

BOARD OF SELECTMEN
Minutes of December 10, 2012

CALL TO ORDER: Mr. Breton called the meeting to order at 7:00 PM. Selectmen Ross McLeod, Phil LoChiatto, and Kathleen DiFruscia were present; as were Town Administrator David Sullivan and Assistant Town Administrator-Finance Dana Call. Mr. Breton opened with the Pledge of Allegiance.

ANNOUNCEMENTS: Mrs. DiFruscia extended thanks to Recreation and the Police and Fire Departments for a fantastic tree lighting event this past Saturday.

Mr. Breton extended thanks to Al Letizio for providing almost 600 cookies to Convenient MD's Grand Opening this past weekend.

Mr. LoChiatto advised that he had a contractor come out and look at the garage doors at the Community Development Department, and that he was waiting for the final cost estimate. He added that the vendor had indicated there is a door available that looks like the existing.

Mr. Breton inquired whether the Board was meeting the following Thursday, and Mr. Sullivan replied in the affirmative; adding that the police and fire budgets would be discussed, followed by a non-public session to discuss a grievance. Discussion ensued relative to CART, which is also scheduled for the 13th, and it was requested that staff let Mr. Tom Case know as he serves on the Board of Directors. Mrs. Call advised that Lee Maloney was no longer on the Board.

LIAISON REPORTS: None.

MINUTES: None.

CORRESPONDENCE: Request from Tax Assessor Rex Norman to expend \$2,500 to implement the CAI program earlier. Mr. Sullivan explained that the Board has approved the inclusion of \$2,500 in the impending budget, and inquired whether they would support beginning it this year, instead; adding that Mr. Norman has funds available in his contracted services line item. Discussion ensued regarding previous concerns raised by Mr. Hohenberger regarding the duration of the contract, and Mr. LoChiatto inquired whether these would represent additional fees. Mr. Sullivan replied in the negative; noting that payment now would carry us for 12 months into next budget schedule as opposed to beginning the project in April. Discussion ensued regarding the benefits of the program,

Mr. McLeod moved and Mr. LoChiatto seconded to approve the expenditure of \$2,500 as requested. Passed 4-0. Brief discussion ensued.

Mr. LoChiatto then advised that, on a related note, he had been on the Town's GIS site recently and was unable to get the road names to come up on the street maps. Mr. Sullivan explained that the IT Director is currently updating the street names, and thus that option has been disabled until it is complete. Brief discussion ensued.

Letter received from the State of NH advising of the potential sale of a piece of surplus property known as lot 07B-10. This property is located behind McIntosh Hollow Road, and Mr. Sam Nassar has advised the State he would like to purchase it at a cost of \$7,000. In keeping with their procedures, the State is giving the Town the right of first refusal, and Mr. Sullivan indicated he will be forwarding the parcel information to the Planning Board, Conservation Commission, and Economic Development Committee for their input.

Mrs. DiFruscia inquired as to the size of the parcel, and Mr. Sullivan indicated it is approximately 1.4 acres and is landlocked. Brief further discussion ensued.

Mr. LoChiato then suggested that it would be nice, in trying to keep up with all the numbers, etc., if during budget time the Board members had access to a tablet or laptop as opposed to hard copies of the information. He indicated that now would be the time to consider it, during budget talks and while there is a bit of surplus funding. Discussion ensued.

Mr. Sullivan inquired whether Mr. LoChiato was suggesting that the Town provide the equipment, and Mr. LoChiato replied in the affirmative. Mr. Sullivan indicated that staff could certainly look into pricing to obtain seven units; and a discussion ensued regarding the increased convenience and efficiency the equipment could afford the Board members.

Chief McPherson noted that he had been spending quite a bit of time working with the School District, and suggested the Board look into piggybacking on what the District uses. Mr. Sullivan noted that option had been looked at in the past, however, the schools benefit from the e-rate, which the Town does not qualify for. Further discussion ensued regarding means of distributing the equipment and what other area towns provide. Mr. LoChiato suggested Board members could be offered member access to a secure site that they could log into from home to prepare, and that a tablet could then be made available in the meeting room. Further discussion ensued, and staff will follow-up to get more information.

PUBLIC HEARINGS: Mrs. Call read the public hearing notice into record as follows: “ In accordance with RSA 31:95-b, the Board of Selectmen will hold a public hearing at 7:00 pm on December 10, 2012 at the Community Development Department for the purpose of considering the acceptance of funds from the State of NH/Department of Homeland Security for up to \$35,000.00. These funds will be utilized to purchase equipment and provide training to public safety personnel in dealing with CBRNE (Chemical, Biological, Radiological, Nuclear and Environmental) incidents.”

