

**BOARD OF SELECTMEN**  
**Minutes of May 21, 2012**

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

**OLD BUSINESS:** Chief Lewis approached and advised the Board that he had reached out to the Department of Transportation regarding the coordination of signals along Route 111 as previously discussed by the Board; noting that the specific issue of the North Lowell/Fellows Road signal was separate from the others, as it pertained to the magnetic detection system in the roadway. Chief Lewis explained that, in the latter case, if one passes over the detector, the system shuts off and is no longer activated, which is an issue the DOT is endeavoring to resolve. Mrs. DiFruscia inquired whether the DOT had responded regarding the Wall Street intersection slip lane, and a discussion ensued regarding the DOT being adamant that they won't change the configuration to a right turn only despite the Board's repeated requests.

**ANNOUNCEMENTS:** Mrs. DiFruscia advised that the previous Sunday the Windham Endowment had hosted a brunch/art auction at the Searles building; which had been well attended and may be repeated in the future.

**LIAISON:** None.

**CORRESPONDENCE:** The Board executed a deed relative to a land transfer on Ledge Road between the State and Town.

**MINUTES:** Mr. Hohenberger moved and Mrs. DiFruscia seconded to approve the minutes of May 7, 2012 as written.

**WORKSHOP – MAINTENANCE:** Supervisor Al Barlow met in workshop session with the Board, hosting the attached powerpoint presentation. Highlights of the discussion included:

- Sharing of services between the Highway, Maintenance, and Transfer staff – Mr. Sullivan indicated that a policy had been developed regarding same laying out the procedure to request services and the types of appropriate tasks; noting that it is geared towards such cases as emergencies, long-term disabilities, or large projects. The policy has been in place for approximately six weeks and will be re-evaluated in the future for effectiveness.
- Annual facility inspection was discussed, which Mr. Barlow indicated is undertaken as part of the requirements of the Property Maintenance Policy, and will be completed in late June/early July for submission to the Board.
- Discussion occurred as to whether asbestos in the Town Hall kitchen ceiling could be encapsulated, which Mr. Barlow indicated it could via framing in of the diffuser. He noted, however, that the upstairs closet has a substantial hole in it, however the walls could be sheet rocked.
- Lengthy discussion regarding relocation of Maintenance from the bays of the old fire station to the new Highway garage; with Mr. Breton expressing concerns regarding safety items in the former location such as a lack of fire rated sheet rock. Mr. Sullivan noted that the upgrades to the bays require the direction and support of funding from the Board, and would be done as part of the weatherization of the building. Mr. Breton indicated he believed there should be no storage of Maintenance supplies in the building at all, and that everything should be moved to the Highway garage and the lower level of the old fire station used for file storage. Mr. Barlow indicated that he and Mr. McCartney had explored that possibility and found there was no room for the maintenance bench within the highway bays; nor could the mezzanine area be used as there is only one egress. Mrs. DiFruscia inquired whether Mr. Barlow thought a move to the Highway garage was a good idea, and Mr. Barlow replied in the negative; noting most of the maintenance work is done in the central complex.

Mr. McLeod indicated he did not believe maintenance interfered with office activities or meetings, as Mr. Breton had expressed, believing it to be no more disturbing than a telephone ringing. Mr. Breton disagreed, and further lengthy discussion ensued.

Mr. LoChiatto agreed with Mr. Breton that the concept of moving to the Highway garage should be further explored, and a discussion ensued regarding his working with Mr. Barlow to evaluate available space at the latter. Mr. LoChiatto then inquired where Mr. Barlow was operating out of, if not the old fire station bays, and Mr. Barlow replied out of his pickup truck. Further discussion ensued regarding the need to look at both buildings, the lack of funding for the upgrades, and the length of the time the repairs have been needed. Mr. Breton expressed he believed it was a liability issue, and Mr. Sullivan suggested that if that were the case the entire building should be vacated. Mr. Hohenberger suggested that the required work be bid out or at least detailed to establish what the cost will be, and further discussion ensued. Mr. LoChiatto will meet with Mr. Barlow next week to assess the Highway garage for possible use.

The Board extended their thanks to Mr. Barlow for his presentation.

