

BOARD OF SELECTMEN
Minutes of June 27, 2011

MEMBERS PRESENT: Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Phil Lochiatto Kathleen DiFruscia and Roger Hohenberger were present, as was Assistant Town Administrator Dana Call. Town Administrator David Sullivan was excused. Mr. McLeod opened with the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. McLeod noted that the Village Bean had recently been named “Best in NH”, and encouraged residents to check it out.

Mr. McLeod noted with sadness the passing of two, long-time and influential residents of Windham: Jack Gattinella and Maria Webber.

MINUTES: Mrs. DiFruscia moved and Mr. Hohenberger seconded to approve the minutes of June 6, 2011 as written. Passed unanimously.

CORRESPONDENCE: Notice received from Continental Paving that the North Lowell Road project will be commencing.

Letter from Elizabeth Wood advising that CIP submissions are due by July 13,2011.

Letter received from Tax Assessor Rex Norman relative to eleven (11) abatement recommendations.

ANNOUNCEMENTS, CONTINUED: Mr. Hohenberger noted that he had attended the Annual Employee Appreciation Day, at which Human Services Coordinator Kathy Davis and Administrative Assistant Wendi Devlin had received special recognition awards for their many years of service.

EAGLE SCOUT PROJECT: Mark Samsel of the Rail Trail Alliance introduced Oliver Liu of Pack 266; noting that his would be the 8th project proposed for the Rail Trail.

Mr. Liu approached to explain that his project would entail installation of a fence in the area of the freight building decking in a style keeping with the historic design. He noted that he has obtained the approval of the Historic District Commission and the Rail Trail Alliance, and that he was currently awaiting approval from the State. Mrs. DiFruscia inquired whether the fencing would be wooden, and Mr. Liu replied in the affirmative noting that the material would be pressure treated. Mrs. DiFruscia then inquired whether it would be stained or painted, and Mr. Liu and Mr. Samsel noted that it would not be as part of this project, but at some future point the fence would be painted with HDC approval.

Mr. Lochiatto inquired how deep the footings would be set, and Mr. Liu replied 30”. Discussion then ensued as to the reasoning behind the project, and it was noted the fence would serve to protect the decking. Mr. McLeod inquired when Mr. Liu anticipated the project beginning, and the latter replied in late July/early August with a completion date by 8/31.

Mr. Hohenberger then moved and Mr. Lochiatto seconded to approve the Eagle Scout project as proposed. Passed unanimously.

ABATEMENTS: Tax Assessor Rex Norman reviewed with the Board eleven (11) abatement applications being recommended for approval; noting that each was based upon corrections to listing errors. Mr. Norman noted that he received 113 applications, approximately 30 of which will be presented to the Board.

Discussion ensued regarding inspection procedures, valuations, estimations versus inspections, and the value abated. Mr. Hohenberger then moved and Mrs. DiFruscia seconded to approve the eleven abatements as listed in Mr. Norman’s memorandum dated June 22, 2011. Passed unanimously.

WALL STREET PRESENTATION: Mr. Cliff Sinnott of the Rockingham Planning Commission opened the discussion by noting that the Advisory Committee had been working for approximately 18 months on this feasibility study, and that they were now hoping to receive the Board's endorsement of their final recommendation regarding the Route 111 corridor project so that they may present it to the NH Department of Transportation. Mr. Sinnott then briefly summarized the history of the Committee's meetings with the Board, and noted that the following day a full presentation would be made to the DOT, followed by presentation to the RPC and MPO, who would then make recommendations for the project's inclusion in the State's 10-year plan.

