

BOARD OF SELECTMEN
Minutes of July 28, 2008

MEMBERS PRESENT: Chairman Dennis Senibaldi called the meeting to order at 7:05 PM. Selectmen Bruce Breton, Galen Stearns, Charles McMahon and Roger Hohenberger were present, as was Town Administrator David Sullivan. Mr. Senibaldi read the agenda into the record, followed by the Pledge of Allegiance.

MINUTES: Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of June 23rd, June 30th, July 7th, and July 10th, 2008 as written. Passed unanimously.

LIAISON REPORTS: None.

ANNOUNCEMENTS: Mr. Senibaldi advised that a Movie Night, showing Toy Story, had been scheduled for August 3rd at Griffin Park beginning at 6:00 PM.

CORRESPONDENCE: Memo received from the School Board Chairman requesting that Town staff be advised to address all inquiries of Construction Representative Glenn Davis, which are unrelated to the High School project, to her or Dr. Anderson.

CART UPDATE: Ms. Lee Maloney, Executive Board, reviewed a monthly report with the Board. Highlights included:

- *Marketing efforts:* CART has been setting up informational tables at local events.
- *Overall Service Highlights:*
 - 1,384 trips were provided in June of 2008, and 11,167 to date. This represents a 10% increase over the same period the previous fiscal year
 - 963 unduplicated passengers utilized the service.
 - 8 out of region trips were provided
 - CART currently has a 95% on-time performance rating
 - 91 trips (7%) required the use of the wheel chair lift
 - Average operating cost per trip is \$16.06. Average miles per trip is 10.62
- *Windham Profile:*
 - 51% increase in passenger growth since September, 2008
 - 56 Windham passengers utilize the service, representing 6% of the total ridership. Of them, 34 are ambulatory and the remainder require use of cane, walker, or wheelchair.
 - 333 trips have been provided to Windham residents since September, 2007

- Average trip length is 7.91 miles, and the purposes include: medical (213), employment (58), shopping (37), social (10), personal (10), and educational (4).

Ms. Maloney advised the Board that CART is currently at capacity for the five (5) vehicles in use, and that they are working with two (2) groups in Salem regarding possible utilization of their vans for the program. Discussion ensued regarding making the community's costs proportional to the ridership, and Ms. Maloney indicated the Board is looking into it.

Brief further discussion ensued regarding CART establishing a demographic for Windham of needs for Boston hospitals, the current number of residents using the Town van, and the number of other communities who have vans available. Ms. Maloney will follow-up.

AUDIT REPORT: Ms. Jen Dorr of Vachon Clukay made a summary presentation to the Board of the Town's 2007 Audit report. Highlights included:

- Town's total capital assets (infrastructure, etc.) equal \$30.5 million
- Long-term liabilities are \$1.65M
- Program revenues total \$2.1M, total revenues \$11.2
- Total assets total \$14.6M, total liabilities \$13.4M
- Management letter was issued suggesting changes be implemented regarding credit card documentation, approval of journal entries, and centralization of cash receipts. Mr. Vachon advised that this was the first such letter issued in several years, and was required as part of changes to the Accounting Standards.

Discussion ensued regarding several cases of fraud in other communities currently being investigated by the Attorney General's office, the credit card issue discovered as part of the audit, and the auditors' testing procedures.

Discussion then moved to the amount the Town maintains in unreserved fund balances, which Mr. Vachon indicates remains very low at \$250,000. Discussion ensued regarding cash flow needs in the event of emergencies or natural disasters, and that timing in the event of an emergency would be an issue.

The Board extended thanks to Mr. Vachon and Ms. Dorr for attending.

BID AWARD/TRANSFER STATION: Mr. Poulson advised the Board that two bids had been received as follows for an ejector trailer:

Vendor	Trailer #1	Trailer #2
ERRCO (Devito Trucking), Epping, NH	\$51,025.00	\$51,025.00
STECO Trailer, Dorchester, MA	\$57,600.00	\$57,250.00

After a brief discussion, Mr. McMahon moved and Mr. Breton seconded to award the bid to ERRCO for an amount not to exceed \$102,050 as recommended by Mr. Poulson. Passed unanimously.

Station Renovations: Mr. Poulson advised that the following bids had been received for renovations to the Transfer Station as part of the implementation of Single Stream recycling:

Vendor	Cost of Compactor Unit	Cost to Retrofit Station to accommodate Compactor	Other	Total
Recycling Mechanical of NE, Allentown NH	\$20,989	\$35,000	\$0	\$55,989
Maguire Equipment Inc, Hyde Park MA	\$28,090	\$9,390	\$1,530 (freight)	\$39,010

Mr. Poulson then recommended the project be awarded to Maguire Equipment for a modified bid amount of \$40,600, which would include additional charges to install a chute guard rail and fabrication/installation of a guide rail system for the trailer/compactor connection. A brief discussion ensued regarding the inclusion of safety features in the renovation and the disparity between the bids, which Mr. Poulson indicated were verified with the vendors.