**WORKSHOP – HIGHWAY AGENT:** The Board met in workshop session with Mr. McCartney, who hosted the attached powerpoint presentation. Expansion of the facility, which Mr. McCartney clarified pertained to exterior expansion for items currently stored at the Marblehead Road landfill, was discussed. There are seven acres available at the new site, and ledge clearing is currently underway to make more room.

The Board thanked Mr. McCartney for his presentation.

**WORKSHOP – TRANSFER STATION:** Mr. Poulson met in workshop session with the Board, opening with a clarification regarding the Station closing on Memorial Day. He explained that, during budgeting, Memorial Day was not budgeted for holiday pay and thus funds were not available for same for staff. Discussion ensued regarding the cost to remain open, which Mr. Sullivan indicated was approximately \$1,600, and that the municipal union contract states that shift staff observe the actual holiday. He added that when the hours were changed for the Transfer Station the budget was not amended, but noted that he did not believe the station should be closed five (5) days in a row. Mr. LoChiatto noted that this was an unintended consequence of the Board's approving the change hours to four, ten hour shifts in order to cut overtime. Lengthy discussion then ensued regarding the number of holidays per year and average costs for same.

Mr. LoChiatto then moved and Mrs. DiFruscia seconded that the Transfer Station be closed on May 30<sup>th</sup> in observance of Memorial Day. Discussion ensued regarding service to the public and the need to notify same clearly as to why the Station would be closed; after which the motion passed 4-1, with Mr. Hohenberger opposed.

Mr. Poulson then reviewed with the Board the attached documents, and highlights of the discussion included:

- Mr. Sullivan indicated that Administrative staff has received complaints regarding the change in hours.
- Mr. Hohenberger expressed his ongoing concerns regarding the scavenging prohibition, noting that he has been approached by residents regarding same. Discussion ensued regarding establishment of a swap area, Mr. Poulson's feeling of issues related thereto including manning of same and liability to the Town. Mr. Hohenberger inquired whether anyone had actually been injured scavenging, and Mr. Poulson replied in the negative; noting he was attempting to be proactive. Lengthy discussion ensued, and Mr. Hohenberger moved to allow scavenging at the Transfer Station. There was no second.
- Lengthy discussion ensued regarding Mr. Poulson's negotiation of a proposed extension of the Covanta contract to 2017, in which he explained the importance of factoring in hauling costs and tipping fees. Mr. Sullivan sought clarification that Mr. Poulson was requesting that 33% of his overall

budget not be placed out to bid and that the Board waive the bid process. Mr. Poulson replied in the affirmative, and a discussion ensued. Mr. Breton suggested this be scheduled as a future agenda item.

After further discussion, Mr. McLeod moved and Mr. Hohenberger seconded to place this service out to bid. Discussion ensued regarding the end of the current contract, which Mr. Poulson indicated was not until 2013. The motion was withdrawn. Further discussion ensued as to whether a better price could be obtained, which Mr. Poulson and Mr. Sullivan did not believe was the case due to the travel distances to currently opened disposal sites, and inclusion of an exit clause within the current and any future contract. Mr. Hohenberger suggested that Mr. Poulson compile information from other communities regarding tipping fees/hauling costs. Mr. Poulson indicated such information would not be “apples to apples”, as those other communities do not do internal hauling as Windham does. After further discussion, it was the consensus of the Board that Mr. Poulson provide them with a proposed contract for review.

