

BOARD OF SELECTMEN
Minutes of December 21, 2009

MEMBERS PRESENT: Vice-Chairman Bruce Breton called the meeting to order at 7:00 PM. Selectmen Ross McLeod, Charles McMahan, and Roger Hohenberger were present, as was Town Administrator David Sullivan. Chairman Galen Stearns was delayed and arrived at 8:00 PM. Mr. Breton opened with the Pledge of Allegiance, and then read the agenda.

ANNOUNCEMENTS: Mr. Sullivan extended holiday wishes to all.

LIAISON REPORTS: None.

CORRESPONDENCE: Petition received relative to the discontinuance of Wyman Road. Mr. McLeod moved and Mr. McMahan seconded to accept the petition for processing. Passed 4-0.

TOWN TREASURER: Mr. Skinner was present to update the Board on the status of investment changes suggested previously by the members, noting that a collateralized account had been established with Centrix Bank in the amount of \$3M at an interest rate of 1%. Mr. McMahan then inquired about the status of the static concentration account investments.

Mr. Skinner noted that there is a little over \$1M in these accounts, and that Centrix had agreed to allow the Town to invest an additional \$1M to be backed by Fannie Mae/Freddie Mac. He expressed concerns regarding this, however, noting that Citizens Bank is FDIC backed. Discussion ensued regarding government-sponsored enterprises and securities and the related differences in investment return. Mr. McLeod then moved and Mr. Hohenberger seconded to authorize the Town Treasurer to invest up to \$4M at Centrix Bank to be backed by Fannie Mae/Freddie Mac. Passed 4-0.

Mr. McMahan inquired when the investments would be made, and Mr. Skinner indicated he would follow-up with Centrix the following day, as well as with the Finance Director. Mr. Breton indicated he would also like to have a representative from Centrix attend a future meeting to explain the workings of the investment. Mr. Sullivan indicated he would arrange to have someone in after the first of the year.

OLD/NEW BUSINESS: School Board member Michael Hatem approached to advise the Board that the State of NH had formed a committee to discuss elimination of school building aide and that, based upon their report, legislation was now pending that would eliminate the aide as of June 30, 2010. Mr. Hatem noted that the current High School funds will continue to be received and, further, if a new project was bonded in March it would fall under the old legislation and receive aide, as well. Mr. Hatem advised that the School Board will be discussing a possible warrant article to bond a new Middle School at their next meeting, which he urged the Board to attend. He noted there is a potential to lose \$10M in building aide.

BID AWARD: Mr. McMahan and Mr. Hohenberger seconded to accept the recommendation of the Highway Agent and award the bid for paving projects regarding Shamrock and Searles Road to JGE Enterprises. Passed 4-0. Mr. Sullivan noted for the record that JGE's total bid price for all projects was \$105,780, and that they were the low bidder.

USE OF 2009 FUNDS: Mr. Sullivan explained that the Finance Director estimates that approximately \$150K will remain available at year-end; primarily due to savings in salaries. He noted that the Department Heads had been consulted to review what items, if any, could be purchased this year out of the remaining funds in efforts to reduce the 2010 budget which currently stands at an increase of \$144,386 over this year. Discussion ensued.

Mr. McLeod moved and Mr. McMahon seconded to approve the purchase of nineteen (19) sets of protective equipment for the Fire Department from 2009 funds and remove \$36,100 for this purchase from the 2010 proposed budget. Passed 4-0.

Mr. Hohenberger then moved and Mr. McLeod seconded that, per the recommendation of the Administrative staff, the 2010 proposed Health Trust budget be reduced to approximately 95% of the premium cost with the balance to come from the Health Trust; to be capped at \$50K. Passed 4-0.

Mr. McLeod then extended his thanks to all for their efforts and great work throughout the process.

RECREATION DONATIONS: Recreation Coordinator Cheryl Haas approached and extended thanks to the following for their donations towards the Senior Christmas Party and Annual Tree Lighting: T-Bones of Salem, Gourmet Grille, Common Man, Shabby Chic, Lobster Tail, Windham Junction, Lindt Chocolates of Stratham, Windham Community Band, Stonefield Farm, Delahunty's, Al Letizio, Coffee Roasters, McKinnon's of Salem, and Dunkin Donuts. Mr. Hohenberger moved and Mr. McLeod seconded to accept the donations with gratitude. Passed 4-0.

OLD/NEW BUSINESS: Mr. Sullivan noted that the Town would be receiving an Emergency Management grant towards the cost of replacing the Police Department generator. He indicated that the grant funds would cover ½ the cost of the generator (\$16K), and that it is possible that the Town's insurer will cover the balance.

