

**BOARD OF SELECTMEN**  
**Minutes of October 17, 2011**

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

**ANNOUNCEMENTS:** Mrs. DiFruscia extended thanks to the Fire Department for hosting another successful breakfast at the Common Man.

*Mrs. DiFruscia* extended congratulations to Community Development Director Laura Scott for being named to the Board of Directors for Family Promise, an organization which offers assistance to the homeless.

*Mrs. DiFruscia* then noted that the teeter totter at the Griffin Park Playground area should be repaired shortly.

**LIAISON REPORTS:** None.

**MINUTES:** Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of July 25, August 1, 15, 22, and 29, September 12, 19 and 26, and October 3 as written. Passed 4-0.

**CORRESPONDENCE:** Letter received from Ms. Scott advising that the School District is soliciting input regarding the proposed Kindergarten addition; comments should be submitted by October 19<sup>th</sup>. Brief discussion ensued, and the Board offered no input.

*Letter received* from Comcast advising that they will continue to offer free internet service to the School District and the Nesmith Library for the balance of the year. Mrs. Call noted that there is no benefit to the Town, which pays for its cable service and does not receive internet. Brief discussion ensued regarding possibly negotiating this as part of a future contract, and Mr. Breton suggested that a letter be drafted from the Chairman requesting same.

*Letter received* from the Rockingham Planning Commission regarding the Town's 2012 membership.

*Notice received* from Moody's, advising that the School's rating had been downgraded from A1 to AA2. Discussion ensued, and it was clarified that this is due to the School District bond.

**LIAISON:** Mr. Hohenberger advised that he had attended the recent ZBA meeting, and that the Board's decision regarding the Roberts' un-merger had been upheld. Discussion ensued regarding this matter now being appealed to the courts.

**ENERGY AUDIT:** Mr. Jim Hebert of the Local Energy Committee and gave a brief background of the Committee's activities to date, and noted that they have been working with grant funding to complete an audit of municipal facilities. He noted that the audit, conducted by Arbogast, had cost \$6,000 of the \$14K in funding available. Brief discussion ensued regarding remaining funds and recommendations for weatherization which were estimated to cost \$25K for which Property Maintenance Funds were allocated.

Discussion then moved to the recommended HVAC repairs, estimated at \$105K, and a warrant article related thereto. Mr. Hebert noted that there is still life left in the existing HVAC systems, and that the Committee recommended escrowing funds so that they are available to address the system replacements when necessary. Lengthy discussion ensued regarding establishment of a capital reserve fund, weatherization, and sizing of the HVAC replacements.

Mr. Elmer Arbogast then approached to review his audit with the Board; noting that he had completed an ASHRAE Level II, comprehensive audit. He reviewed several recommendations with the Board, including weatherstripping, vapor air barriers, and high efficiency furnaces for all buildings. Mr. Arbogast noted that the Town's next step should be to explore rebate programs through PSNH and the PUC, as well as other loan programs. Brief discussion ensued regarding the Armstrong Building and the previous lack of heat. Mr. Sullivan clarified that the unit was broken at the time in question, and Mr. Arbogast added that the facility does have an adequately sized, high efficiency unit. Further discussion ensued regarding the current hot air systems.

Mr. Breton raised concerns regarding the size of current hot water system at the Community Development Department, suggesting it could be replaced with a more efficient on-demand system. Mr. Arbogast concurred, noting that it would be more efficient. Lengthy discussion ensued regarding the Bartley House vent system.

Mrs. DiFruscia then thanked the Committee for their efforts and inquired whether the buildings should be prioritized for repairs prior to winter. Mr. Arbogast replied that there were no serious issues needing to be addressed immediately, but weatherization is important as are several small, low cost recommendations.

