

BOARD OF SELECTMEN
Minutes of December 5, 2011

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

PUBLIC HEARING/SEARLES FEES: Mr. Sullivan read the public hearing notice into the record, as attached. Mr. Hohenberger inquired whether the Historic Commission had been able to compile statistics relating to the number of out of town users who arrange to have a Windham resident execute the contract in order to obtain the lower, resident rate. Ms. Donna Markham, Searles Coordinator, noted since her hire, 24 out of 58 renters, or approximately 40%, had done so. Discussion ensued regarding the non-resident fee as posted, and it was clarified that the fee in question pertained to both non-residents and non-Windham based businesses.

Mrs. DiFruscia noted that she had a couple of questions relative to the proposed regulation changes, and the Chair requested she hold those until after the public hearing regarding the fees. Mr. McLeod then noted he was pleased to see the Commission had taken some time to work with and analyze the existing fee structure; and were now returning with a proposal to maximize income. Discussion ensued regarding the impacts of the economy on facility bookings and that these proposed fees can be amended again if they do not work as intended to increase revenue. Mr. Hohenberger then moved and Mr. Breton seconded to approve the revised rate structure as proposed. Passed 4-0.

Discussion then moved to the proposed policy updates. Mrs. Marion Dinsmore, Historic Commission, requested that section “f” be changed to reflect that “all users must conform with occupancy regulations as established by the Windham Fire Department”. Discussion ensued regarding occupancy limits/code versus building/fire codes, with input from Assistant Chief Morgan and Chief McPherson. Chief Morgan noted that once a building is occupied, Fire codes supersede building codes and the Department assumes the authority to regulate uses and issue occupancy permits. After further discussion, Mrs. Call indicated she could change the reference in the document relative to occupancy limits. Mrs. DiFruscia then suggested several amendments, including:

- Page 1, paragraph C, adding “at the time of signing of the contract” to the third sentence. Mrs. Dinsmore concurred.
- Page 1, paragraph E, possibly eliminating reference to open flame. Chief McPherson clarified that some users request use of an open flame (ie: sternos), which may require the presence of a detail due to the lack of sprinklers; however, this happens very rarely. Discussion ensued as to whether it was better to have the language read “permission of the Windham Fire Department” as opposed to “Designated Town Representative.” Ms. Markham indicated she would prefer that she request said authorization from the Chief and, after a brief discussion, the Board concurred.
- Amendment to language relative to the use of fog machines making them “expressly prohibited”.
- Page 2, paragraph Q, change “proposed arrangement” to “proposed long-term rental”. After a brief discussion, the Board concurred.
- Add “Recreation Committee” to the list of no charge users in Attachment A. The Board concurred. Mr. Breton then suggested that alternative language be drafted for this attachment, noting that some Town committees are not appointed by the Board of Selectmen (ie: Capital Improvements which is appointed by the Planning Board.) The Board concurred, and Mrs. Call indicated she would craft appropriate language.

Mrs. Call then clarified that, if the changes were adopted, the Board would need to repeal the Searles Use Policy, as that had effectively been merged into the new revision of the Regulations. She also noted that the Board does need to clarify ancillary town groups versus actual Town committees. Discussion ensued. Mr. Sullivan suggested that the Board strike “the following groups...” in favor of “...any Board, Committee or Commission established by Town Meeting, State Statute or the Board of Selectmen, or any sub-committee thereof...”. The Board concurred.

Mrs. Call then noted that some of the organizations on the second tier have been paying a nominal fee of \$25, which had never actually been established anywhere, and that the Board would need to determine first if \$25 is adequate and second who would be eligible to pay said fee. She noted that this issue would require a second posting as the Commission is proposing a "Windham Non-Profit" rate of \$50 for groups such as Helping Hands and the Windham Endowment. Lengthy discussion ensued regarding the groups in question and availability of other spaces at no charge. The Board determined that the language should be changed to note that other, non-town committees such as Helping Hands would be eligible to utilize the space at no charge for meeting purposes.