Mr. McMahon noted that \$15K is available within the current funding for the Salt Shed site work, and that he had spoken with the Highway Agent relative to the possibility of utilizing these funds towards test borings. Mr. McMahon noted that completion of the borings prior could impact the bid results and a discussion ensued regarding costs estimates to complete the tests. Mr. McMahon then moved and Mr. Hohenberger seconded to, within funding available, complete borings/test pits as discussed. Passed 4-0.

Mr. Sullivan noted that the pre-bid conference had been earlier that day for the Depot renovation project, bids for which are due on January 14th, and that fourteen potential bidders had attended.

Mr. Sullivan presented a preliminary warrant to the Board for review, asking that they pay special attention to the proposed warrant articles relative to the Salt Shed and changes to the Elderly Exemption eligibility criteria. He added that, to date, there are only twelve articles for the Town.

A *brief* discussion ensued regarding the lease of vehicles for the Highway Department as previously approved and whether the contract had been executed yet with TD Banknorth. Mr. Sullivan will attempt to confirm.

CABLE EQUIPMENT BID AWARDS: Mrs. Case approached to indicate that the Advisory Board recommended the bid be awarded to Access A/V for their bid amount of \$13,930. Mr. Hohenberger moved and Mr. McMahon seconded to approve the recommendation. Passed 4-0.

Mrs. Case explained that this equipment will allow the studio to provide on demand videos at wctv.com. She then noted that the Advisory Board is continuing their work with the School District.

Mr. Breton then advised Mrs. Case that the Windham Businessman's Association had offered to donate new table clothes for the meeting room, and asked that she contact him at a later date to advise him of the desired color/material.

Mr. McLeod then moved and Mr. McMahon seconded to fund the approved cable equipment purchase from the Special Cable Account. Passed 4-0.

OLD/NEW BUSINESS CONTINUED: Mr. McMahon moved and Mr. McLeod seconded to waive the bid process for the purchase of the approved fire protective gear. Passed 3-1, with Mr. Hohenberger opposed.

Mr. Sullivan advised the Board that he had confirmed with the Finance Director that TD Banknorth has been notified that they were awarded the financing bid and to forward the contracts for execution.

NON-PUBLIC SESSION: Mr. McLeod moved and Mr. McMahon seconded to enter into a non-public session in accordance with RSA 91-A:3-IIa, c and d. Roll call vote – all members “yes”. The topics of discussion were personnel, reputations and land acquisition.

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

Mr. Sullivan discussed with the Board tentative agreements with the Municipal and Police unions for 2010-2011. Mr. Hohenberger moved and Mr. McLeod seconded to approve both documents as presented. Passed unanimously.

The Board, Mr. Sullivan, Chief Lewis, and Ms. Devlin were in attendance in the second session.

The Chief discussed the vacant Captain position with the Board. Mr. McLeod then moved and Mr. McMahon seconded to approve the dual Captain organizational structure and plan for filling the first position immediately at step two of the pay scale. Passed unanimously.

The Board, Mr. Sullivan, Recreation Coordinator Cheryl Haas, Recreation Committee members Dennis Senibaldi, Chris O'Neil, and Bill Brennan; and Ms. Devlin were in attendance in the third session.

Discussed were committee/coordinator roles, and overall policies and procedures. No decisions were made, and the staff and committee will follow up to review and amend related documents for further discussion.

The Board, Mr. Sullivan, and Ms. Devlin were in attendance in the remaining sessions.

Mr. McLeod moved and Mr. McMahon seconded to advance Chris O'Neil from an Alternate to a Regular member of the Recreation Committee. Passed unanimously.

The Board discussed the possible leasing of property for the Highway Department. Mr. McLeod moved and Mr. McMahan seconded to enter into a one year lease as described, with funding to be taken from the 2009 budget. Passed unanimously.

The Board discussed a reputations matter. No decisions were made.

PUBLIC SESSION: The Board re-entered public session at 9:15 PM on the matter of engineering related to the Salt Shed project. Mr. McMahan moved and Mr. Stearns seconded to waive the bid process for the engineering services. Passed unanimously.

Mr. McMahan moved and Mr. Stearns seconded to engage the services of a Herbert Associates to handling the engineering aspects of the project for an amount not to exceed \$61K. Passed unanimously.

Mr. Stearns then moved and Mr. McMahan seconded to waive all related Planning Board/permit fees for the test pits/borings. Passed unanimously.

Mr. McLeod motioned and Mr. Hohenberger seconded to adjourn. Passed unanimously. The meeting was adjourned at 10:20 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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