

BOARD OF SELECTMEN
Minutes of April 9, 2012

MEMBERS PRESENT: Chairman Bruce Breton called the meeting to order at 7:00 PM. Selectmen Ross McLeod, Kathleen DiFruscia and Roger Hohenberger were present; as was Town Administrator David Sullivan. Selectman Phil LoChiatto was delayed and arrived at 7:45 PM. Mr. Breton opened with the Pledge of Allegiance.

ANNOUNCEMENTS: Mrs. DiFruscia reminded all that the 10K fundraiser race will take place the following Saturday beginning at 9 AM at the High School. Also, the 1K walk will follow at 11 AM; with all proceeds from the events going toward funding a track for the High School. Mr. McLeod added that the weather on Saturday will be ideal for running.

Mr. McLeod announced that the Strawberry Festival is scheduled for June 2nd, and that FLOW is seeking volunteers for the event. Interested residents can contact him for more information.

Mr. McLeod noted that the Greater Salem Chamber of Commerce will be hosting an Economic Development breakfast on April 17th at Castleton; at which local engineer Karl Dubay will be presented with the Pillar Award. Mr. McLeod extended congratulations to Mr. Dubay for this achievement.

LIAISON REPORTS: None.

MINUTES: Mr. McLeod moved and Mrs. DiFruscia seconded to approve the minutes of March 5th and 26th, and April 2nd as written. Passed 4-0.

CORRESPONDENCE: Mr. Breton noted that correspondence had been received from the Department of Transportation relative to the placing of the Delahunty property up for sale at a price of \$1.129M. He explained that, per statute, the Town has the right of first refusal. Mr. Hohenberger indicated that he was glad to see the property going back on the market.

ANNOUNCEMENTS CONTINUED: Mr. Sullivan advised that lifeguards are needed for the upcoming season, and that the Recreation Coordinator is seeking three (3) certified individuals. Discussion ensued regarding the lack of response to the job ads, and having Ms. Haas send a letter to the High School for posting there. Mr. Sullivan will follow-up to have Ms. Haas do so if she has not done so already.

CORRESPONDENCE CONTINUED: Mrs. DiFruscia sought clarification of the process relating to the Town's right of first refusal as it pertained to the State listing surplus properties, and whether the Board needed to discuss same in non-public. Mr. Sullivan replied in the negative; noting that it is ultimately the Board's prerogative. He added that, based on past practice, input will be solicited from the Planning Board, Conservation Commission, and Economic Development Committee regarding the property and it will then come back before the Board for final determination. Brief discussion ensued.

RECREATION/LIGHT WAIVER REQUEST: Mr. McLeod recused himself from this matter due to his affiliation with the Windham Soccer Association. On behalf of Ms. Haas, Mr. Sullivan explained that the current light policy for Griffin Park provides for their use to begin on May 1st, however, due to the favorable weather the fields are currently being utilized and for safety reasons Recreation is requesting a waiver to allow for earlier use of the lights. He noted that last week the Board had granted a temporary waiver pending this evening's discussion.

Mrs. DiFruscia noted that her concern regarding granting of the waiver request related to the abutters, in that there has been a lot of input from them in the past regarding the lights at the Park. She indicated she understood that the request is not to extend their use time-wise, but inquired whether staff had received any concerns from the abutting property owners. Mr. Sullivan replied in the negative, noting that while official notification had not been sent to the individual abutters, the matter had been posted on the agenda and staff had not received any opposition to same.

Mrs. DiFruscia then moved and Mr. Breton seconded to allow for the waiver of the Griffin Park light policy to allow for their use to begin on April 10 as opposed to May 1 for safety reasons.

Mr. Hohenberger indicated for the record that he would be voting against the motion given his ongoing concerns regarding expansion of the light use at the park. Discussion ensued regarding the lack of complaints regarding this request and safety concerns.

Motion passed 2-1, with Mr. Hohenberger opposed.

Mr. McLeod resumed his seat with the Board.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McLeod seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a and c. Roll call vote all "yes". The topics of discussion were personnel and reputations, and the Board, Mr. Sullivan and Ms. Devlin were in attendance.

Mr. Sullivan updated the Board on a personnel matter. No decisions were made.

Mr. Sullivan presented the Board with a list of parcels subject to tax deeding for discussion the following week. No decisions were made.

Mr. Sullivan discussed a request for a forbearance agreement with the Board. Mrs. DiFruscia moved and Mr. Hohenberger seconded to approve the agreement as described in the amount of \$200/month. Passed 4-0.

CASTLE HILL ROAD CULVERT: Highway Agent Jack McCartney advised that this culvert, located on the Windham side of Castle Hill Road, was the same one replaced by the Town approximately 20 years ago with a metal arched culvert. He noted that, in addition, within the last couple of years, the Town installed a pre-cast structure to replace the former timber bridge. Mr. McCartney noted that there is currently a tonnage limit on the bridge, and that it will be 2014 before the Town can get back onto the State list for assistance with repairs. He noted he would look into installing a filler on the inside of the existing culvert, which will return it to 80-90% efficiency. Discussion ensued regarding State inspection following the project and when it could be completed.

