

**BOARD OF SELECTMEN**  
**Minutes of July 7, 2008**

**MEMBERS PRESENT:** Chairman Dennis Senibaldi called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Galen Stearns, Charles McMahon and Roger Hohenberger were present, as was Assistant Town Administrator Dana Call. Town Administrator David Sullivan was excused. Mr. Senibaldi read the agenda into the record, followed by the Pledge of Allegiance.

**MINUTES:** Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of May 19<sup>th</sup>, June 2<sup>nd</sup>, June 9<sup>th</sup>, and June 16<sup>th</sup> as written. Passed unanimously.

**LIAISON REPORTS:** None.

**ANNOUNCEMENTS:** Recreation Coordinator Cheryl Haas reminded all that Town Day is scheduled for July 13<sup>th</sup> beginning at 1 PM at Griffin Park.

*Mrs. Call* advised the Board that an email had been circulated relative to a staff meeting to discuss the new Town Hall as proposed by Mr. McMahon. The meeting will take place on July 17<sup>th</sup> from 11A to 1P, and there will be no interruption in services.

*Mrs. Call* advised that a meeting has been posted for Thursday, July 10<sup>th</sup> at 7 PM to discuss the landscaping plan and conduit with Mr. Stammus of the NHDOT.

**CORRESPONDENCE:** Copy of memo sent to the Planning Board, Department Heads, et al, relative to the Board's request for change in the minimum CIP submissions from \$50K to \$100K.

*Letter received* from Mr. Dennis Scott, 51 Haverhill Road, urging the Board to consider several suggestions relative to blasting operations, including: monitoring of all wells within 1 mile; selection of a third party independent testing agency by the Town to conduct monitoring; enforcement by the Board of Selectmen of compliance by federal, state, regional, town, county, and local government agencies, as well as private entities; coordination of blasting proposals by the Town Engineer in keeping with existing regulations; requirement of public hearings for any request for waivers to include notice via registered mail to all abutters; and that the expense of testing/ notifications be borne by the blasting company.

*Copy received* of NH DES permit granted to the Ledge Road project for crushing activities only. Mr. McMahon clarified that the permit does include mitigation for dust including water/coverage. A brief discussion ensued, and the Board requested that Mrs. Call arrange an update on the blasting from Mr. Turner.

*Letter received* from the Historic District/Heritage Commission requesting that the approved Historic Town Center District sign be centrally installed in the front of the Town Hall, on the hill slope. After a brief discussion, it was the consensus of the Board to approve the installation as proposed, subject to clarification that the sign will not be in the State's right-of-way.

*Letter received* from IT Director Eric DeLong relative to equipment purchases. This item was deferred to July 14<sup>th</sup>.

**BID AWARDS/HIGHWAY DEPARTMENT:** Mr. McCartney advised that three bids had been received for purchase of a snow plow, as follows:

Donovan Equipment, Londonderry NH	\$8,567.00
Howard P. Fairfield LLC, Pembroke NH	\$7,191.00
EW Sleeper Inc, Concord NH	\$7,111.00

Mr. McCartney recommended that the bid be awarded to Fairfield, based upon the Department’s already owning five of their plows and the interchangeability between the equipment.

After a brief discussion regarding the differences between the items bid, Mr. Stearns moved and Mr. McMahan seconded to award the bid to Howard P. Fairfield LLC for their bid amount of \$7,191.00. Passed unanimously.

*Paving Bids:* Mr. McCartney advised that the following bids had been received:

<b>Vendor</b>	<b>Roulston Rd.</b>	<b>Bramley Hill Rd.</b>	<b>Bramley Hill (Alt.)</b>	<b>Londonderry Rd.</b>
Brox Ind., Dracut, MA	\$111,783	\$123,229	\$97,498	\$95,173
Hudson Paving & Excavation, Hudson, NH	\$158,235	\$199,585	No Bid	\$141,337

Mr. McCartney indicated he was comfortable awarding the bid to Brox, which has previously done work for the Town.

Mr. Hohenberger sought clarification of which portion of Londonderry Road was being completed, and Mr. McCartney indicated from Brentwood Road to Fordway Extension.

Mr. McMahan inquired whether Mr. McCartney would be on site during the project. Mr. McCartney indicated he generally visits such projects often to inspect the contractor progress. Mr. McMahan then inquired whether a log of the project activity would be kept, and Mr. McCartney replied he generally only keeps a log if issues arise. Mr. McMahan then requested that Mr. McCartney generate a report at the end of each such project for the Board’s review to include a certification of completion. Mr. McCartney agreed.