Mrs. Call explained that the Board had previously authorized the Chief to solicit this grant, which he had done successfully. Since approval, portions of these funds have been expended and/or earmarked for training and equipment. She clarified that the purpose of this public hearing is to formally accept these funds prior to year end to offset expenses already incurred. Mr. McLeod moved and Mrs. DiFruscia seconded to accept these funds. Passed 4-0.

Mrs. Call read the public hearing notice into the record as follows: “In accordance with RSA 31:95-b, the Board of Selectmen will hold a public hearing at 7:00 pm on December 10, 2012 at the Community Development Department for the purpose of considering the acceptance of equipment purchased through grant funds allocated to the Town of Windham from the State of NH and US Department of Homeland Security, valued at \$36,641.28. The equipment consists of sixteen standardized portable radios and related accessories for use by the Windham Police department.”

Mrs. Call explained that this situation is similar to the previous acceptance, however, the Police had received equipment rather than funds. Mrs. DiFruscia moved and Mr. McLeod seconded to accept the equipment. Passed 4-0.

Mrs. Call read the public hearing notice into the record as follows: “In accordance with RSA 31:95-b, the Board of Selectmen will hold a public hearing at 7:00 pm on December 10, 2012 at the Community Development Department for the purpose of considering the acceptance of funds from the State of NH Department of Transportation/Federal Highway Administration in the amount of \$5,285.60. These funds consist of the 80% portion of the excess cost of the Highway dump truck purchased during 2012, beyond what was raised and appropriated per the 2011 Town Meeting.”

Mrs. Call explained that this pertained to the first round truck purchase, for which the final cost was not known at the time of purchase. 80% of what the Town expended amounts to \$5,285.60; and this is the revenue we applied for in reimbursement from the State. She indicated it is hoped we will receive these funds by year end. Mrs. DiFruscia moved and Mr. McLeod seconded to accept these funds. Passed 4-0.

Mrs. Call read the public hearing notice into the record as follows: "In accordance with RSA 31:95-b, the Board of Selectmen will hold a public hearing at 7:00 pm on December 10, 2012 at the Community Development Department for the purpose of considering the acceptance of \$7,200.00 from the NH Office of Energy and Planning, representing funds awarded to the Town of Windham through the Energy Efficiency and Conservation Block Grant (EECBG) Funding, to be used towards building energy audits.

Mrs. Call explained that these supplemental grant funds were awarded in order to perform additional building audits; and represent 100% reimbursement of costs. Mrs. DiFruscia moved and Mr. LoChiatto seconded to accept these funds. Passed 4-0.

OLD/NEW BUSINESS: None.

NON-PUBLIC SESSION: Mrs. DiFruscia moved and Mr. LoChiatto seconded to enter into nonpublic session in accordance with RSA 91-A:3 II c. Roll call vote all "yes". The topic of discussion was reputations and the Board and Mr. Sullivan and were in attendance. Mr. Sullivan updated the Board on a pending matter. No decisions were made.

RECREATION: Mr. Senibaldi approached indicating he was present to request authorization to expend surplus funds towards field repairs. Mr. McLeod, at this time, recused himself from the Board due to his affiliation with soccer. Mr. Senibaldi indicated he has a quote from Boyden for \$5,600 to aerate and over-seed the soccer/lacrosse field and that he would like to encumber \$4,000 from the Recreation budget, with the remainder to come from the Maintenance budget. He then reviewed Mr. Boyden's proposal in detail with the Board.

Mrs. DiFruscia inquired what would happen if this work was not done. Mr. McLeod noted that, with lack of maintenance, weeds take over and the area gets ripped and torn by cleats. Over time, it becomes more and more of an undertaking to repair. Discussion ensued as to the frequency required for aerating/overseeding.

Mr. McLeod noted that the sod went in several years ago and the fields have been declining since then; adding that projects such as this ensure that the Town will not have to undertake a project such as new sod, which had cost \$45,000. Discussion ensued regarding the school's fields and their upkeep plus use of the Town fields by the District teams and vice versa.

Mrs. DiFruscia inquired whether Mr. Boyden's quote has been compared to any other vendors, and Mr. Senibaldi replied in the negative. Discussion ensued regarding Boyden's contract and lack of change in his pricing over the years; as well as partial shut-downs and re-sodding of the Town fields due to issues. Mr. LoChiatto inquired whether this has been coordinated with the local groups, and Mr. Senibaldi replied in the affirmative.

Discussion then moved to the growing season needed, and the start/end time of the project. Mr. Senibaldi clarified that, if necessary, half of the field will be available for the spring lacrosse season. Mrs. DiFruscia inquired whether any other fields were available for lacrosse, and the reply was in the negative. Discussion ensued regarding doing the project in the fall, and the larger impact that would have on Soccer.

