

BOARD OF SELECTMEN
Minutes of September 26, 2011

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

ANNOUNCEMENTS: Mr. Sullivan advised that the Canobie Lake Protection Association would be meeting with representatives of the Department of Transportation on October 3, 2011 beginning at 1:00 PM in Concord to discuss Canobie Lake.

Mr. Sullivan advised that, beginning October 3rd and continuing through mid-November, a portion of the Windham Rail Trail will be closed due to construction of the rail crossing associated with the Spruce Pond development. Discussion ensued, and the Board requested that Mr. Sullivan review this matter further, as it had been expected that a temporary access around the construction area would be maintained. Mr. Sullivan will follow-up and report back to the Board at the next meeting.

Mr. Sullivan advised that the DOT will be opening the new southbound off ramp on Friday, September 30th, beginning sometime after 9:00 PM.

CORRESPONDENCE: Request received from Mrs. Patricia Mahoney to utilize the Town's handicapped van from October 7 to 10, 2011. Mr. Sullivan explained that the Board has granted Mrs. Mahoney's request in the past, however, concerns had been raised last time regarding the extent of the use and the age of the van. Discussion ensued regarding the establishment of a policy for recurring usages.

Mr. Breton inquired what the downside would be to granting Mrs. Mahoney's request, and Mr. Hohenberger noted that if the van breaks down, with no funds available for repairs, the remainder of the Town loses.

Brief, further discussion ensued before Mr. Lochiatto moved and Mr. Hohenberger seconded to allow Patricia Mahoney use of the van from October 7 to 10 as requested; subject to those previous conditions imposed. Passed 4-0.

ANNOUNCEMENTS CONTINUED: Mr. McLeod reminded all that there will be a special Town Meeting vote at the Windham High School on October 4th beginning at 7:00 PM relative to the Kindergarten.

MINUTES: None.

DEREK MONSON: Mr. Monson, representing the CPIA, approached to request the Board's authorization to conduct work within the Town's right of way. Mr. Monson explained that, as part of Phase II of the CPIA's grant for drainage improvements, they would like to install rain gardens and re-build the stone swale along Hawley Road in order to divert water away from Range Road. Mr. Monson noted that he had spoken to Highway Agent Jack McCartney relative to the re-doing of the stone swale, along with some catch basin work, and that a total of six gardens and 2 leaching catch basins would be installed. Discussion ensued.

Mr. Sullivan clarified that, as part of the CPIA's grant, they can utilize in-kind matches such as the Town's Highway Department resources. He noted that he had spoken to Mr. McCartney and Mr. Monson regarding the former providing assistance to the project, and that there will no resulting cost to the Town beyond staff time. Mr. Sullivan noted that for the CPIA to move forward the Board would need to both allow the CPIA to work in the right of way, as well as utilize the Highway Agent's assistance.

Mr. Monson then reviewed the proposed plan with the Board, and Mr. Hohenberger inquired whether it would require Hawley Road to be closed. Mr. Monson indicated he did not believe it would cause more than brief interruptions to traffic; adding that Mr. McCartney had felt the project would take less than a day with no closure required. Mr. Sullivan added that, at a minimum, a one-lane access would be maintained at all times.

Mr. McLeod noted for the record that a letter had been received from Ms. Doreen Demone as abutter to the proposed project, offering no objection to the plans as described. Mr. Monson noted that the CPIA had approached eight property owners in the area, and that six including Ms. Demone were supportive while the other two had been unresponsive. Mr. Monson then reviewed sample photographs of rain gardens as proposed, and Mr. Hohenberger inquired who has responsibility to maintain such areas. Mr. Monson replied that they are maintained by the property owners. Discussion ensued regarding the gardens being part of the property front yards, the installation of structures on private land which is not the case, whether easements would be required, and the type of basin to be installed.

Mr. McLeod then noted for the record that he had spoken to Mrs. DiFruscia regarding this matter, and she was in support of the proposal as a means to assist with run-off to the pond. Mr. Hohenberger inquired whether there were any other such rain gardens in Town, and Mr. Monson replied in the negative.

Mr. Hohenberger inquired of Mr. McCartney whether he was comfortable with this type of drainage proposal, and Mr. McCartney replied that while there are currently none in Town there have been a couple proposed. He went on to note that the Department of Environmental Services encourages bio-retention areas and rain gardens, and that the Town has several of the former which are essentially larger versions of the latter.

Discussion ensued regarding the catch basin installation as it pertained to potential road closures and Highway Department availability. Mr. Hohenberger then moved and Mr. Lochiatto seconded to allow utilization of the Highway Agent's time to install two (2) catch basins per the plans as presented and, in addition, to allow the CPIA to work within the Town's right of way as requested.

Mr. Lochiatto suggested that a time frame be placed upon the usage of the Highway Agent, and Mr. Hohenberger amended his motion and Mr. Lochiatto his second to limit the use of the Highway Agent to three days. Motion passed 4-0.

Mr. McLeod recused himself from the Board due his position as Chairman of the Windham Soccer Association.