After a brief discussion regarding bonding requirements, Mr. Hohenberger moved and Mr. Stearns seconded to award the bid to Brox Industries for an amount not to exceed \$330,185.00. Passed unanimously.

**FINANCIAL UPDATE:** Mrs. Call presented her quarterly update to the Board, highlights of which included:

- She and Mr. Sullivan will now begin their midpoint, line by line review of the budget as of June 30<sup>th</sup>.
- Vehicle fuel is currently over-budget, and is projected to be \$30K over for the year end. Mrs. Call advised that the Town is currently paying an average of \$3/gallon, and will received \$0.36/gallon back in tax refunds for the Fire Department diesel. Discussion ensued regarding obtaining universal gas cards and bidding out the Fire Department fuel. Mrs. Call will follow-up to develop bid specifications for the latter for discussion with the Chief.

- Savings will be recognized in salaries/benefits due to vacant positions and employees out on disability.
- Staff is working toward getting pricing information and best options for heating fuel.
- Mr. Hohenberger inquired why the TAN had been borrowed against when the tax bills had been sent out earlier than anticipated. Mrs. Call explained that the Town endeavors each year to hold off on large expenditures until after the taxes begin to come in, but this year the School District requested their money earlier than usual. She further explained that, although the tax bills were sent out earlier, the due date cannot be prior to July 1<sup>st</sup> per statute. Brief discussion ensued.

Mr. McMahan felt the Town needed a clearer timeline from the School District of when they will require their funds each year. He also inquired whether or not Department Heads should be consulted as to what large items are upcoming that should be held off. Mrs. Call indicated that the bottom line budget cannot be over-expended and, if necessary, a spending freeze will be implemented.

- Heating/cooling costs were discussed, as was the need to conduct an energy audit. Mr. Breton indicated all buildings should be looked at for items such as replacement windows.
- Mr. Breton requested a list of all employees that had been budgeted but not expended for, such as the Assistant Planner. Mrs. Call will follow-up to provide this information to the Board.
- Police overtime budget has been 92% expended to date, and Mrs. Call advised that the Chief has been asked to look into reduction methods. Mrs. Call noted that retirements coupled with new employees attending the Academy or in field training has led to some shifts being covered by overtime, and that the Chief has adjusted staffing down to compensate. Discussion ensued, and it was the consensus of the Board that the Chief be asked to provide a detailed analysis of overtime expenses and the July staffing schedule.
- Discussion of several line item overages ensued, including the Town Report, Town Clerk Office Supplies, Administration Miscellaneous, and Fire Department Miscellaneous which is currently at 220%. Mrs. Call clarified that the latter is due to recruitment costs, for which a separate line item will be created going forward.
- Chemical toilets for Griffin Park were discussed, along with ongoing issues with the electronic door at the multi-purpose building. It was the consensus of the Board that, regarding the latter, the equipment be disconnected and motion sensors installed for the lighting. Mr. Senibaldi will follow up with the vendor.
- *Special Funds*: Currently there is \$5,246 available in the Recreation Improvement Fund, due to \$1,500 in income for the year to date and savings from the Nashua Road field engineering costs and unexpended amounts previously allocated to the Depot.

The Surplus Basketball funds are gradually being expended on related programs, such as the Court Jesters appearance and clinics.

Discussion ensued regarding the Property Maintenance Trust. Mr. Barlow approached to advise the Board that the septic at the multi-purpose building had backed up, and that the pump and vent pipe were in need of replacement. In addition, costs had been incurred to clean the building. Mr. Barlow indicated the total funds needed for all items related to the event was \$3,520.

Discussion ensued regarding the incident being related to a lightning strike and the need for staff to file an insurance claim accordingly. Mrs. Call will follow-up to do so.

Mr. Breton suggested the funds be taken from the Recreation Improvement fund, and a discussion ensued regarding the need to install arrestors on the electrical panels. Mr. Barlow will follow-up to obtain the latter. Mr. McMahon then commended Mr. Barlow for his immediate response to the event, noting the facility was re-opened within 24 hours.

- Replacement windows for the Planning and Development department were discussed. The windows average \$300/window, and funds have been budgeted.

The Board thanked Mrs. Call for her presentation.

*Mr. Senibaldi* stepped out of the meeting, and Vice-Chairman Breton called for a five minute recess.