Mr. McMahon moved and Mr. Stearns seconded to approve the award of \$40,760 to Maguire Equipment for the purchase/installation of a compactor and attendant upgrades. Passed unanimously.

After further, brief discussion regarding the funds currently allocated for this project, Mr. Breton then moved and Mr. Stearns seconded to authorize the expense of an additional \$5,000 for change orders under the guidance of the Town Administrator. Passed unanimously.

MUNICIPAL SALT REDUCTION PROGRAM: Mr. Eric Williams of the NH Department of Environmental Services and Mr. Mark Hemmerlein of the NH Department of Transportation were present. Mr. Poulson opened the discussion by noting that four (4) tributaries in Windham have been classified as impaired due to high chloride levels: Policy Brook, Dinsmore Brook, Beaver Brook, and unnamed tributary to the western embayment of Canobie Lake. Mr. Poulson indicated that a Total Maximum Daily Load (TMDL) study had been conducted and the major cause of the impairment determined to be road salt. Mr. Poulson indicated that \$2.5M had been earmarked by the State to aide communities with impaired waterbodies.

Mr. Williams approached to review the TMDL procedures, noting that meters had been deployed to the areas for over a year to document the impairments prior to the study. He indicated that, based on the results, an implementation plan was necessary to reduce the levels, with a goal of 20-25% reduction. Discussion ensued regarding Policy Brook and whether it was a Windham issue, and the low levels of salt currently used by Windham during the winter season. Mr. Hohenberger expressed concerns that if the State requires Windham to utilize even less than currently using, a safety hazard would result.

Mr. Hemmerline noted that the loading required within the TMDL related to how many tons of salt were put down based upon lane miles as opposed to the mix of sand/salt. Mr. Williams indicated that this was a long term project involving monitoring of the impacts of the TMDL.

Mr. Hemmerline advised that funding to implement the plan will be at an 80% State-20% Town level, and 92% of the \$2.5M will become available for disbursement to the communities once the Steering Committee finalizes and approves the plan.

Mr. Stearns questioned the levels recorded during the summer months versus winter at Dinsmore Brook. Mr. Hemmerline explained that salt resides in the watershed and during the spring/summer months the base flow becomes dominant causing the salt to leach out. Mr. Stearns then inquired whether the State planned to expand their use of brine on the State roads. Mr. Hemmerline indicated that the program has been in place for 3 years, and a set of Best Management Practices for its continued use on 93 were being developed along with expansion to secondary roads.

Discussion ensued regarding the State's impact on chloride levels, Windham's already low salt mix levels, and the lack of other means to reduce chloride levels beyond reduction of road salt.

Mr. Hemmerline advised that the next step is implementation of plan, and that the NH DOT is working on methods to reduce their salt loads on Route 93, Route 111, and their related ramps.

Brief discussion ensued regarding the lack of a short-term fix, possible desalination of the water, the high expense to do so, and concentration versus flow.

Mr. Poulson advised that the time is approaching for the Town to obtain a new Stormwater permit, which will now be much stricter and more difficult to comply with. He then requested that the Board consider contacting the other communities impacted regarding possible formation of a coalition to combine funds to implement/enforce the TMDL. Discussion ensued regarding the State's "Salted" group and the mechanics of funding. It was the consensus of the Board that a letter be drafted for their review.

The Board extended thanks to Mr. Williams and Mr. Hemmerline for attending.

PUBLIC HEARING: Mr. Senibaldi read the public hearing notice into the record, and opened the discussion for public input. Mr. Jack Hamburger, Haverhill Road, approached to inquire about cost estimates previously quoted by the Board, and to urge that those estimates and related information be made available to the public prior to any meetings. He indicated he felt this article would fail in September, and inquired about an alternative location at Bear Hill Road.

Mr. Senibaldi felt that the Board of Selectmen has done their homework on this project, and that it did not make sense to spend a large amount of money to engineer an access through Bear Hill Road. He then reiterated that the Board was endeavoring to get bid information prior to the Deliberative Session for comparison.

Mr. Hamburger then inquired why it needed to be a Class V roadway, and Mr. Senibaldi replied that a petition as such had been received and the Board had proceeded with the layout. He then noted that Board of Selectmen has, for years, expressed an intention to extend a Class V road out to Castle Hill Road.

A brief discussion ensued regarding the March 2008 article and 30% funding from the State. Mr. Hamburger inquired whether, if he petitioned for a Class V road out to Bear Hill, the Board of Selectmen would have to act on it. Mr. Sullivan replied in the affirmative, noting there is a process to follow.

Mr. Hamburger inquired who had petitioned this layout, and Mr. Sullivan read several names from the original document including: Ralph Valentine, Elizabeth Valentine, Al Letizio, Beth Lippold, Barry Goldman, James Madigan, Michele Langlois, Karen Trovato, Karl Dubay, Robin Cino, Christopher Campbell, and Jean Campbell.