Brief discussion ensued regarding plowing for events/meetings and the facility's priority on the Town plowing list. Mrs. Dinsmore noted that Mr. Dinsmore does go down with plow, when necessary.

Mrs. Call then noted that the new fees will be effective immediately with the other items being amended by staff and re-posted for the Board's approval.

Mr. Breton moved and Mrs. DiFruscia seconded to rescind the "Searles Chapel Use" policy. Passed 4-0.

Mrs. DiFruscia then noted that, relative to Section G, language should be added requiring the renter to provide policies/insurance indemnifying the Town. Mr. Sullivan indicated the Town could require a copy of their policy be provided, and the Board concurred. Mr. Breton then requested that language be added regarding adherence to State liquor regulations, and it was clarified that said language already exists.

INVESTMENT POLICY: Mrs. Call advised the Board that this policy does require an annual review, however, for some reason it had not been completed in 2010. She noted that she had amended the policy slightly to incorporate changes to the State statutes; with the biggest change being the addition of language relative to CDARS which are an additional investment option to municipalities. Mrs. Call advised that the state is very specific as to where municipal funds can be invested, and these requirements were expanded in 2010 to allow for greater opportunities at better rates. She also noted that, under the Collateralization provision, she added a section pertaining to FDIC insurance, which simply codifies past practices regarding ensuring coverage and/or separate collateralization. Brief discussion ensued.

Mr. Breton requested that language be amended to require twice yearly reports from the Finance Director regarding investments. Discussion ensued, and it was the consensus that quarterly reports as part of Mrs. Call's financial updates would make more sense. Mrs. Call will draft language accordingly for incorporation into the policy. Mr. Hohenberger then moved and Mrs. DiFruscia seconded to adopt the Investment Policy as amended. Passed 4-0.

Mrs. Call then reviewed with the Board an interest rate survey undertaken by her at the Board's request. She noted that she had reached out to banks normally utilized by the Town, and reminded the Board that it is the purview of the Town Treasurer where to invest the Town's funds.

Mrs. Call noted that the Centrix investment account, up to \$5M, is still available to the Town, however the interest rate has fallen from 0.6% to 0.03%. She noted that there are some CD opportunities available at .6%, citing People's United who has a 6 month .6% CD available, but added that the Town generally does not like to utilize such investments due to the lack of availability of funds during the required time frames. She indicated that funds are becoming available as the tax bills are now out, and recommended the Board consider leaving up to \$5M with Centrix and utilizing any excess for other options.

Mr. Breton sought clarification that the Town pays no fees to Citizen's Bank, and Mrs. Call replied in the affirmative as it pertained to existing services. She added, however, that any new services the Town may opt to add to their banking are subject to fees. Discussion ensued regarding the current checking/savings accounts versus this investment analysis, and the need to place the Town's regular banking activity out to bid should the Town wish to change institutions.

Mr. Breton inquired as to the Town's average daily balance, and Mrs. Call replied that it varies throughout the year. She indicated she was unsure of the figure off the top of her head, but added that tens of millions of dollars are being collected right now which will be available until the School District requests disbursement.

Discussion ensued regarding interest rates offered for investments versus the 0.04% the Town is receiving on the general fund. Mrs. Call noted that such higher rates as offered for the investments may not necessarily be available with regular banking. Discussion ensued regarding interest rate versus level of service with no related fees. Mr. Breton indicated the Board would not know that nexus without a study of average daily balances to establish if a higher interest rate would offset any related fees. Brief, further discussion ensued regarding the nature of a banking proposal versus investment proposal, and the utilization of CD's for investment.

ANNOUNCEMENTS: Mrs. DiFruscia extended congratulations on the Town's receipt of first place in the Annual Reports contest.