Mr. Sullivan noted that this issue has been ongoing for several years, however, nothing has been done due to budgetary restrictions. He added that 80/20 funding from the State will be available again to assist, but not until 2014-16 at the earliest, and the Board therefore needed to determine whether they wished to wait or not to repair the culvert. Discussion ensued regarding the sleeve filler being proposed by Mr. McCartney.

Mr. Sullivan noted that the bridge in question remains at a 10-ton limit, and if the Board chose to do nothing in the near-term, the State may reduce that limit even further. He advised that he would recommend, if funding can be found next year, that the Board support installation of the sleeve by 2014 at the latest. Mr. Sullivan further explained that the preliminary estimate to replace the culvert two years ago was approximately \$130K; which included full engineering. Discussion ensued as to whether the culvert could continue to handle the flow if made smaller by the sleeve, and that if the repairs are delayed more and more issues will arise.

Mrs. DiFruscia inquired whether the culvert posed a danger to the general public, and Mr. McCartney replied it did not at this time; adding that heavy trucks are restricted. Mrs. DiFruscia then inquired whether there were anything ongoing in the area that would necessitate heavy trucks crossing the bridge. Mr. McCartney replied that the Ryan Farm project may require such travel; adding that particular developer had contributed to the other bridge repair as part of their previous project.

Discussion ensued regarding next budget season, previous bridge repairs, escalating construction costs, and whether or not to bid the project now. Mr. Hohenberger indicated he did not believe the culvert was currently in dire need of replacement. Mr. Sullivan agreed, however he added that in a single year the failure rating increased from 50 to 75%. He noted there are multiple solutions available to address the issues.

Discussion ensued regarding bidding the project now. Mr. Sullivan indicated that staff could issue requests for proposals now to garner cost information; adding that staff was endeavoring to be proactive rather than waiting until there is an imminent danger.

WORKSHOP – HIGHWAY AGENT: Mr. Sullivan noted that this workshop was geared towards a specific topic, rather than an overall discussion; as it is time for the Highway Agent to arrange his projects for the year. He noted that the Board’s direction was being sought as to how to approach these projects; whether through bidding and/or full engineering versus completion of items “in-house” with local contractors.

Mr. McCartney reviewed with the Board a detail of per square yard costs for road reconstructions from 2005 to 2011, as attached. Discussion ensued as to what the costs compared to bidding the project out would have been, and whether these projects had been scaled back due to cost limitations. Mr. McCartney replied in the negative to the latter; noting that all had encompassed what he intended which was primarily connecting previously completed areas. He added that it was difficult to track each yard or tree cut without a plan or before/after data; citing the variances in road widths/lengths.

Mr. LoChiato indicated that a side by side of bid prices versus in-house costs would be helpful to the Board if available. If not, Mr. LoChiato suggested that Mr. McCartney develop a worksheet for each project detailing the per piece cost/scope of work in order to better see the unit costs. Mr. LoChiato noted that some of the projects referenced by Mr. McCartney also included engineering costs, which he felt could be removed to better compare the hard construction costs. Discussion ensued as to the variability of ledge/unsuitable material costs and inclusion of man hour costs.

Mr. Breton inquired why Mr. McCartney did not just bid the planned projects, and Mr. McCartney replied that he could do that. Discussion ensued regarding cost savings with doing them in-house, the difficulty in quantifying costs, whether in-house projects constituted no-bid contracts, and possibly requiring bidders to specify within the bid form their labor/equipment/man hour costs.

Mr. LoChiato, citing the Morrison Road project, noted that he believed Mr. McCartney should be looking at different in-house contractors; adding that there is a potential to save even more via unit pricing of man/equipment hours. Mr. McCartney indicated he was not opposed to such unit pricing, however, he did not wish to have to, for example, split his equipment needs across multiple contractors. Mr. LoChiato agreed, noting that was not his intent in suggesting unit price bidding. Discussion ensued.

Mr. McLeod noted that he believed that breaking the bids out to equipment/labor costs garners information that is not useful; as the bottom line bid is what provides an apple to apple comparison of costs. Discussion ensued regarding the funds expended on Morrison Road for which no bids had been sought. Mr. Sullivan clarified that, as it pertained to Morrison Road, Mr. McCartney had come to the Board with estimates and advised that he was able to complete the project cheaper in house and that the Board had then authorized him to do so.

Mr. Sullivan sought clarification that the Board was requesting that Mr. McCartney have available man hour/equipment pricing before approaching the Board to request in-house completion of projects; adding that if that was not the case and the Board wished everything to be bid, he would advocate expending funds for engineering of all projects. Discussion ensued.

