

BOARD OF SELECTMEN
Minutes of November 3, 2014

CALL TO ORDER: Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Joel Desilets, Al Letizio and Roger Hohenberger were present, as was Town Administrator David Sullivan. Mr. McLeod opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Chief Lewis approached and advised that the following Wednesday, in cooperation with the Greater Derry Health Network, the Department will host an open discussion regarding the ongoing heroin epidemic. The Chief urged all to attend; and noted the event will take place from 6-8 pm at the Town Hall. Discussion ensued regarding the recent spate of overdoses and heroin use in Windham.

Mr. Desilets reminded all that on 11/8 the Scouts will be going door to door collecting non-perishable donations as part of their Annual Scouting for Food event. Discussion ensued regarding the hours of the collection, which were noted as being between approximately 10A and 6P.

Mr. McLeod reminded all of voting day; noting the polls will be open 7A to 8P at the High School.

Mr. Letizio noted that the Economic Development Committee had made a presentation on 10/15 to the Planning Board regarding a proposal for market square type development in the Town encompassing approximately 155 acres west of 93 South out to the Wall Street area. He noted such a district could create tax positive development with the potential for \$1.6M in tax income annually; adding that this proposed district addresses many items noted in the Master Plan (eg walkability) and that the EDC had initially modeled it on the Market Square development in Lynnfield, MA. He advised that the Planning Board had asked the EDC to explore this further, and that the latter had begun doing so and will return to the Planning Board in the future to present their final recommendation; which they in turn hope to present to the voters in March. Discussion ensued, and Mr. Letizio noted that the presentation is available on the Town website.

MARGARET CASE: Mrs. Case, Chairman of the Cable Advisory Board, approached advising that Channel 21 has been down since the previous Friday due to an equipment failure. She indicated that, initially it was believed a whole new piece of equipment would be required; however, it has been determined that only the drive has failed and a replacement will be purchased at a cost of approximately \$1,000. Mrs. Case asked, however, that the Board extend some authority to the Town Administrator so that in these emergency type events Cable will not have to wait for authorization. Brief discussion ensued regarding there not being a need to address this that evening.

Further discussion then ensued regarding the equipment warranty, which does not cover the drive, the age/life expectancy of the item and inclusion of same in the Town's operation plan.

RULES OF PROCEDURE WAIVER REQUEST: Mr. McLeod requested this be taken out of order, and the Board concurred. Mr. Ed Gallagher, Vice-Chair of the Economic Development Committee, approached requesting a waiver of the Committee's rules of procedure to allow the Selectman Ex-Officio member to serve as the EDC Chairman. Mr. Gallagher explained that this is in response to Mr. Valentine's recent resignation as Chairman and his own preference to remain in the Vice-Chairman capacity; adding he also believed that having Mr. Letizio as Chairman would afford a greater synergy.

Brief discussion ensued regarding the pertinent section of the EDC procedures requiring waiver, as well as the overall EDC rules. Mr. Hohenberger then moved and Mr. Breton seconded to waive the Economic Development Committee Rules of Procedure as requested. Passed unanimously.

SOUTHERN NH PLANNING COMMISSION: Ms. Julie Chen of the SNHPC presented the attached "High Accident Location Study" and "Draft Signal Warrant Analysis" to the Board. Highlights of the discussion throughout these presentations included:

- The Town Administrator and Highway Agent have reviewed the area of Route 28/Roulston Road as to steps the Town can take to improve the intersection. Signage/vegetation issues on Route 28 would need to be handled by the State, while the Town can address Roulston Road.

- The question was raised as to whether the real estate sign at the corner was causing a site line issue; the Highway Safety Committee will look into whether this is the case.
- The Town will work with the State's Division as it pertains to the Roulston Road area. Chief Lewis noted that he believed changing the configuration of the intersection to a 90 degree ("T") intersection, as well as correcting the vertical alignment, would serve to increase safety in the area; and a discussion ensued regarding the process for same.
- Expanded zoning in the Town of Derry which will bring commercial development to the Windham Town line was discussed, as well as the use of Route 28 as an evacuation Route.