Discussion ensued regarding the information made available by the Town prior to Selectmen's meetings and it was suggested by Mr. Hamburger that alternatives be put on the table by the Board. Mr. Sullivan and Mr. Senibaldi explained that alternatives cannot be considered or presented, as the Board is acting on a petition and must proceed as they are.

Mrs. Elizabeth Dunn approached expressing disappointment that the Board had not made a presentation on this matter prior to opening the floor to public comment. She urged that the Board consider the recent editorial in the Eagle Tribune relative to the Board's need to work hard to convince the voters to support this article.

Mr. Sullivan explained that a 10-year bond was being proposed to fund the project, the cost for which was derived from the engineering cost estimates for approximately 3700 feet of roadway at \$1.159M. The bond payments would begin in 2009 at \$175K, and drop over the 10 year period to the final payment of \$130K. Interest rate for the bond would be 4%, and the estimated tax impact would range from \$0.08 at the start to \$0.06 at the time of the final payment.

Discussion ensued regarding the information that will be made available on the Town website, including the cost estimates, and the necessity of the roadway. Mr. Senibaldi then closed the public input portion of the hearing.

Discussion ensued amongst the members regarding the members taping an informational program for airing regarding this article. It was the consensus of the Board to do so as soon as possible.

The Chairman called for a five minute recess.

TAX ASSESSOR: Mr. Norman presented several abatements to the Board for consideration, noting that each had been reviewed/inspected, settlement agreements were in place, and all were recommended for approval. The abatements were as follows:

- 26 Grandview Road, \$713.23
- 25 Partridge Road, \$315.56
- 20 Jackman Ridge Road, \$701.96
- 86 Searles Road, \$821.10
- 81 Searles Road, \$566.72
- 11 Edinburgh Road, \$436.31
- 5 Stonehedge Road, \$146.51
- 8 Romans Road, \$597.31
- Ministerial Road lot, \$1,223.60
- 21 Squire Armor Road, \$594.09

After a brief discussion, Mr. Stearns moved and Mr. Hohenberger seconded to approve the abatements as recommended by the Assessor. Passed unanimously.

Discussion then ensued regarding 1 Timberland Road. Mr. Norman explained that this property had experienced a fire after the April 1st assessment date and, as such, he was recommending the owner's abatement application be denied. Mr. Hohenberger moved and Mr. McMahon seconded to deny the abatement for 1 Timberlane Road as recommended. Passed unanimously.

OLD/NEW BUSINESS: Mrs. Call advised the Board that several other Departments were requesting to transition from Nextel to Verizon, citing service as issues, as the Police and Fire Departments did in 2007. Mrs. Call indicated that the average cost per phone was currently \$20/month, and that switching to Verizon will increase that cost to \$30/month.

Discussion ensued regarding the shared pool of minutes and the master Nextel line under Mr. Sullivan which will be retained. It was the consensus of the Board that Mrs. Call coordinate the transition as requested.

Mr. Sullivan presented the Warrant for the Breezy Gale Village District Meeting scheduled for August 18th, which the Board executed accordingly.

Mr. Sullivan advised that the Senior Picnic held the previous Friday had been very well attended, and extended thanks to Mr. Hohenberger, Mr. McMahon, Ms. Haas, and those staff members who were on hand.

Mr. Sullivan advised that he had received an email from Mr. Peter Stammus from the NH DOT advising that the DOT will bid installation of a sleeve for an 8" water line, but will not include utility conduits based on their usability in the future. Mr. Stammus indicated he would like to arrange a day meeting with members of the Board to discuss this matter further. After a brief discussion, it was the consensus of the Board that Mr. Sullivan work to set a date for this meeting.

Mr. Sullivan inquired whether the Board had any changes to the proposed landscaping agreement with the NH DOT. The Board members had none, and Mr. Sullivan will follow-up to obtain a final document for execution.

Mr. Sullivan inquired whether the Board had any opinion on stenciling/signage for the Lowell Road Bike Paths which the State will put in place at the Town's expense. After a brief discussion, the Board opted not to have the signage installed at the Town's expense.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. McMahon seconded to enter into a non-public session in accordance with RSA 91-A:3-IIa and d. Roll call vote – all members "yes". The topics of discussion were personnel and legal.

The Board, Mr. Sullivan, Chief McPherson, Assistant Chief Leuci, and Ms. Devlin were in attendance in the first session.

The Chiefs updated the Board on the recommended candidate for the vacant Deputy Chief position, advising that the conditional offer had been rejected. Mr. Hohenberger moved and Mr. McMahon seconded to extend a conditional offer of employment to the alternate candidate at Step 2 of the pay scale. Performance review will be conducted at six months and, if successful, employee will move to Step 3. Passed unanimously.

The Board, Mr. Sullivan and Ms. Devlin were in attendance in the remaining session.

Mr. Sullivan updated the Board on a legal matter relative to a donation. No decisions were made and Mr. Sullivan will follow-up on this matter.

Mr. Sullivan advised the Board of a potential legal issue. No decisions were made.

Mr. Hohenberger moved and Mr. Stearns seconded to adjourn. Passed unanimously. The meeting was adjourned at 11:40 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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