Mr. LoChiatto noted that Recreation could look into renting Presentation of Mary's field. Discussion ensued regarding costs to do so, the nature of lacrosse, and attempting to avoid interrupting the process. Mr. Senibaldi indicated he would request that Ms. Haas look into Presentation of Mary. Mr. McLeod then noted that the teams do try to rotate their play patterns in efforts to lessen impacts to the fields.

Discussion moved to available funds, and Mr. Sullivan noted that the appropriate motion would be to approve the request; funding to be determined. Mr. LoChiatto moved and Mrs. DiFruscia seconded to approve the expenditure of \$5,600 as requested. Passed 3-0.

Mr. Senibaldi then discussed the Nashua Road swale and issues that have been going on for years with overgrowth and drainage. He noted that Mr. Boyden has provided a quote of \$2,450 to clear the swale from one end to the other. Mr. Senibaldi then noted that the project would consist of an additional two phases which would be to construct a new drain for \$14,000 to be completed by Town staff as engineered, followed by laying of additional material at a later date; also by Town staff.

Lengthy discussion ensued as to the amount of water impacting the fields due to the swale, the age of the field/swale and lack of upkeep on the latter, the natural brook located in the area, suitability of the area for additional fields, and the possibility of seeking grant funds to improve the area as it was originally purchased with Federal Funds.

Mr. Senibaldi indicated he would ask that the Board consider the request as a package, and a discussion ensued regarding the cost estimates, timing, and possible development of an RFP for the drainage portion.

Mr. LoChiatto raised concerns regarding the DES requirements in light of the amount of water involved. Mr. Senibaldi indicated that the DES has confirmed with Mr. Poulson that the Town can work on their swales at any time as they are manmade. Mr. LoChiatto clarified he was not concerned with the work, but with where the water will be going once the repairs are complete. Mr. Senibaldi reiterated that nothing would be required from the DES to proceed. Discussion ensued, and Mr. Senibaldi noted he would have Mr. Poulson forward along the relevant information from the DES to the Board. Discussion moved to the specifics of Mr. Boyden's quote, including the number of men/days, and removal of the chippings/debris.

Mr. Sullivan's input was then sought, and he indicated that while he has no issue with the project, he does with the process. He believed that the \$2,450 could likely be encumbered from this year's budget; however, as to the remainder he had concerns regarding both the DES and use of the fund balance. Discussion ensued regarding application for grant funds, inclusion in next year's budget, and Recreation's previous attempts to address the area.

Mrs. DiFruscia questioned why, if this is such an issue, it has not been included within any budget over the years. Mr. Senibaldi noted it is a question of whose responsibility it would be; Recreation or Maintenance. Lengthy discussion ensued.

Mr. Sullivan indicated he believed the \$2,450 portion should be completed this year, and then a plan developed for the remainder. Discussion ensued regarding the latter and the DES. Mr. LoChiatto moved and Mrs. DiFruscia seconded to encumber \$2,450 to clear the Nashua Road swale as per Boyden's proposal. Passed 3-0.

Mr. Senibaldi then requested the Board consider authorizing the Highway Department to install pipe, rip rap and gravel in the center walkway of Griffin Park; for a length of 400'. Mr. Senibaldi explained that this will do much to eliminate the muddiness of the area and mosquito issues. Discussion ensued as to why this was not done when the park was built, and it was clarified that such work was planned, however, a change order was issued and it was all eliminated.

Mr. Senibaldi advised that the Highway Agent has provided a cost estimate of \$7,400, with the work being completed by staff. Discussion ensued, and Mrs. DiFruscia requested a breakdown of those costs. Mr. Senibaldi indicated the pipe would be \$2,900 and the remainder \$4,500. Mr. Breton suggested that this be placed out to bid, and Mr. LoChiatto concurred. Mr. LoChiatto also suggested that the project be expanded to include fabric over the pipe, and loam/seed; noting if it's going to be done it should be done right. Lengthy discussion ensued, and it was ultimately the consensus of the Board that this project be placed out to bid.

Mr. McLeod then resumed his seat with the Board.

Mr. Senibaldi then advised the Board that the fireworks company utilized for Town Day has contacted Recreation indicating that they are willing to provide 10% more product for next year's event; provided that a contract is locked in by year's end.

Discussion ensued, and Mr. LoChiatto moved and Mrs. DiFruscia seconded that verbal confirmation be given to the fireworks vendor for next year's event. Passed 4-0.

Mr. McLeod moved and Mr. LoChiatto seconded to adjourn. Passed 4-0.

Meeting was adjourned at 8:50 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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