ELIZABETH BONDIOLI: Ms. Bondioli, Squire Armour Road, opened the discussion by polling the Board members for their home addresses and their response as to whether she could have access to their property in order to shine temporary lighting into their homes. Each of the members replied with their home address, and in the negative, save for Mr. McLeod who replied that she could shine said lights provided they were the same distance away as the Griffin Park lights from her home. Ms. Bondioli went on to note that the Board, with their decision to allow the WSA use of temporary lights at the Park, had effectively taken away her right to say no.

Ms. Bondioli then inquired of Mr. McLeod what the differences were between the lights utilized last year versus this year. Mr. McLeod noted that the lights were the same, however, the generators were of the quieter type and the placement was slightly different. Ms. Bondioli noted that it is difficult to live in the area of the Park due to the soccer and baseball lights. She requested that if the Board was unwilling to modify their vote and remove the lights, that they amend their motion to change the location to face easterly away from Range and Squire Armour roads.

Mr. McLeod noted that the challenge is to light a rectangular area and, while it is easy on the Squire Armour side to face the lights away, it is more difficult on the other side. He noted that soccer could possibly work with the Recreation Coordinator to tweak the positioning, and Ms. Bondioli suggested they explore placing the two lights in question at the mid-field point. Discussion ensued, and Mr. Breton noted for the record that the Town had received no other complaints regarding the lights. Mr. McLeod noted that soccer had also not received any other than Ms. Bondioli.

Mr. Hohenberger supported Mr. McLeod working with Ms. Haas to find an amicable solution, and Mr. Lochiatto suggested that when the best location is determined the grass be marked as such. Mr. McLeod noted that the WSA is endeavoring to be a good neighbor.

Mr. Lochiatto inquired as to the duration of the usage. Mr. McLeod noted that the lights are extinguished each use at 8:00 PM, and they will no longer be needed after the last week of October. Further discussion ensued, and Mr. McLeod indicated he will contact the Recreation Coordinator. No other decisions were made.

Mr. McLeod resumed the Chairmanship.

TRUCK BID: Highway Agent Jack McCartney reviewed with the Board the bid analysis for a new Highway truck as attached hereto; which is to be purchased through an 80/20 Salt Reduction Grant, with the Town being responsible for \$30,000 of the cost. After discussion regarding the specifics, Mr. Breton moved to award the bid to Freightliner of NH for their total bid amount of \$151,709. Mr. Hohenberger suggested that Mr. Breton amend his motion not to exceed \$150,000 representing the total funds available for this purchase. Mr. Breton agreed and amended his motion, which Mr. Hohenberger then seconded.

Discussion ensued regarding negotiating with the bidder for the reduced amount, and whether the truck met the Highway Agent's specifications. Mr. McCartney replied in the affirmative with the exception of the warranty, that being a five year with Freightliner versus a seven year.

Motion passed 4-0.

GRIFFIN PARK UPDATE: Mr. McMahan advised that since his last meeting with the Board, an onsite discussion had been conducted relative to relocating the post and beam fence and the lights. He added that staff had also met with Mr. Joe Davis, Certified Arborist and current head of the NH Arborist Association, who had looked at every tree in question. He noted that, according to Mr. Davis, the trees to the right can survive but the pavement must be kept back a distance of five times their circumference which would result in a loss of five parking spaces. He added the Town would also need to commit to maintenance of the trees, including deep root maintenance, fertilization, and cabling of the branches. Mr. Sullivan added that the estimated initial investment to save the trees was \$700-\$1000 per tree. Mr. McLeod inquired as to the cost for new trees of a salt resistant, low maintenance species. Mr. McMahan was unsure, but reiterated that the recommendation had been to plant new trees at 40' intervals, and that the arborists report will include recommended species.

Discussion ensued regarding the recommended anodized gate, which will be 25' wide, and the ingress/egress of 25' as recommended by the Chiefs. Mr. Lochiatto then inquired as to the odds of saving the trees, and Mr. McMahan replied that the arborist had not specified as such. Discussion then ensued regarding the trees to the right of the central gate. Mr. McMahan clarified that the large oak can be saved, as well as the fourth one which is in the wall. In addition, the third tree which is leaning towards the parking area could be saved, however, it would require that 45% of the tree be pruned. Mr. McLeod inquired as to the estimated cost to remove the trees, and Mr. McMahan replied it would be part of the bid itself, with the trade off being the value of the hardwood.

Mr. McMahan then requested that the Board consider replacing the interior gate to the Park with a similarly styled anodized gate; noting that this entrance will be shrinking to the width of the central path with the changes to the lot. Lengthy discussion ensued regarding the bid specifications/plans, future costs of upkeep, and the condition of the trees and the availability of Delahunty's annual donation to replace same.

Mr. Hohenberger then moved that the three trees to the left of the central entrance be kept. After a brief discussion regarding waiting for the arborists report and the ability to amend the bid specs if necessary, the motion was withdrawn. Mr. Sullivan clarified that there is a mandatory pre-bid meeting scheduled for October 3rd, and that the Board could also re-address this issue next week once the report is available.