Mr. Letizio moved and Mr. Hohenberger seconded that staff explore the issues of vertical alignment and a 90 degree turn at Roulston and Route 28; with input from the State as appropriate. Passed unanimously.

- Future development on Meetinghouse Road was discussed as it pertained to whether it would require additional warrants and/or a signal at the Route 111 and Meetinghouse Road intersection; which Community Development Director Laura Scott did not believe it would.
- David Preece, Executive Director of the SNHPC, clarified that funds had been included in the 10-year Plan for a study along the whole corridor; which he believed the Town should continue to pursue. Discussion ensued, and Mr. Breton moved to investigate any additional funding available from the State as part of the 10-year plan for the area beyond Londonbridge Road. Mr. Letizio requested that Mr. Breton defer his motion to allow for further discussion, and Mr. Breton agreed to withdraw same.

Discussion ensued regarding the difficulty of making left turns at the intersection, a possible turning lane, and the limited width in the area due to adjacent driveways. Ms. Scott then advised that the Town had applied for funding in the last round of the 10-year plan for the corridor study, but had been unsuccessful; adding that application will be being made again and thus the motion may not be necessary. Further discussion ensued, and Mr. Hohenberger expressed his ongoing concerns with the State's method of addressing Windham's concerns in the past.

SCHOOL DISTRICT – RIGHT OF WAY REQUEST: Mr. McLeod noted that this request pertained to the District's desire to upgrade the emergency ingress/egress to the Middle School which is located off of Heritage Hill Road. He indicated that the upgrade could allow the area to be used as a pick up/drop off area serving to alleviate backups at the School. Mr. Sullivan clarified that, should the Board grant the District permission to use the area, a future Board could remove such authorization; adding that a permanent easement can only be granted by Town Meeting. He suggested the Board could approve the request, thereby allowing a driveway to be constructed for the District's use.

Discussion ensued in that the District would only be using it as necessary and it would not become a thoroughfare, as well as why the area has not just been given to the District as yet. Mr. Hohenberger indicated he would be in favor of the latter, and Mr. Letizio disagreed. Mr. Letizio indicated that the area was strictly meant to be used for emergency purposes and he had concerns with creating an actual egress there and the impacts of same to the property owners on Heritage Hill Road. Discussion ensued as to the current and potential volume of traffic on Heritage Hill Road, both from Lowell and Heritage Hill.

Mr. Jonathan Derek, 24 Heritage Hill Road, approached noting there is very limited visibility in the area, as well as problems with black ice and other safety issues. He noted he would like to see a study done regarding whether that is a safe area for such a turn. Mr. Derek also presented a petition to the Board signed by several residents of Heritage Hill Road in opposition to this request.

Discussion ensued, and it was noted that Mr. Steele from the District was not present. Mr. McLeod asked that Mr. Sullivan arrange to have him attend an upcoming meeting to continue this discussion. Mr. Sullivan noted the timing of the request; clarifying that, if approved, the District had intended to bring a warrant article to Town Meeting. Discussion ensued regarding the various scenarios.

Mr. Letizio sought the opinion of the Chiefs regarding this request. Chief McPherson noted that the Department continues to have issues with access during events; adding he supports the Board discussing this further. Ms. Scott approached briefly to clarify that the access in question was created in 1979; adding that many residents had not been aware of this. Brief further discussion ensued, however, no decisions were made.

FINANCE DIRECTOR: Mrs. Call presented her 3rd quarter financial report to the Board; highlights of which included:

- The 2014 tax rate has been set, inclusive of revenues through September. Any additional revenues received after this date will go towards the fund balance for 2015. Per policy, the base fund balance retained is \$300,000; and for the tax rate this year an additional \$434,000 was available from the final 2013 funds to be used to offset the tax rate.
- Standard revenues (eg permits, motor vehicle) remain on track; these items are conservatively estimated each year.
- An interest rate survey was completed of area banks, and Citizens was able to offer .25% on our investment accounts; which is excellent compared to the previous .01%.
- Budgets, in most cases, are approximately 75% expended as they should be at this point. As to the HealthTrust refund received, \$50,000 will remain in surplus across all budgets at year end. Discussion ensued as to the October 20th meeting and Mr. Breton's motion at the time to retain \$110,000 in the budget. Mr. Sullivan clarified he had erred in his explanation; failing to note that the Health budgets had been reduced by \$60,000 difference which was known to be coming.
- Areas being monitored include overtime due to absences; however currently these line items are fine, and the Chiefs are working to control same. Mr. Breton noted that others, however, such as General Government, are already expended. He cited in particular his disagreement with the need to expend overtime for the elections; and Mr. Sullivan replied that staff are only allowed to set up and break down the polls as the School allows. Discussion ensued.

Mr. Breton then moved that the Q3 budget discussion be tabled, however there was no second. Further discussion ensued regarding budgeting versus the number of elections, the magnitude of overtime costs in the Fire/Police budgets versus others, and the restructuring of the Maintenance Department.

- Brief discussion ensued regarding the budgeted line item for the Town van, and it was clarified that those funds were moved under regular salaries due to there now being paid drivers.
- The legal budget, as previously discussed, is over budget and will need to be absorbed in the bottom line. Mrs. Call indicated that the Board will receive detailed analysis of the cases involved as part of their budget packets; and a brief discussion ensued.
- Current use penalties are still being billed/collected and the Town should therefore be in good shape as it pertains to the Campbell Farm purchase bond.
- As it pertains to the collection of impact fees, Town Counsel has given the green light to Finance to stop distinguishing between old and new fees for tracking purposes.
- The amount of Rail Trail funding available was briefly discussed, and it was clarified that currently what was being paid was engineering costs.
- Further, brief discussion ensued regarding overtime costs as it pertained to coverage of the former landfill for the yard waste disposal program. Mrs. Call noted that budgets are forthcoming and staff welcomes ideas. Mr. Breton noted for the record that he intended to vote for no increase in spending over last year.
- Brief discussion ensued regarding the contracted assessing services; which it was clarified was being billed/paid incrementally.

BID/CONTRACT AWARDS: *Electricity Supply Contract:* Mr. Mark Kovacs, Chairman of the Local Energy Committee approached and gave a brief background of discussions to date regarding the Town's electricity supply contract. He noted that, per the Board's direction, the LEC had drafted a request for proposals and solicited bids; and reviewed the attached presentation of the results with the Board.

Mr. Kovacs noted that the LEC's recommendation would be to purchase 100% green energy provided by ConEd Solutions at a cost of \$63,698, based upon the following: 100% green represents a significant commitment to renewable energy at only a 1% higher cost than 50% green; fewer complaints were identified on the web for ConEd, and; Glacial Energy filed bankruptcy to expedite an asset sale in April, 2014. Mr. Kovacs noted that the difference in the bids is a few hundred dollars.

Discussion ensued as to the original numbers presented to the Board from the broker. Mr. Hohenberger extended thanks to all who worked on this; which were echoed by Mr. Desilets and Mr. Letizio. Brief discussion ensued regarding broker costs versus direct supplier costs; as well as possible participation in a regional consortium.

Mr. Desilets moved and Mr. Hohenberger seconded to support the LEC's recommendation to purchase 100% green energy from ConEd Solutions. Passed unanimously.

Winter Sand: Mr. Sullivan advised that the following bids had been received, and noted that the recommendation of he and the Highway Agent would be to accept the bid from Plourde, Sand and Gravel for \$10.93/ton delivered. Mr. Sullivan noted for the record that the Town's supplier last year had been Brox Industries.

Vendor	Bid Price – Sand Delivered	Bid Price – Sand Picked Up	Location
Plourde Sand & Gravel, Suncook NH	\$10.93/ton	\$6.51/ton	Hooksett
Brox Industries, Methuen MA	\$13.35/ton	\$10.50/ton	Hudson
Northern NE Excavation	\$340 per load (avg 23-24 tons per load)	No bid	

Mr. Letizio moved and Mr. Desilets seconded to award the bid to Plourde as recommended. Passed unanimously.