Mr. LoChiato suggested that, at the beginning of each construction season, Mr. McCartney put out a blanket request for proposal for equipment and service hours so that information will be available when a project approaches. Lengthy discussion ensued regarding this information assisting in comparing in-house versus outside contracting costs of projects with the exception of ledge costs, unsuitable material costs, and change orders. Mr. Breton clarified that the Town does not have the necessary equipment to construct a road a must hire someone to do so; which is what he would like to see bid.

Discussion ensued regarding the Board taking a road tour with the Highway Agent, engineering of projects, bidding of unit prices, and the benefits of the Highway Agent overseeing in-house projects versus the potential “tunnel vision” of bid projects.

Mr. McCartney again indicated he was here seeking the Board's direction and, after brief discussion, Mr. Sullivan inquired whether Mr. LoChiatto would be willing to work Mr. McCartney to develop a unit based request for proposal as discussed. Mr. LoChiatto replied in the affirmative and further brief discussion ensued. It was the consensus of the Board that Mr. Lochiatto and Mr. McCartney collaborate as suggested, and that staff schedule a road tour for the following week at 6:00 PM.

LEGAL SERVICES CONTRACT: Mr. Sullivan advised that the review committee comprised of himself, Tax Assessor Rex Norman, Community Development Director Laura Scott, and Selectmen McLeod and DiFruscia had evaluated the four technical proposals received; narrowing those down to three firms for interview. He indicated that the decision to bring in the three firms as attached had been unanimous, and the cost proposals as shown had been opened following those interviews with each.

Mr. Sullivan noted that the committee had met a final time that morning, and unanimously recommended that the Board award the contract to Beaumont & Campbell for the fixed fee schedule as shown of \$19,000/year for general services and \$140/hour for "court" issues; adding that each of the firms was of high quality and the Town had worked with each at one point or another.

Discussion ensued regarding the proposals and what each encompassed/excluded, and that the specifics of same would be detailed within the contract itself.

Mr. Hohenberger moved and Mr. McLeod seconded to approve the contract for legal services with Beaumont & Campbell of Salem NH as detailed in option B. Passed unanimously.

OLD/NEW BUSINESS: None.

Mr. McLeod moved and Mr. Hohenberger seconded to adjourn. Passed unanimously.

Meeting was adjourned at 8:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant.

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

APRIL 9, 2012

The following is a cost per square yard for road reconstruction costs from 2005 until 2011.

Castle Hill Road Costs were \$43.76 per square yard. This does not include engineering work, tree work or core tests done to check for ledge. Three culverts were replaced, and reclaimed asphalt was allowed to be mixed with base materials. This work was done in 2005 through the bid process.

Marblehead Road Phase1 Costs were \$66.36 per square yard. Marblehead Road Phase2 Costs were \$56.68 per square yard. Neither of these projects includes engineering work, tree work nor core tests. Three culverts were replaced, one new basin was added and approximately 480 feet of under drain was installed and reclaimed materials were also allowed. These two projects were done in 2006 through the bid process.

East Nashua Road Costs were \$51.24 per square yard. Same as above for work not included. Here four culverts were replaced, one new basin was installed and again mixing of reclaimed materials was allowed. This work was done in 2007 through the bid process.

Beacon Hill Road Costs were \$42.23 per square yard. This includes engineering work, tree work, and town costs for labor and equipment. Here six culverts were replaced, seven new basins were installed, 400 plus feet of curbing was included and all new gravels were provided. This work was done in 2008 and managed in-house by the highway department.

London Bridge Road Costs were \$48.17 per square yard. Here three culverts were replaced, road grades were changed which expanded most of the shoulders, which then resulted in the rebuilding of several hundred feet of stonewalls, and again all new gravels were installed in the roadbed. This includes all of the above costs, and was also managed by the highway department and done in 2009.

Meetinghouse Road Costs were \$30.10 per square yard. Again this includes the above costs, was managed by the highway department and was done in 2010. (No engineering was sub-contracted out) Three culverts were installed, along with two new basins and new gravels. This was again managed by the highway department.

Morrison Road Costs were \$53.57 per square yard. This does include outside engineering, tree work, and significant enclosed drainage work with asphalt curbing on both sides of the completed work. Two existing culverts were replaced, thirteen new basins were installed, 100 feet of 6 inch under drain, 160 feet of concrete pipe, and over 600 feet of plastic pipe was also included. Base gravels included reclaimed materials mixed with new gravels and all new crushed gravel was applied to the finish lift. Base pavement was 27 feet wide, then over 4000 feet of curbing was installed and a 24 foot wide finish pavement was placed and all driveways were adjusted and paved as necessary to accommodate new curbing. This was also managed by the highway department and done in 2011.

Hopefully this shows what costs were for these respective jobs and gives you a reasonable idea of the work included in each project. Also please note that asphalt has increased by over fifty percent since 2008 as well as other aggregates and associated costs due to increased oil related increases. Should you have further questions I will answer them as best I can.

Respectfully Submitted
Jack Mc Cartney
Highway Agent