Mr. Gene McCarthy of McFarland Johnson, Project Manager, then approached to review with the Board the Committee's recommendation for the one mile corridor from Wall Street to South Lowell Road, which included the following:

- Widening to four (4) lanes
- Divided roadway
- Three (3), two-lane roundabouts with an upgraded signal at Lowell Road or, possibly, a fourth roundabout at this location
- No left turns; u-turns utilized to reverse direction
- Sidewalks
- Speed limit of 30-35 MPH

Mr. McCarthy noted that the final Feasibility Report summarizes each of the Committee's meetings, reports, and environmental studies and, once comments are received from all parties the report will be made available to all. Mr. McCarthy then went on to review the two Village Center concepts discussed on May 11th, a Rural and Urban design, and noted that the consensus of the meeting favored the former. Mr. McCarthy explained that the rural design would more leave Route 111 as it is, and that the concept was meant to be an aide to the Town for the future. Discussion ensued regarding the next steps for the corridor and the Village District; the latter of which would be revisions to the Master Plan and a zoning review. In addition, as it pertained to the original concept of an extension to Wall Street, a detailed alignment for same should be incorporated into the Master Plan and the Town should be actively acquiring land. Discussion ensued.

Mr. Lochiatto inquired as to how much consideration was given to topography, etc., as part of the feasibility study. Mr. McCarthy replied that precise information was not available, and some assumptions were made as to feasibility. He added that the firm is aware of the wetlands and historic properties in the area, and noted that all have the potential to be impacted and will need to be further assessed as part of the next phase. Mr. McCarthy noted there had been much discussion regarding the number of lanes and, while two had been better as it pertained to cost and impacts, four is needed to handle the traffic. Discussion ensued as to the proposed location of the roundabouts per the Committee's plan versus the rural village center design, the latter of which Mr. McCarthy clarified was more conceptual in nature, and the level of potential impacts to the historic and business center of this project.

Mr. McLeod noted that the plan seemed to succeed in mitigating the traffic issues, and a discussion ensued regarding proactive versus reactive opportunities, traffic at Wall Street versus Lowell Road, and the overall feasibility of the design.

Mr. Hohenberger expressed disappointment that the study had moved away from the original concept of extending Wall Street, and concerns that if the proposal is presented to the DOT they will jump at the chance to put in four lanes. He felt that extending Wall Street was the best solution to aide Windham residents and anything else may invite increased problems. Mr. Sinnott explained that the extension had been the desire of all going into the study, however, it had been realized it would bring more traffic to the area causing the two lane road to fail, as well as involving increased costs and permit challenged. Discussion ensued regarding roundabouts versus signals with four lanes, the time spent studying the various options by the Committee, and whether the DOT will work with the Town on the project.

Mr. Lochiatto then moved and Mr. Breton seconded to endorse the conceptual results as presented in the Feasibility Study. Passed 4-1, with Mr. Hohenberger opposed.

MOWING BIDS: Mrs. Call reminded the Board that two bids had been received and advised that the bid from Railhead had been clarified; the bidder indicating that he can do two (2) mowing as bid by Blazing Saddles, however, they would be at a much later date. Discussion ensued, and Mrs. Call clarified that Railhead still was not interested in mowing the former land fill. Mrs. DiFruscia then moved and Mr. Hohenberger seconded to accept the bid of Railhead Tractor for roadside mowing. Passed unanimously.

Mr. Hohenberger moved and Mrs. DiFruscia seconded to award the bid for mowing of the landfill to Blazing Saddles in an amount not to exceed \$1,500. Passed unanimously.

Mrs. Call then followed up with the Board on the issue of the Highway Agent completing projects in-house versus going through the full bid process. She noted that Mr. McCartney had reviewed the per foot cost estimates for approximately 1800-2250' feet of Morrison Road and, if completed without drainage, costs can be held at \$105/foot. Discussion ensued, and it was the consensus of the Board that Mr. McCartney proceed to complete the project in-house.

AUDIT UPDATE: Mrs. Call advised the Board that Vachon Clukay was wrapping up the 2010 audit and a draft set of Financial Statements should be available by late July/early August. She asked that the Board advise her if there was anything she would like Vachon to cover during their presentation to the members.

OLD BUSINESS: Mrs. Call reviewed with the Board several resolutions relative to the Town's moving to Primex for liability insurance. Mr. McLeod read the following resolutions into the record and executed each accordingly.