Deputy Chief Bill Martineau approached the Board to discuss a press release the Department is issuing relative to implementation of an Adopt-a-Cistern/Hydrant program, in which residents would adopt an area to clean out during a winter event to assist the Department in locating it in an emergency. Mrs. DiFruscia indicated it may be of assistance to residents for the Department to flag these cisterns/hydrants. Deputy Chief Martineau replied these areas are marked for ease in locating them at night, and added that flexible posts are available for placement. Discussion ensued regarding the difficulty the Department faces in deep snow.

Mrs. DiFruscia suggested that language be added to the press release advising that staff will assist residents to locate their nearby cistern/hydrant should they wish to participate. Deputy Chief Martineau indicated that, as residents come in, he will go out with them to show them the location. Discussion ensued.

Deputy Chief Martineau then advised that the Department was also distributing information in partnership with the US Department of Consumer Safety regarding home use of generators and the dangers of Carbon Monoxide.

Police Chief Lewis approached to update the Board on the recent prescription drug take back event. He indicated that 134 pounds of prescriptions were collected, which was the third highest total in the State. Chief Lewis advised that, in the near future, a permanent drop box will be available at the Station. Brief discussion ensued, and Mr. McLeod inquired whether veterinary prescriptions could also be deposited. Chief Lewis replied in the affirmative.

CORRESPONDENCE: Letter received from Town Counsel Bernard Campbell advising he had been contracting regarding serving as Counsel for the Moeckel Pond Village District, and inquiring whether the Board had any concerns regarding same. Mr. Sullivan reminded the Board that the Town does own property in the District, and noted that he would be inclined to request Attorney Campbell not to serve. He added that Attorney Campbell has advised him he will not serve as Counsel for the District unless the Board expresses no issues with him doing so. Brief discussion ensued, and it was the consensus of the Board that Attorney Counsel not serve as Counsel for the Moeckel Pond Village District.

FIREWORKS: Mr. Sullivan noted that the total amount paid from the Recreation budget last year for the annual fireworks was \$5K; with the remainder of the cost being funded by donations. He noted that, in 2011, the total cost for the display was \$8,500 and, looking ahead to next year the Town could obtain the display at a total cost of \$6,500; however, in order to lock in that reduced price the bid would need to be awarded now. He inquired whether the Board would consider waiving the bid requirement to obtain three quotes and allow the Recreation Coordinator to proceed. Mrs. DiFruscia indicated that, due to her involvement in the Cobbetts Pond Improvement Association, she was familiar with the costs of fireworks. She noted that she felt \$6,500 was a very reasonable figure, and Mr. Sullivan added that he and the Recreation Committee concur with that assessment.

Mr. Breton then moved and Mrs. DiFruscia seconded to waive the bid requirements for the 2012 annual fireworks, and to instruct the Recreation Coordinator to enter into a contract with RS Fireworks of Manchester. Passed 3-1, with Mr. Hohenberger opposed.

PERSONNEL POLICY: Mr. Sullivan advised that discussions have been ongoing regarding changes to the health insurance options and earned time provisions of the policy as it pertained to new hires. He noted that, should the Board concur with these proposals, they must be posted in house for a period of 14 days to allow for employee input. He then reviewed these proposed changes with the Board, as attached.

Mr. Hohenberger indicated that he would prefer to see the earned time tiers stop at 24 days, as he believed 30 days was excessive. Also, he indicated that while he understood Department Heads and Deputy Department Heads do put in more overtime than other employees, he was on the fence regarding offering them additional earned time. Discussion ensued, and Mr. Sullivan indicated the amendment had been drafted this way to keep consistent with existing language separating the two types of employees. He added that the level of risk of new accruals is addressed via capping of the earned time in the other proposed amendment, wherein any excess time is forfeited on departure from the Town.

Mr. Breton inquired as to what the Town's total liability regarding earned time payouts currently was per the Audit report. Mr. Sullivan replied that, the last time it was assessed, the Town's exposure was \$1.4M if all eligible employees left at once.