After further discussion, it was the consensus of the Board to support Mr. McMahan's recommendation regarding the trees to the right of the central gate, that being saving of the two trees and removal of all others including the two clumps of trees abutting the entrance. Brief discussion ensued regarding the cost to move the lot lights and contributions from the Windham Soccer Association and Windham Baseball/Softball League for same.

Mr. Breton then moved and Mr. Hohenberger seconded to support the recommendation to change the interior center gate to anodized. Passed 4-0.

Mr. McMahon then advised that he was awaiting a reply from the State relative to amending the bio-retention radius in order to save the willow tree abutting Johnson's Farm.

CORRESPONDENCE CONTINUED: Mr. McLeod noted that the Annual Senior Christmas Party had been scheduled for December 7, 2011 at Castleton. There is no charge for Windham seniors; \$21 for non-resident members of the Windham Seniors, Inc. Seniors should contact the Recreation Coordinator for more information, 965-1208.

Copy of notifications sent to property owners relative to the 10/24 Emergency Lane meeting. Mr. Sullivan clarified that this meeting will be held at the High School due to the potential number of attendees in response to the 420 letters sent out. He added that, of the 420 parcels in question, more than 200 are currently occupied and that staff has been fielding calls for recipients.

OLD/NEW BUSINESS: None.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Lochiatto seconded to enter in a non-public session in accordance with RSA 91-A:3, II c, d, and e; to be followed by a non-meeting to discuss union negotiations. Roll call vote – all members “yes”. The Board and Mr. Sullivan were in attendance in all sessions and the topics were reputations, land acquisitions, and legal.

Mr. Sullivan updated the Board on a tax deeding issue. Mr. Hohenberger moved and Mr. Lochiatto seconded to support the recommendations of the Town Administrator. Passed 4-0.

Mr. Sullivan updated the Board on the status of an existing forbearance agreement. No decisions were made.

Mr. Sullivan updated the Board on the status of the impending auction of 47 First Street. No decisions were made.

Mr. Sullivan discussed with the Board a union grievance relative to continuation of health insurance. Mr. Hohenberger moved and Mr. Breton seconded to support the Chief's denial of same. Passed 4-0.

Mr. Sullivan reviewed a Department Head evaluation with the Board. No changes were noted and Mr. Sullivan will present same to the employee in question.

Mr. Hohenberger moved and Mr. Lochiatto seconded to adjourn. Passed 4-0.

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.

Bid for Highway Dept Vehicle and
Snow Ice Removal Equipment

The following bids were opened on September 14, 2011 at 2:00 pm by Dana Call, Assistant Town Administrator:

Bid Proposal Form:

	Freightliner of NH Londonderry NH	Liberty International Manchester NH	Liberty International Manchester NH	H.P. Fairfield Pembroke NH	Donovan Equip Co Londonderry NH
	<u>Full Truck</u>	<u>Chassis Only</u>	<u>Full Truck - 2012 DEMO</u>	<u>Dump Body/Equip Only</u>	<u>Dump Body/Equip Only</u>
Item 1 - Chassis	\$ 79,709	\$ 85,849	\$ 88,254	no bid	no bid
Item 2 - Plow	incl		incl w/ dump	\$ 7,500	incl
Item 3 - Sander	incl		incl w/ dump	\$ 17,500	incl
Item 4 - Dump Body	\$ 65,500		\$ 65,900	\$ 14,000	incl
Item 5 - Closed Loop Controller	incl		\$ 6,500	\$ 6,500	incl
Item 6 - Pre Wetting System	incl		\$ 3,500	\$ 3,500	incl
Item 7 - Temperature Sensors	incl		\$ 650	\$ 650	incl
Other*	n/a			\$ 14,581	n/a
Total w/o Stainless Steel Dump Option	\$ 145,209	\$ 85,849	\$ 164,804	\$ 64,231	\$ 65,500
Item 4 Option - Stainless Steel Dump Body	\$ 72,000		not available	\$ 7,060	
Total w/ Stainless Steel Dump Option	\$ 151,709			\$ 71,291	\$ 72,000
Notes:	<i>Complete truck bid includes Dump Body quote from Donovan</i>	<i>Alternate bid for Chassis is \$88,569 which includes higher capacity front axle, dual power steering gear, Air dryer, etc</i>	<i>Complete truck bid includes Dump Body quote from HP Fairfield</i>	<i>*Other incl's wing, lights hydraulics, installation</i>	
Statement of Bidder Qual complete (Y/N)	Yes	Yes	Yes	Yes	Yes
"Buy America" Certificate of Compliance (Y/N)	Yes	No: Bid noted it will be available in few weeks	No: Bid noted it will be available in few weeks	No: Not included in bid	Yes
Delivery Time	<i>January 2012</i>	<i>60-90 days from order to body company</i>	<i>30 days from order</i>	<i>60-75 days from receipt of chassis</i>	<i>Approx 90 days</i>