- The Town’s permit modification request is pending at the Department of Environmental Services regarding the landfill closure.
- Salem has recently bid for their transfer and disposal, which was handled by Casella for several years, and there is good chance the latter will lose the bid for this service. Mr. Poulson indicated he has spoken to Casella, who provides curbside service in Windham, regarding their working with the Town and Integrated Paper to transport Windham’s material to Integrated. He noted that, currently, the Town does not generate any revenue off of curbside recycling but could via such a collaboration, and inquired whether the Board supported the concept. Discussion ensued regarding whether there would be increased costs to the consumer, which Mr. Poulson did not believe there would be, and that in theory the Board did support the idea but needed more information.
- The possible sale of the current 1-ton Ford, which is valued at an estimated \$8000-\$14000, in order to obtain a 9’ plow for the Takeuchi was discussed. Mr. Sullivan indicated that, while the concept made sense, procedurally funds generated from the sale of the truck could not be used toward the purchase of a plow; rather they would be general revenue and the Board would need to authorize Mr. Poulson to over-expend his budget by the cost of the plow. Discussion then ensued regarding the means to sell the truck, and Mr. LoChiatto moved and Mr. McLeod seconded to authorize Transfer Station personnel to bring the 1999 Ford 1-ton to Deluca for sale at auction. Mr. Sullivan noted that the budget over-expenditure would also need to be authorized and the motion/second were amended accordingly. After further discussion, the motion passed unanimously.
- Mr. Poulson read into the record the attached memorandum regarding a request for departmental name change. After some discussion, Mrs. DiFruscia moved and Mr. LoChiatto seconded to change the name to the Solid Waste Management Department as requested. Further discussion ensued regarding whether there was a need to change the name and whether there would be any related costs to do so; the latter of which Mr. Poulson replied to in the negative. Motion passed 3-2, with Mr. Hohenberger and Mr. McLeod opposed.

*Mr. Hohenberger* excused himself from the meeting at 10:05 PM.

- Mr. Poulson will work with Ms. Scott to clarify the Health Officer operations.

The Board extended thanks to Mr. Poulson for his presentation.

**OLD/NEW BUSINESS:** Mr. Sullivan reviewed with the Board the Highway Truck purchase Round 2 grant documents. Mr. LoChiatto moved and Mrs. DiFruscia seconded to authorize Mr. Sullivan to proceed. Passed 4-0.

*Mr. Sullivan* reviewed with the Board a request from the State of NH to purchase .39 acres of land at a price of \$1600; adding that the Tax Assessor has reviewed the offer and concurs with the price as fair. After a brief

discussion, Mr. LoChiatto moved and Mrs. DiFruscia seconded to accept the offer of \$1,600 from the State of NH for the purchase of .39 acres of the parcel known as 7A-625. Passed 4-0.

*Dennis Senibaldi* approached noting that, while the completed parking lot at Griffin Park looks great, new practical issues have arisen since its completion. He indicated that there needs to be some means of traffic calming within the lot, suggesting speed bumps, signage and crosswalks. Mr. Senibaldi noted that he would suggest four (4) sets of speed bumps all the way up both sides, and that he had reviewed the possibility with both the Police and Fire chiefs. He also noted that he spoken to a painting contractor regarding an estimated cost to paint three (3), nine foot (9') wide crosswalks and extra "one way" arrows in bright orange; for which \$550+/- had been quoted. Mr. Senibaldi then added that removable speed bumps could be looked at, as well as better signage. Discussion ensued as to whether the suggestions had been sent to the Highway Safety Committee for input, and Mr. Sullivan confirmed that they had been and noted the Chiefs' favorable input.

Mr. LoChiatto expressed concerns that the area was just going to be redesigned and redesigned, and a discussion ensued as to the plan as constructed versus what had existed before, as well as how many times it will be revisited. Mrs. DiFruscia recommended that a meeting be coordinated between Recreation, Mr. Sullivan, Mr. McMahon and Mr. Senibaldi to discuss these proposed changes and further, lengthy discussion ensued regarding obtaining an as-built, costs, lack of contingency within the budget, and loss of additional spaces with increased cross walks. Mr. Sullivan indicated the estimated cost to install 4-6 speed bumps plus the additional signage/lines was \$3000-3500; and that two (2) additional spaces would be lost if the crosswalks were extended all the way across as Mr. Senibaldi had suggested.

Mrs. DiFruscia then moved and Mr. McLeod seconded to support the loss of two spaces as described in whatever configuration of improvements is completed, and to authorize the expense of up to \$3,500 for same. Passed 4-0.

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

Mr. Sullivan advised the Board of personnel matter relative to disciplinary action. No decisions were made.

Mr. Sullivan advised the Board of personnel matter relative to stipends for waiver of health benefits. It was the consensus of the Board that Mr. Sullivan post this matter accordingly.

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

Meeting was adjourned at 10:50 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant.

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