Mr. Hohenberger moved and Mr. Breton seconded to cap both accrual scales at the 11-19 years service levels; and 24 and 27 days respectively. Discussion ensued, during which Mr. Breton withdrew his second due to lack of a full Board.

Mr. Dennis Senbaldi approached seeking clarification as to whether this would affect current employees who may be shifting responsibilities, and Mr. Sullivan replied in the negative, noting that it applied to new hires only. Discussion ensued.

Mrs. DiFruscia inquired whether it afforded significant savings to the Town if the levels were capped as discussed. Mr. Sullivan replied in the affirmative, as it pertained to new employees. After further discussion, the Board made no decision and this will be re-addressed when a full board is available.

BUDGET SCHEDULING: After discussion, it was the consensus of the Board that staff not schedule workshops regarding any of the minor budgets except those specifically requested to appear by a Board member. Mr. Breton advised the Board that he will be late to the following week's meeting as he will be attending the Lincoln Douglas debate at WHS. Further discussion ensued, and Mr. Sullivan advised the Board to contact staff regarding anyone they wish to attend the final summation workshop. Mr. Hohenberger requested that the CIP committee be asked to attend to discuss submissions. Brief further discussion ensued regarding posting requirements, and pending budget receipts.

OLD/NEW BUSIENSS: Chief Lewis updated the Board on his previous request to purchase a pick up truck for the Department out of the Contracted Detail fund. He noted that the State of NH had just published their bid results for a similar vehicle, and their low bid for a full size 4WD, quad-cab pickup was \$20,393 from Central Dodge in NH. Chief Lewis indicated he felt this was a tremendous price and that he had then spoken to Mr. Bill DeLuca, who had provided the Department's other command vehicle. He noted that Mr. DeLuca had advised that he could not match the State's low bid, but he could provide the same truck as specified for \$20,696. Chief Lewis noted he had then requested that Mr. DeLuca advise him of the additional costs to install step rails, a bed cover, and spray-on bed liner, and that Mr. DeLuca had indicated the total truck price with those ancillary items would be \$22,300. Chief Lewis then indicated he was present to request the Board's authorization to purchase the truck at that price from DeLuca.

Mrs. DiFruscia inquired whether Central Dodge's price had included those additional items requested by the Chief. Chief Lewis replied in the negative, and a discussion ensued regarding getting a price from Central inclusive of them, as well as the Town's current Dodge fleet.

Mr. Breton moved and Mrs. DiFruscia seconded to waive the bid process and award the purchase as requested to Bill DeLuca Chrysler Jeep Dodge of Haverhill MA. Further discussion then ensued regarding the location of Central Dodge, which the Chief was unsure of, and the potential additional time/cost required to travel with the new truck to that location for service. Mr. Hohenberger noted that staff would not need to go to a specific Dodge dealer for service, and the Chief concurred.

Mrs. DiFruscia then inquired as to the advantages of awarding the truck to DeLuca versus Central, and the Chief noted it was an opportunity to support a local business owned by a Windham resident; adding that he has no complaints regarding the level of service DeLuca provides.

Brief discussion ensued regarding the purpose of the ancillary items, and what Central might charge for same. Mr. Sullivan expressed concerns that the numbers have now been made public; adding that his recommendation would be to support the Chief's request.

Mr. Senibaldi approached to remind the Board that Mr. DeLuca has also generated additional revenues for the Town via auction of surplus vehicles and waiver of related fees. Further discussion ensued regarding the ancillary purchases and perhaps acquiring them separately.

The motion to waive the bid process passed 3-1, with Mr. Hohenberger opposed.

Mr. Breton then moved and Mrs. DiFruscia seconded to support the Chief's request authorize the purchase of new vehicle as described from DeLuca in the amount of \$22,300. Passed 4-0.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mrs. DiFruscia seconded to enter into a non-public session in accordance with RSA 91-A:3, II b. Roll call vote – all "yes". The topic of discussion was hiring and the Board, Mr. Sullivan, Chief Lewis, and Captain Caron were in attendance.