“Resolved: To hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Member Agreement as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex risk management pool membership during the term of membership. The coverage provided by Primex in any year of membership shall be as then set forth in the Coverage Documents of Primex.”

“Resolved: To hereby accept the offer of the New Hampshire Public Risk Management Exchange (Primex) to enter into its Property & Liability 5% Multi Year Discount Program as of the date of the adoption of this resolution, and to be contractually bound to all of the terms and conditions of Primex risk management pool membership during the term of the Property & Liability 5% Multi Year Discount Program. The coverage provided by Primex in each year of membership shall be as then set forth in the Coverage Documents of Primex.”

“Be it Resolved: The Town of Windham, Board of Selectmen hereby accepts the offer of the New Hampshire Public Risk Management Exchange (Primex) to reduce their contributions in the Property & Liability Program as outlined in the letter as part of a Loss Mitigation Agreement, and to be contractually bound to all of the terms and conditions of Primex risk management pool membership during the term of this Program.”

Mr. McLeod then noted that Mr. Sullivan had previously executed those documents relative to continuation with the LGC HealthTrust, and discontinuance of the Property Liability insurance.

Mr. Lochiatto noted that the CIP had met the previous weeks, and sought clarification on whether the Board of Selectmen intended to have a directive for the CIP relative to a 2012 allotment. Discussion ensued regarding having the CIP Chairman in to discuss the matter, the need for a discussion prior to developing the 2012 budget, and the purpose/prioritization of the CIP. It was the consensus of the Board to wait to discuss this further until more information is available regarding State monies.

NEW BUSINESS: Ms. Scott noted that she and the Assessor are endeavoring to verify the consistency of their records and, while most are good, accessory apartments are an issue as some are missing restrictive covenants or certificates of occupancy. She noted that she was before the Board because one of the owners who had been advised that his restrictive covenants had not been filed with the registry was refusing to pay the \$16.44 recording fee.

Discussion ensued regarding ensuring they were filed and the possible precedent being set should the Board cover the fee. Mr. Hohenberger then moved and Mr. Breton seconded that \$16.44 be expended from the Community Development Department budget to record the covenants in question. Passed unanimously.

Chief McPherson approached advising that staff had obtained pricing from four (4) vendors relative to purchase of excavation tool for the new engine. The Chief explained that these were the only four vendors in the area licensed to sell this equipment, and inquired whether his solicitation was satisfactory to the Board versus a full bid process. Discussion ensued regarding qualification based process versus the bid process, the compatibility requirements of the equipment, regional distributors, and the availability of funding in the departmental budget.

Mr. Lochiatto moved and Mrs. DiFruscia seconded to waive the bid process in light of the extensive RFQ process undertaken and regional availability. Passed 4-1, with Mr. Hohenberger opposed.

Chief McPherson then advised that the four prices received were as follows:

Marshfield Rescue:	\$18,320
Fire Tech & Safety of NE:	\$20,558
Industrial Protection Services:	\$20,431
Firematic Supply Co.	\$19,195

Chief McPherson indicated his recommendation would be to award the bid to Marshfield in the amount of \$18,320. Mr. Hohenberger moved and Mrs. DiFruscia seconded to award the purchase of the excavation tool to Marshfield Rescue in an amount not to exceed \$18,320. Passed unanimously.

Mrs. Call advised the Board that the Historic Commission had received a request from Ms. Scott and the Chamber of Commerce to offer discount certificates as part of the upcoming Business After Hours event in the amount of \$50 to any business booking an event at the Searles within 30 days. Discussion ensued regarding potential loss of revenue and timing of the bookings. It was the consensus of the Board that this matter be tabled to allow for discussion with the Historic Commission.

Mrs. DiFruscia moved and Mr. Hohenberger seconded to adjourn. Passed unanimously.

Meeting was adjourned at 9:40 PM.

Respectfully submitted,
Wendi Devlin, Administrative Assistant

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