Town Hall Re-Shingling: Mr. Sullivan advised that the following bids had been received, and that the recommendation would be to accept the bid from GL A+ Exterior for the bid price of \$14,390; inclusive of replacement of the rubber membrane roof in the rear of the building. Mr. Sullivan noted that this same company recently completed the re-shingling of the Community Development Department.

Vendor	Bid Price
GL A+ Exteriors, Milton NH	\$11,395 – total price for Scope of Work
	\$2.20/sq ft Additional price for plywood replacements
	\$2,995 Alternate Price: Replacing rubber membrane
Rich Exterior Solutions, Portland ME	\$13,540 – total price for Scope of Work
	\$3.95/sq ft Additional price for plywood replacements
	No Alternate Price noted

Mr. Letizio moved and Mr. Hohenberger seconded to award the bid to GL A+ for their bid price of \$14,390. Passed unanimously.

HVAC Upgrades: Mr. Sullivan reminded the Board that the Searles furnace had recently failed; and advised them that as the repair costs would have been much higher than anticipated the repairs had been postponed in light of these bids being solicited at the time. He noted staff has been working with Ms. Markham to temporarily heat the building.

Mr. Sullivan then reviewed the bids received for the Searles Building, to replace two units, and advised that the recommendation of he, Mr. McCartney, and Mr. Dinsmore would be to award same to Mechanical Construction for their bid amount of \$14,300. Mr. Breton sought clarification as to whether the bids were equal; expressing concerns given the drastic disparity between the prices. Mr. Sullivan noted that the same specifications were provided to all and a discussion ensued. Mr. Sullivan noted that staff had questioned it as well upon opening the bids, and had verified the comparability.

Further discussion ensued, and Mr. Desilets noted that based upon his recent experiences he did not find Mechanical's pricing to be unreasonable or out of line. Mr. McLeod sought clarification as to whether staff had any reason to believe that Mechanical's proposals might not be up to par. Mr. Sullivan replied in the negative; adding that Mechanical is more familiar with our systems as they provide service to same. Further discussion ensued regarding the bid specifications/equipment and the failure at the Searles.

Mr. Hohenberger sought clarification as to whether the bid included a warranty; which it was confirmed it did for one (1) year. He then moved and Mr. Letizio seconded to award the bid to Mechanical Construction. Brief discussion ensued as to whether Mr. Hohenberger intended to award the bid for both the Transfer Station and the Searles, and he clarified that was indeed his intent; with which Mr. Letizio concurred. Motion passed 4-0-1, with Mr. Breton abstaining.

Vendor	Bid Price – Transfer Station	Bid Price – Searles Building	Optional Package Price for both	Exceptions / Alternatives
Mechanical Construction Services, Windham NH	\$13,500	\$14,300	\$27,500	None
Palmer & Sicard, Exeter NH	\$19,400	\$40,225	\$59,625	None
EJC Engineers, Nashua NH	\$23,800	\$31,000	\$56,170	Pkg price includes bond; No exceptions; Alternatives offered for additional work
Controlled Systems, Salem NH	\$20,061	\$35,130	\$55,191	None

LIBBEY ROAD/TOWN PARCEL 8-B-4401: Mr. McLeod noted that a letter had been received from the property owners asking this be removed from the agenda. Mr. Sullivan added that he had spoken to the two abutters regarding the possible discontinuance of the road as it pertained to the timing of Town Meeting. Discussion ensued as to whether these abutters were even amenable to the discontinuance, and Mr. Sullivan indicated they would like to meet amongst themselves first. Mr. Letizio reminded all that this had come as a result of the EDC’s review of the Town parcels, and a brief discussion ensued.

CORRESPONDENCE: None.

MINUTES: Mr. Breton moved and Mr. Hohenberger seconded to approve the minutes of October 20th as written. Passed 3-0-2, with Mr. Letizio and Mr. Desilets abstaining due to absence.