The Board discussed the vacant fulltime dispatch position. Mr. Hohenberger moved and Mr. Breton seconded to extend an offer of employment to the recommended candidate as per the employment policy; subject to receiving 12 days of earned time annually and being offered enrollment in the alternative health insurance plans which do not include the self-insured option. Passed 4-0.

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

Meeting was adjourned at 9:00 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant.

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

**PERSONNEL POLICY – PROPOSED CHANGES DECEMBER 2011 –
CHANGES SHOWN IN RED**

ARTICLE XIII : EARNED TIME:

1) Earned Time is an alternative approach to the traditional manner of covering absence for vacation, personal leave days, and sick leave. Instead of dividing benefits into a specific number of days for each benefit, Earned Time puts these days together into a single benefit. Earned Time days can be used for a variety of purposes, including a payment in cash at the time of voluntary termination. Earned Time is available as soon as it is "earned". The exact number of Earned Time days available each year will depend on the employee's years of service to the Town.

2a) COVERAGE: Management level employees, (meaning Department Heads, Deputy Department Heads, and the Finance Director), the Human Resource Coordinator,, and the Cable Coordinator who are employed in positions scheduled to work at least thirty five (35) hours per week are covered by Earned Time. The accrual rates are as follows:

<u>Years of Service</u>	<u>Days Accrued Per Hour</u>	<u>Hrs. Accrued Per Hour</u>	<u>Hrs. Accrued Per Year</u>	<u>Annual Days</u>
0 thru 5	.0120	.0962	200	25
6 thru 10	.0144	.11542	240	30
11 thru 19	.0168	.1346	280	35
After 19	.0192	.1538	320	40

Note: The above table is based on a forty hour per week schedule and is to be prorated for those employees working less than forty hours per week. For purposes of calculating an individual's actual accruals, the "Hrs Accrued Per Hour" column shall be used as the factor.

2b) Other employees scheduled to work for at least thirty five (35) hours per week, who are not either a Management level employee, , Human Resource Coordinator,, or Cable Coordinator shall receive the following:

<u>Years of Service</u>	<u>Days Accrued Per Hour</u>	<u>Hrs. Accrued Per Hour</u>	<u>Hrs. Accrued Per Year</u>	<u>Annual Days</u>
0 thru 5	.0096	.0769	160	20
6 thru 10	.0120	.0962	200	25
11 thru 19	.0144	.1154	240	30
19 +	.0168	.1346	280	35

Note: The above table is based on a forty hour per week schedule and is to be prorated for those employees working less than forty hours per week. For purposes of calculating an individual's actual accruals, the "Hrs Accrued Per Hour" column shall be used as the factor.

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2c) Those employed in positions scheduled to work an average of forty two (42) hours per week shall receive the following:

<u>Years of Service</u>	<u>Days Accrued Per Hour</u>	<u>Hrs. Accrued Per Hour</u>	<u>Hrs. Accrued Per Year</u>	<u>Annual Days</u>
0 thru 5	.0091	.1099	240	20
6 thru 10	.0114	.1374	300	25
11 thru 19	.0137	.1649	360	30
After 19	.0160	.1924	420	35

Note: The above table is based on an average forty two hour per week schedule and is to be prorated for those employees working less than an average forty two hours per week. For purposes of calculating an individual's actual accruals, the "Hrs Accrued Per Hour" column shall be used as the factor.

Probationary Employees: For purposes of accrual of Earned Time, covered probationary employees shall accrue Earned Time on a prorated basis either using per hour or per month accrual rates.

2d) All employees, except Department Head and Deputy Department Head level employees hired after October 1, 2011, shall receive the following:

<u>Years of Service</u>	<u>Days Accrued Annual Per Hour</u>	<u>Hrs. Accrued Per Hour</u>	<u>Hrs. Accrued Per Year</u>	<u>Days</u>
0 thru 5	.0058	.0461	96	12
6 thru 10	.0086	.0692	144	18
11 thru 19	.0115	.0923	192	24
19 +	.0144	.1154	240	30

Note: The above table is based on a forty hour per week schedule and is to be prorated for those employees working less than forty hours per week. For purposes of calculating an individual's actual accruals, the "Hrs Accrued Per Hour" column shall be used as the factor.

