms. Cassidy have wells and that denial, even without prejudice, will entail costs to her as the hearing must be re-noticed, etc. Ms. Scott also indicated she was unsure how Ms. Cassidy could depict all the properties on one plan.

Mr. McLeod amended his motion to continue this hearing for a period of two weeks. Mr. Hohenberger amended his second, as well.

Further lengthy discussion ensued regarding the need for Ms. Cassidy to show the abutting wells/septic with measurements to same; with Mr. Costa noting that the amount of steel casing within the well will be over and above and Ms. Cassidy noting that the proposed location was chosen as there is nowhere else to put it. Mr. McLeod noted that he would like staff to verify the measurements, and that photographs would be of assistance, as well.

Mr. Desilets inquired whether Mr. McLeod would consider approving the request conditional upon submission of a plan to staff showing the dimensions, etc. Mr. McLeod replied he would not be amenable to this.

Mr. McLeod’s motion to continue then passed 3-2, with Ms. Scott and Mr. Desilets opposed.

Mr. McLeod moved and Ms. Scott seconded to adjourn the Board of Health. Passed 5-0.

**FLETCHER ROAD:** Ms. Scott advised that the Planning Board had voted on 9/30 that Fletcher Road be accepted and the financial guarantee released upon payment of all pending invoices. Mr. McLeod inquired whether there were any outstanding issues, and Highway Agent Jack McCartney replied in the negative.

Mr. McLeod moved and Mr. Breton seconded to accept Fletcher Road Extension from station 1+50 to 7+58.34 as a Town road. Passed 4-0.

Mr. Hohenberger moved and Mr. Breton seconded to post this portion as 25 MPH. Discussion ensued in that Fletcher is already posted at 25. Motion and second were withdrawn.

**DONATION ACCEPTANCE:** Ms. Scott advised that the next “Welcome to Windham” sign will be located at Roger’s Service and Auto Body and Liberty Utilities will donate funds not to exceed \$1,500 for same; clarifying there will be no advertising of any kind on the sign. Mr. McLeod extended his thanks to Roger’s for allowing same on their property.

Mr. Desilets also expressed his thanks, but indicated he was uncomfortable with accepting this donation parallel to Liberty’s ongoing natural gas franchise expansion. Mr. Breton noted that Liberty is a valued company, and has provided donations in the past, as well. Brief discussion ensued, and Mr. Desilets clarified that he was not implying anything by expressing his concerns.

Mr. McLeod then moved and Mr. Breton seconded to accept the donation from Liberty with gratitude. Passed 3-1, with Mr. Desilets opposed.

Ms. Scott then advised that the NH DOT has agreed to allow placement of a similar sign on their property on Route 111, and that she will be back with additional donations regarding same.

**COMMUNITY DEVELOPMENT UPDATES:** Ms. Scott presented updates to the Board on the Adopt-a-Spot and Community Garden programs; extending thanks to all participants/donors, Boyden’s Landscaping, and Crossing Life Church. She noted that next year may bring a second Community Garden location at the Heritage Baptist Church.

Mrs. Barbara Coish approached noting that Devon Bushey had completed his Eagle Scout project in the rear of the Senior Center, and advising that the Seniors would be adopting that spot in perpetuity.

**BID AWARDS:** Maintenance Supervisor Jack McCartney advised that two (2) bids for installation of an HVAC system at the Community Development Department had been received, as follows:

<i>Vendor</i>	<i>Bid Price</i>	<i>SEER Value</i>	<i>AFUE (Annual Fuel Utilization Efficiency)</i>	<i>AMC (Anticipated Maintenance Costs)</i>	<i>MTBF (Unit Reliability)</i>	<i>WL (Warranty Length)</i>
Controlled System (Salem, NH)	\$66,664 Carrier Model Two (2) furnaces upstairs and One (1) downstairs	20	96	\$900	15	10 years parts, 1 year labor
Palmer-Sicard (Exeter, NH)	\$51,410: Carrier Model Two (2) furnaces upstairs only	16	95.3	\$800	15	20 years for heat exchanger and 1 year all other parts of furnace; 5 years compressor of heat pumps and 1 year all other parts; all - 1 year labor

Mr. McCartney indicated that he had spoken to both vendors, and the Local Energy Committee (LEC), and that the recommendation would be to reject these bids and re-bid for an in-kind system; adding that, as bid, there would be an 18+/- year payback on the system.

Discussion ensued regarding the bid prices submitted versus the available funding/bottom line budget. Mr. Breton suggested that the LEC be asked to look at the three pieces of equipment involved and select a specific manufacturer for an in-kind replacement. Mr. Sullivan noted that the LEC had been involved, and recommended Picard. Discussion ensued regarding the variance in the bids despite being the same manufacturer.

Mr. Desilets sought clarification as to whether a high efficiency system had been spec'd out, and Mr. Sullivan replied in the affirmative. After further discussion, in which Mr. Sullivan noted that he would confer with LEC members regarding a possible model/manufacturer, Mr. McLeod moved and Mr. Hohenberger seconded to reject the bids received and rebid as per staff recommendation. Passed 4-0.