Mr. McLeod inquired what the next steps would be, and Mr. Sullivan noted that the \$25K Property Maintenance Trust request has been submitted, and the remainder could be addressed via a warrant article for either a Capital Reserve Fund or a non-lapsing article for up to five years. Discussion ensued regarding the weatherization. Mr. Breton recommended that the Board simply begin with the low cost items and continue through to the higher cost items. Discussion ensued regarding the Committee working to prioritize the recommendations by pay-off, and the Board concurred with this suggestion.

**OLD BUSINESS:** Deputy Chief Morgan approached to discuss the Department's request to purchase two (2) thermal imaging cameras with the Board. Deputy Morgan noted that TICs are one of the most valuable tools the department can have, and that of the current cameras one is ten years old with an unreliable battery and the other is on Engine 1. He noted the new cameras would be placed on the new engine, as it will respond to every call, and stressed the importance of redundancy.

Mr. Hohenberger indicated he had concerns regarding the need for four cameras, and why one is in place on the ladder truck which does not respond to calls. Lieutenant Scott Delaney approached and noted that the camera Mr. Hohenberger was referring to was 22 years old that has been taken out of service. Lengthy discussion ensued regarding current equipment, the rationale for two cameras, battery costs for the older equipment, and response procedures.

The Board then reviewed the camera in question first hand, after which Mrs. DiFruscia moved and Mr. McLeod seconded to approve the purchase of two (2) thermal cameras for the Fire Department in the interest of public safety, as requested. Motion withdrawn for further discussion.

Mr. Breton then inquired whether Mr. Hohenberger had had the opportunity to review the camera's specifications as discussed at the previous meeting. Mr. Hohenberger noted that he had tried to get in touch with the manufacturer, however, he had been unsuccessful. He added, however, that he is familiar with ISG which is a very good company with good equipment. Lengthy discussion ensued regarding the Bullard T-3 technology versus the T-4, with input from Mr. Will Burke as representative from ISG.

Mr. Hohenberger then moved and Mr. Breton seconded to authorize the Department to purchase one (1) thermal imaging camera as requested. After further discussion, in which Mr. McLeod and Mrs. DiFruscia indicated they would prefer two cameras be purchased, motion passed 4-0.

**GRIFFIN PARK BID AWARD:** Mr. Sullivan advised that six bids had been received as attached. He then noted that there is a total of \$165K available for this project after engineering costs and that the low bidder, North Hampton Excavating, is able to complete the project by year end with no exclusions. However, there is a delta of \$22K between the available budget and the low bid, and the only available line item to cover those funds would be the Road budget.

Mr. McLeod expressed concerns that the engineering had not been placed out to bid because the Board had been assured that \$165K would be sufficient for the project, and questioned whether it should now be returned to the voters. Discussion ensued regarding the amount of work donated by Mr. Zohdi toward to the project.

Mrs. DiFruscia expressed concerns that the Board still has not received the arborists report and the costs for tree removal. Discussion ensued regarding the availability of funds to salary savings in various budgets. Mr. Breton then inquired whether the low bid included costs for the final coat of pavement, to which the bidder replied in the affirmative.

Discussion ensued as to possibly awarding the bid without the final coat valued at \$40K, as well as the lighting relocation and fence costs. Mr. Breton reminded the Board that Mr. McMahon had requested that they hold off on the installation of the parking lot lights, however, the Board had chosen not to.

Mrs. DiFruscia expressed concerns that the bid exceeds the funds approved by the voters, and regarding the trees and stone wall. Mr. Hohenberger inquired of the vendor what the downside would be to holding off on the final coat. The vendor noted there was no downside, and further discussion ensued. Mr. McMahon noted that it's clear that asphalt prices have increased, and stressed that there are safety issues that can be addressed via this project. He asked that the Board consider Mr. Breton's suggestion and award the project without the final coat. Discussion ensued regarding the trees, stone wall, and amount of site work required for the project.

Mr. Hohenberger expressed concerns with leaving off the final coat of pavement, and Highway Agent Jack McCartney approached indicating if the base is laid and compacted properly it should not be an issue. Discussion ensued regarding other means to lessen the cost, such as lowering the number of spaces or removing the detention pond, and whether altering the project would effect the bonding. The vendor replied in the negative to the latter, noting the bond would still be in place.