2e) Department Head and Deputy Department Head level employees hired after October 1, 2011, shall receive the following:

<u>Years of Service</u>	<u>Days Accrued Annual Per Hour</u>	<u>Hrs. Accrued Per Hour</u>	<u>Hrs. Accrued Per Year</u>	<u>Days</u>
0 thru 5	.0072	.0577	120	15
6 thru 10	.0101	.0808	168	21
11 thru 19	.0130	.1038	216	27
19 +	.0159	.1269	264	33

Note: The above table is based on a forty hour per week schedule and is to be prorated for those employees working less than forty hours per week. For

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purposes of calculating an individual's actual accruals, the “Hrs Accrued Per Hour” column shall be used as the factor.

- 3) For purposes of this Policy, years of service will be calculated in a manner identical to that used for purposes of Seniority. Employees accumulate Earned Time based on regularly scheduled hours worked or in pay status up to those hours budgeted for the position (other non-status hours worked and supplemental compensation such as overtime are excluded) and on years of service to the Town.
- 4) Termination and Restoration of Service Credit: An employee whose break in service from the Town is less than one (1) year will have his/her service 'bridged' for purposes of computing Earned Time accrual. For breaks of more than one (1), year an individual will earn one (1) year's credit for each year of employment after return, until the total past credit is accrued. After five (5) years of employment following return to work, credit for all previous service will be given.
- 5) USAGE:

- A. Earned Time days may be used any time after being earned, including during an employee's probationary period. It is expected that all planned absences will be mutually agreed upon by the employee and his/her supervisor prior to the date of absence.
- B. Earned Time days may be used in units of no less than one-half hour.
- C. Minimum Usage: There is a minimum usage of Earned Time days required each year. See schedule to follow:

Years of Service	Minimum Usage Per Year*
0 thru 5 years	10 days
6 thru 10 years	12 days
11 thru 19 years	15 days
After 19 years	17 days

*Computation of minimum usage will be calculated from January 1 to December 31 annually. In calendar years where an employee's rate of accrual changes, the minimum usage for that calendar year will equal one-half of the hours accrued in that year. The Town, on or before November 1 of each year, will notify in writing each employee of the remaining amount of Earned Time that must be used by December 31.

If the Town delays this notification until after November 1, the deadline for the minimum usage will be delayed beyond December 31 by the equivalent number of days

- D. Earned Time days may be taken to cover absence for any reason, including illness, vacation, funeral, dentist or doctor visits, as long as the total number of days taken meets or exceeds the minimum required usage as indicated.

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E. Days converted into the Sick Leave Pool do not count towards minimum usage as defined in Article XIII, Section 5 (C).

F. Earned Time benefits accrue only during the initial three (3) weeks (15 working days) of Sick Leave Pool usage. Each separate use of the Sick Leave Pool, however, provides for the continuing earning ability.

6) SICK LEAVE POOL: The Sick Leave Pool is intended to provide security by allowing employees to "buy" insurance for extended illness, or other disability. When "buying" Sick Leave Pool days, employees convert Earned Time days on a 1 to 3 basis. Similar to purchasing insurance, the employee may pick a given number of days to exchange in case of extended disability.

A. Pool days are available for use only under the conditions listed below, and are not eligible for use at retirement or termination.