*Groundskeeping:* Mr. Sullivan advised that two (2) bids had been received for the Town's groundskeeping needs, as follows:

Vendor	Bid Price - Year One	Year Two - At Town's Option	Year Three - At Town's Option
Boyden Landscaping, Pelham, NH	\$104,500	\$107,112	\$107,112
DJ Landscaping, Derry, NH	\$114,500	\$114,500	\$114,500

Mr. Sullivan noted that the recommendation would be to award the bid to Boyden, the Town's current vendor, for a period of one (1) with the option to continue at the Board's discretion. Mr. McLeod requested that it be ensured there are no brush issues such as occurred at Tokanel field, and Mr. Sullivan replied in the affirmative.

Mr. McLeod then moved and Mr. Hohenberger seconded to award the bid to Boyden Landscaping for their bid amount of \$104,500 as recommended. After a brief discussion, motion passed 4-0.

*Winter Sand:* Mr. Sullivan advised that two (2) bids had been received as follows:

Vendor	Bid Price - Sand Delivered	Bid Price - Sand Picked Up	Location
Plourde Sand & Gravel, Suncook NH	\$10.93/ton	\$6.51/ton	Hooksett
Brox Industries, Methuen MA	\$12.85/ton	\$10.00/ton	Hudson

Mr. Breton moved and Mr. Hohenberger seconded to award the bid to Plourde for their price of \$10.93/ton delivered; as recommended by staff. Passed 4-0.

**OLD/NEW BUSINESS:** Highway Agent Jack McCartney advised the Board that several discontinued town vehicles are currently at auction, and requested that if sufficient funds are garnered he be authorized to utilize same towards a replacement pickup. He explained that the latter is planned for the 2016 budget, and will be removed accordingly should the Board authorize this request. Mr. Sullivan reminded the Board that Mr. McCartney's truck is currently out of service and has been for some time.

Mr. McLeod moved and Mr. Breton seconded to authorize the Highway Agent to utilize the funds received, if sufficient, towards a replacement truck as requested. Discussion ensued in that approximately \$35,000 is anticipated to be received from the nine (9) vehicles – mostly cruisers that are 8 to 10 years old – being auctioned.

Motion passed 4-0.

*Town Clerk Nicole Merrill* reviewed several proposed amendments to the Record Retention Policy with the Board having to do with increasing the number of resident members (due to quorum issues) and relating to method of minute submissions. Discussion ensued regarding other, minor grammatical changes, and the addition of term limits which Mr. Sullivan indicated could be included in a staggered fashion.

Mr. McLeod moved and Mr. Breton seconded to approve the Policy as amended. Passed 4-0.

**CORRESPONDENCE:** Mr. Sullivan advised that a memo had been received from the Forestry Committee requesting that they be officially designated as volunteers; adding that this affords the members greater protection as they undertake maintenance, etc., in the Forest. Mr. McLeod moved and Mr. Hohenberger seconded that the following be listed as authorized volunteers for their efforts in the McIlvaine Forest: Wanda Rice, Norm Babineau, Holly Hanford Oliver, Wayne Morris, and Jim Finn. Passed 4-0.

Mr. McLeod extended thanks to Mr. Babineau and the remaining members for their efforts.

*Mr. Sullivan* noted that the Conservation Commission has advised they are working towards continuing to have a caretaker at Campbell Farm. Mr. Desilets sought clarification as to who establishes the terms for same, and Mr. Sullivan indicated this would fall under the Commission's authority.

Mr. Breton inquired as to income from same, and Mr. Sullivan noted there was revenue in the past, which goes into the Conservation fund, however he did not know what the new terms would be.

*Mr. Sullivan* requested that the Board adopt the following to allow the Town to continue with the HealthTrust: *"RESOLVED: That the Town of Windham shall participate as a Member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the "Application and Membership Agreement" and NH RSA 5-B. RESOLVED: That David Sullivan, Town Administrator is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of Town of Windham, the "Application and Membership Agreement" in substantially the form presented to this meeting."* Mr. McLeod moved and Mr. Hohenberger seconded accordingly. Passed 4-0.

**OLD/NEW BUSINESS CONTINUED:** Mr. Sullivan advised that the application period for the Finance Director position had closed, and he has contracted with MRI to review the resumes submitted. He noted MRI will short list the applicants, and send out essay questions to same, with the final 3 or 4 being submitted for interviews. He then discussed with the Board his intended interview panel, and Mr. Desilets and Mr. Breton expressed interest in participating. The remaining members concurred.

*Town Hall Regulations:* Mr. McLeod moved and Mr. Breton approve the Town Hall regulations as amended. Passed 4-0.

**MINUTES:** None.

**NON-PUBLIC:** Mr. McLeod moved and Mr. Hohenberger seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a. Passed 4-0. Roll call vote all "yes".

The Board and Mr. Sullivan were in attendance. Mr. Sullivan updated the Board on a personnel matter. No decisions were made.

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

Meeting was adjourned at 9:30 PM.

Respectfully submitted,  
Wendi Devlin, Administrative Assistant

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