Further discussion ensued regarding cost saving measures, available funds in the Highway budget, and whether utilization of the later would impact other projects resulting in safety hazards. Mr. McCartney replied in the negative regarding the latter.

After further discussion, Mr. Sullivan noted that although North Hampton was 10% over the available funds each of the other bids was 20% over his. He felt that the Board should avail themselves of the bid price and award the bid, making the Highway Agent's future projects contingent upon available funds.

Further discussion ensued regarding the original project estimate of \$200K and how that figure had been established. Mrs. DiFruscia then moved and Mr. Breton seconded to award the bid for Griffin Park parking project in the amount of \$187K to North Hampton Excavating; contingent upon \$22K coming from the Highway budget. After brief discussion, motion passed 3-1, with Mr. McLeod opposed.

**CHIEF LEWIS:** Chief Lewis indicated he had been working with the Finance Director to establish appropriate uses of the Police Detail Account funds, which are currently at approximately \$130K and can only be utilized for specific purposes. Chief Lewis recommended that the Board authorize him to purchase a full-sized truck with all related safety equipment which will be solely utilized for details. He noted that currently the Department has one cruiser dedicated to details, which reduces the fleet by one, and added that the fuel and maintenance costs for the new vehicle will also be paid out of this special account.

Mrs. DiFruscia inquired why the Chief was seeking a full-size vehicle, and whether enough funds would be left after said purchase for other items. Chief Lewis replied that adequate funds would remain in the account, and explained that a truck would provide better access to difficult detail sites and afford the opportunity to carry additional safety equipment (ie: traffic cones).

Discussion ensued regarding the use of a dedicated cruiser, and the various ways these funds can be expended as they are generated through details and are subject to statutory language.

Mr. Breton then moved and Mrs. DiFruscia seconded to approve the use of funds from the Police Detail Account as requested by the Chief and that he proceed with the bid process. Passed 4-0.

*Chief Lewis* then noted that generally the detail officer is outside of the vehicle on a portable radio, which does not provide the best coverage due to lower wattage. He noted that a good number of detail transmissions go unheard by the other officers on duty and/or dispatch and, as such, he would like to expend an additional \$5K from the Police Detail Account to repair the department's repeater system. A brief discussion ensued, and Mrs. DiFruscia sought clarification that this would be a one time, to which the Chief replied in the affirmative.

Mr. Breton then moved and Mrs. DiFruscia seconded to approve the expenditure of \$5K as requested. Passed 4-0.

**PAVING BIDS:** Highway Agent Jack McCartney noted that three bids had been received, as follows, however GMI had since withdrawn their bid(s):

	<b>Pilgrim Rd</b>	<b>Alpine Rd</b>	<b>Nashua Rd</b>
Brox Industries, Dracut MA	\$79,000	\$90,000	\$158,000
Tate Brothers Paving, Hudson NH	\$60,960	\$85,695	\$168,350
GMI Asphalt, Belmont NH	\$56,972	\$80,879	\$130,781

The Board discussed the \$22K earlier earmarked to Griffin Park and the prioritization of these three roadways. Mr. Hohenberger then moved and Mrs. DiFruscia seconded to award the paving of Nashua Road to Brox Industries as bid and Alpine Road to Tate Brothers Paving as bid; further to award Pilgrim Road to Tate Brothers as bid contingent upon funds being available. Passed 4-0.

**NEW BUSINESS:** Mrs. Call provided the Board with an updated bond list in preparation for the following week's private road hearing at the High School.

**OLD BUSINESS:** Mr. Sullivan advised the Board that he had looked into the Rail Trail crossing per the Board's request, and found that there was no requirement made by the Planning Board upon approval for a work around; rather they required that the trail cannot be closed for longer than 90 days. Mr. Sullivan noted that the contractor has had to replace the barriers almost daily, as they are being removed by walkers.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. Breton seconded to enter into a non-public session in accordance with RSA 91-A:3, II a, and d. Roll call vote – all "yes". The topics of discussion were personnel and land acquisition.