1. Use of Pool days may begin on the sixth consecutive work day absence due to illness, injury, or other disability.
2. A physicians' report must accompany the request to use Pool days.
3. It is not necessary to use up all Earned Days before using Pool Days.
4. The employee may continue using Pool days until his/her Pool is exhausted, or until no longer disabled.
5. Periodic doctor's reports may be required.
6. The maximum Pool day accrual is 150 days (i.e., the maximum conversion of Earned Time days is 50, which would convert to 150 Pool days). If Pool days are used, or if an employee wishes to add to his/her Pool days, more Earned Time days may be added each July (to a total of 150). Earned Time days may not be converted to Pool days at any other time.

7) TERMINATION: Earned Time up to a maximum of one hundred (100) days will be paid at the time of termination or retirement if the termination occurs under normal circumstances and does not involve an act which demonstrates unfitness for continued employment in the Town, such as theft or immoral conduct. For those employees who have over one hundred (100) days as of January 28, 1998, their maximum days paid out shall be up to the amount they have as of January 28, 1998. However, since a notice period of two (2) weeks is considered to be appropriate and normal for any employee termination, in cases where such notice is not given, a pro-rated payment for Earned Time accrual, based on the notice given, will be made. Exceptions to such notice requirements may be granted by the Board of Selectmen. Employees may leave Earned Time earnings intact, pending recall, if the nature of their absence from employment is lay-off.

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a) Employees hired after October 1, 2011 are allowed to accumulate up to a maximum of one hundred (100) hours in their earn time account at the end of each calendar year (December 31st), Anytime above the 100 hour maximum accrual shall be forfeited by the employee at the end of each year.

b) At termination of employment any remaining Earned Time up to eight hundred (800) hours for employees hired prior to October 1, 2011 or up to one hundred (100) hours for employees hired after October 1, 2011 is paid at the same base pay rate at time of termination.

~~7)~~

~~A. Earned Time is paid at the employee's base pay rate at time of termination.~~

8) Earned Time will be scheduled at the convenience of the Town of Windham and the department. A seniority list will be maintained and used by the Department Head for the purpose of scheduling Earned Time.

9) At no time shall there be more than twenty five (25) percent of the personnel of any one department on Earned Time leave at the same time, unless expressed permission has been granted by the Department Head.

10) If, in the opinion of the department head, an emergency exists, or is believed to be imminent, the Department Head shall have the authority to cancel Earned Time leaves and/or call personnel back from Earned Time leave should such action be deemed necessary to control said emergency.

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ARTICLE XX : HEALTH/MEDICAL INSURANCE:

1. The Town of Windham shall select a Carrier to provide Health/Medical Insurance coverage for its employees. The Town shall pay the cost of the monthly premium for single, two (2) person or family coverage, except that each employee will contribute the equivalent of 25% of the current rate for the plan selected from Section A below, inclusive of any adjustments that may change from year to year. Such contributions will be made through payroll deductions.

A. Employees may choose among the following plan choices as provided for by the NH Local Government Center:

- 1) COMP 2500 RX 1 *
- 2) MTB 20 RX 10/20/45
- 3) MTB 15IPDED RX 10/20/45
- 4) MTB SOS 20/40/1KDED RX 10/20/45

*Employees hired prior to January 1, 2012 may elect the Comp 2500 plan option and have the responsibility for the deductible costs associated with the Plan assumed by the Town. Should an employee elect this option they shall then be responsible to contribute the equivalent of 25% of the current NHLGC JY rates, inclusive of any adjustments that may change from year to year. In the event the Town opts to implement a plan with a higher deductible, the Town will continue to assume responsibility for the higher deductible costs associated with the Plan.