OLD/NEW BUSINESS: None.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Breton seconded to enter into a nonpublic session in accordance with RSA 91-A:3 II a and d. Roll call vote - all members “yes”. The topics of discussion were personnel and land acquisition.

The Board, Mr. Sullivan, Peter Zohdi, Paul Garabedian, and Corey Garabedian were present in the first session to discuss a potential land sale. No decisions were made.

The Board and Mr. Sullivan were in attendance in the final session. Mr. Breton moved and Mr. Desilets seconded to accept the resignation of Mr. Tarmey as Transfer Station driver. Passed unanimously.

Mr. Hohenberger moved and Mr. Letizio seconded to adjourn. Passed unanimously. Meeting was adjourned at 10:30 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 Results for Windham Electricity Service

Presentation to Board of Selectman

LEC members: Tom Barstow, Neelima Gogumalla,
Pat Manzo, Peter Tousignant, Mark Kovacs, chairman

November 3, 2014



Background

- Original LEC Recommendation on September 8, 2014
 - Continue with Freedom Electric (Broker) and adopt 100% “Green” electricity
 - Use PSNH default rate for Oct ‘14 thru Feb ‘15
 - Use FEL-recommended supplier for Mar ‘15 thru Oct ‘15
- Board requested bids from multiple brokers and/or suppliers
- LEC drafted RFQ issued to NH-approved suppliers
 - 50% and 100% “Green” electricity for periods 11/14 thru 10/15 and 3/15 thru 10/15
 - Released on October 10, 2014
 - Due date : November 3, 2014



Bidder Responses

- Received responses from 4 of 9 bidders notified

SUPPLIER NAME	COST \$ PER KILOWATT HOUR				Comments
	PERIOD 1: (11/1/14 TO 10/31/15)		PERIOD 2: (3/1/15 TO 10/31/15)		
	50%	100%	50%	100%	
Glacial Energy of New England	\$0.1033	\$0.1041	\$0.0783	\$0.0791	
Intergrys Energy Services	\$0.1115	\$0.1128	\$0.0852	\$0.0865	
ENH Power	\$0.1250	\$0.1520	\$0.0960	\$0.1240	12/1 -11/30
Con Edison Solutions	No Bid	\$0.1108	No bid	\$0.0798	12/1 -11/30
Constellation Energy	No Response	No Response	No Response	No Response	
First Point Power	No Response	No Response	No Response	No Response	
Gulf Oil Limited Partnership	No Response	No Response	No Response	No Response	
Mint Energy LLC	No Response	No Response	No Response	No Response	
PNE Energy Supply	No Response	No Response	No Response	No Response	

* Use PSNH as supplier for November, 2014 through February, 2015 with an average default rate of \$0.09645/ KWH for specified period



Bid Analysis

Calculated Projected Annual Cost Using Windham Usage

- Electric Supplier only (11/14 thru 10/31)
- PSNH (11/14 thru 2/15) and Electric Supplier (3/15 thru 10/15)

ANNUAL COSTS FOR 100 % GREEN ELECTRICITY

Supplier	Supplier Only	Supplier & PSNH
	100% Green	Supplier (100%)/PSNH (16% Green)
Glacial Energy of New England	\$77,582	\$63,345
Intergrys Energy Services	\$84,066	\$67,078
ENH Power	\$110,288	\$85,996
Con Edison Solutions	\$81,896	\$63,698

ANNUAL COSTS FOR 50 % GREEN ELECTRICITY

	Supplier Only	Supplier & PSNH
	50% Green	Supplier (50%)/PSNH (16% Green)
Glacial Energy of New England	\$77,582	\$62,942
Intergrys Energy Services	\$83,097	\$66,423
ENH Power	\$91,682	\$71,871
Con Edison Solutions	NO BID	NO BID



LEC Recommendation

Purchase 100% Green Energy Provided by ConEd Solutions

100% Green only 1% higher cost than 50% Green

Select ConEd (\$63,698) over Glacial Energy (\$63,345)

- Fewer complaints identified on Web for ConEd Solutions
- Glacial Energy filed bankruptcy to expedite asset sale in April, 2014