The Board, Mr. Sullivan, Chief Lewis, Captains Caron and Wagner, and Ms. Devlin were in attendance in the first session.

The Board discussed the vacant officer position. Mr. Hohenberger moved and Mrs. DiFruscia seconded to extend an offer of employment to the recommended candidate at Step 2, per the Employee Policy. Passed 4-0.

The Board discussed the vacant dispatch position. Mr. Hohenberger moved and Mrs. DiFruscia seconded to hire the recommended candidate at Step 1, with 12 days of earned time, per the Employee Policy. Passed 4-0.

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

Mr. Sullivan updated the Board on a matter relative to land acquisition/mitigation. No decisions were made.

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

Meeting was adjourned at 9:25 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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

Griffin Park Parking  
Bid Results

**October 14, 2011 – Administrative Offices:** The following bids for the Griffin Park parking expansion project were publicly opened at 2:00 PM on this date by Asst Town Administrator, Dana Call.

**NOTE: RESULTS BELOW HAVE BEEN COMPILED BASED ON BID FORMS SUBMITTED & ARE BEING REVIEWED BY THE TOWN OF WINDHAM FOR DISCREPANCIES, EXCLUSIONS, ALTERNATE PROPOSALS, ETC**

Option A - Complete Project						Total shown here but bidder did not bid Option A - Options were bid separately with Fences Unlimited of Windham (Option C) and Pepper Electric of Chester (Option D). Other is noted as Wetland Planting (\$2,000) and Relocate Monument (\$540)
Vendor	Site Work	Fencing	Lighting	Other	Total	
Devlin Construction, Windham NH (a)	No bid	No bid	No bid	No bid	<b>272,342</b>	
American Excavating, Derry NH (b)	204,120	10,640	6,200	2,540	<b>223,500</b>	
Northeast Earth Mechanics, Pittsfield NH (c)	205,800	9,000	4,700	-	<b>219,500</b>	
All Phase Paving & Excavating, Raymond NH	178,000	14,000	5,760	-	<b>197,760</b>	
North Hampton Excavating, North Hampton NH (d)	171,247	11,658	4,095	-	<b>187,000</b>	
D&V Landscaping, Belmont NH	170,000	13,950	14,680	-	<b>198,630</b>	

  

Option B - Site Work Only			Option C - Fencing Only			Option D - Lighting Only			
Vendor	Site Work	Other	Total	Fencing	Other	Total	Lighting	Other	Total
Devlin Construction, Windham NH (a)	251,271	-	<b>251,271</b>	14,671	-	<b>14,671</b>	6,400	-	<b>6,400</b>
American Excavating, Derry NH (b)	No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid
Northeast Earth Mechanics, Pittsfield NH (c)	205,800	-	<b>205,800</b>	No bid	No bid	No bid	No bid	No bid	No bid
All Phase Paving & Excavating, Raymond NH	No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid	No bid
North Hampton Excavating, North Hampton NH (d)	171,247	2,000	<b>173,247</b>	No bid	No bid	No bid	No bid	No bid	No bid
D&V Landscaping, Belmont NH	170,000	-	<b>170,000</b>	No bid	No bid	No bid	No bid	No bid	No bid

(a) Devlin Construction Site Work bid noted exclusions for ledge, as well as pavement escalator, as they cannot complete project in 2011.

(b) American Excavating complete bid noted exclusions for removal of ledge, boulders and unsuitable materials, and pavement escalator if liquid asphalt exceeds \$612/ton.

(c) Northeast Earth Mechanics complete bid noted exclusions for removal of ledge.

(d) North Hampton Excavating Site Work bid noted "Other" represents oversight of Fencing & Lighting contractors