**PROPOSED GRIFFIN PARK PERFORMANCE STAGE:** Mr. McMahon approached to review a proposal to construct a performance stage at Griffin Park. Mr. McMahon indicated he had consulted with the Community Band, Recreation, and the local Theater group on the design. He then presented a scale model of the facility for the Board's consideration, depicting an open amphitheater style structure with faux stone pillars and a plexiglass acoustic grid.

Mr. McMahon noted that Griffin Park provides ease of access, ample parking, and a concession stand, and that the facility could be used for team functions in addition to performance arts. Mr. McMahon stated this would be a no-maintenance facility, and advised he currently has commitments in place for donations toward the construction.

Mr. McMahon stated the proposed location of the stage is to the right of the pond just before the drop-off to the lacrosse field, with it being angled toward the center of the Park. He noted that this placement will not interfere with any other uses.

Mr. Hohenberger indicated his support of the design and the project, indicating it would be a great addition to the Park.

Mr. Stearns inquired what the width of the plexiglass would be, citing vandalism concerns. Mr. McMahon indicated it would be thick Lexan material. Mr. Stearns then inquired what the depth of the slab would be, and Mr. McMahon replied it had not been determined yet as the surface within the structure had not yet been decided. He noted, however, that it would be 4-6".

Mr. McMahon then extended thanks to Mr. Ray Captell for constructing the scale model of the structure and to Landry Architect for completing the plan, both of whom did so at no cost.

Mr. Bob Coole approached, indicating he had looked at the 1997 plan for Griffin Park and the location proposed by Mr. McMahon had been earmarked for horseshoe/volleyball pits. Mr. Coole indicated he supported the idea of the stage, but questioned where the other activities would be placed. Several Board members replied that there was ample space remaining for such uses.

Mr. Coole then encouraged the Board to review the old Griffin Park documents, noting that in the survey conducted at the time, ice skating was the third most popular activity chosen.

After further, brief discussion, Mr. Breton moved and Mr. Stearns seconded to accept the proposal as outlined to build a performance stage at Griffin Park. Passed unanimously.

**OLD/NEW BUSINESS:** Mr. McMahon indicated that he had received a packet of information relative to a recent article in the Tribune regarding Salem's transfer of water from Arlington Pond to Canobie Lake. Mr. McMahon requested the Board instruct the Town Administrator to draft a letter to Ms. Sarah Pillsbury of the NH Department of Environmental Services requesting that the Town of Windham be included in all related discussions. Mr. Breton suggested a joint meeting be scheduled with the Town of Salem so that all area residents can attend and offer their input. After a brief discussion, it was the consensus to hold off on scheduling such a meeting, but to draft a letter as suggested by Mr. McMahon. Staff will follow-up to do so.

*Mrs. Call* advised the Board that she had received a call that afternoon from a resident with questions regarding the Breezy Gale Village District, and requested the Board considering releasing all Town Counsel correspondence related to this matter so that she can compile a packet of information for similarly concerned parties.

Mr. Breton moved and Mr. Stearns seconded to release all legal correspondence related this matter. Passed unanimously.

Mr. McMahon requested that Mrs. Call contact Town Counsel to confirm the status of rental tenants within the District, specifically, whether or not they had voting status. Mrs. Call will follow-up to clarify.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. Stearns seconded to enter into a non-public session in accordance with RSA 91-A:3-IIb, c, and e. The topics of discussion were hiring, compensation, legal, and reputations.

*The Board*, Mrs. Call, Mr. Barlow, and Ms. Devlin were in attendance in the first session.

The Board discussed the results of the background check for the recommended Maintenance laborer candidate. It was the consensus of the Board to allow staff to proceed to check the supplied references and return to the Board with an update at the next meeting.

*The Board, Mrs. Call, Mr. McCartney, and Ms. Devlin were in attendance in the first session.*

The Board discussed the results of the background check for the recommended Highway laborer candidate. It was the consensus of the Board to allow staff to proceed to check the supplied references and return to the Board with an update at the next meeting.

*The Board, Mrs. Call, and Ms. Devlin were in attendance in the remaining sessions.*

Mrs. Call discussed a union matter related to compensation with the Board. Mr. Hohenberger moved and Mr. McMahan seconded to execute the proposed sidebar relative to the health stipends previously approved for the non-union and Police and Municipal union employees with the Fire Union, well, to include a sunset of March 31, 2010. Passed unanimously.

The Board briefly discussed a personnel matter related to departmental organization. It was the consensus of the Board that Mrs. Call follow-up to contact Attorney Broth for clarification.

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

The meeting was adjourned at 9:45PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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