~~1) The Town of Windham shall select a Carrier to provide Health/Medical Insurance coverage for its employees. The Town shall pay the cost of the monthly premium for single, two (2) person or family coverage, except that each employee in the unit will contribute the equivalent of 12.5% (effective April 1, 2006) or 15% (effective October 1, 2007) of the current NHMA Blue Cross/Blue Shield JY rates, inclusive of any adjustments that may change from year to year. Such contributions will be made through payroll deductions.~~

~~A. The Health/Medical Insurance coverage is Plan Comp 1000 MC PD as provided by the New Hampshire Municipal Association (NHMA). The Town will assume the responsibility for and pay both the deductible of \$1000 and co-insurance (80% -20%) costs associated with the plan. In the event the Town opts to implement a plan with a higher deductible, the Town will continue to assume responsibility for both the higher deductible and co-insurance (80% -20%) costs associated with the Plan.~~

~~B. Health/Medical Insurance coverage shall be extended for employees entitled to retirement benefits upon termination of employment with the Town. Said coverage shall be provided at the Town's expense as follows:~~

- ~~10 - 15 years of employment - 3 months~~
- ~~15 - 20 years of employment - 6 months~~
- ~~20 - 25 years of employment - 9 months~~
- ~~Over 25 years of employment - 12 months~~

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C. For those employees hired prior to January 1, 2012 who choose the Comp 2500 Plan the Town assumes responsibility for the costs of the deductible and coinsurance amounts during the employee's full-time employment and through any applicable period covered by Section B above, but will stop upon the employee's retirement or the expiration of the applicable period. At the time of retirement or expiration of the applicable period, the employee will be eligible to purchase the Comp 2500 or higher deductible plan offered by the Town but the Town will not cover the deductible or coinsurance costs.

D. The Town will contract with a third party Administrator to administrate the Comp 2500 or higher deductible Plan for those employees choosing to have the Town assume responsibility for the deductibles. The employee will be responsible for submitting the Blue Cross Explanation of Benefits Forms (EOB's) to the third party who will in turn submit a check to the employee to cover the expenses under the deductible portion of the Plan. The employee in turn will either pay the Provider or keep the money as a reimbursement for expenses paid up front to the Provider by the employee at the time of service.

~~C. The Town assumes responsibility for the costs of the deductible and coinsurance amounts during the employee's full-time employment and through any applicable period covered by Section B above, but will stop upon the employee's retirement or the expiration of the applicable period. At the time of retirement or expiration of the applicable period, the employee will be eligible to purchase the current plan offered by the Town but the Town will not cover the deductible or coinsurance costs.~~

~~D. The Town will contract with a third party Administrator to administrate the Plan. The employee will be responsible for submitting the Blue Cross Explanation of Benefits Forms (EOB's) to the third party who will in turn submit a check to the employee to cover the expenses under the deductible and co-insurance portion of the Plan. The employee in turn will either pay the Provider or keep the money as a reimbursement for expenses paid up front to the Provider by the employee at the time of service.~~

**PERSONNEL POLICY – PROPOSED CHANGES DECEMBER 2011 –
CHANGES SHOWN IN RED**

E. Employees who would otherwise be eligible for Town Health/Medical Coverage, who elect Health Insurance Coverage under their spouse's plan, or another comparable insurance plan, the cost of which are paid for by an employer other than the Town, will be eligible for compensation in lieu of the Town's Health Insurance Plan. Eligible employees will be compensated \$2500 annually for waiver of the single plan benefit and \$5,000 annually for waiver of either the two-person or family plan benefit. Applicable stipends shall be prorated and paid monthly as long as the employee maintains the waiver. *(Amended 06/23/08)*

a) To be eligible for this benefit employees must meet the following criteria:

I. Have and show proof of coverage in a comparable Plan.

II. Initially, attend informational seminar to explain the effect of this waiver.

III. Sign a "Waiver of Insurance" for discontinuing health insurance coverage with the Town. _____

- 2) Employees may remain on the Town's Plan upon separation from Town service in accordance with provisions of State law in effect at the time of termination. The employee shall be responsible for payment of the premium to the Town of Windham for coverage elected.
- 3) A copy of the insurance policy will be provided to each qualified and covered employee.
- 4) Medicare benefits shall be provided for all employees hired after April 1, 1986. Payments shall be contributed by both the employer and employee in matching amounts.
- 5) The Town of Windham will purchase and maintain a Dental Insurance policy for its employees and their qualified dependents, the cost of which to be borne by the Town.