

BOARD OF SELECTMEN
Minutes of November 18, 2013

CALL TO ORDER: Chairman Phil LoChiato called the meeting to order at 7:00 PM. Selectmen Al Letizio and Roger Hohenberger were present; as well as Town Administrator, David Sullivan. Selectmen Ross McLeod and Kathleen DiFruscia were excused. Mr. LoChiato opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Mr. Letizio thanked the members of the Board for their support in regards to his and their participation in the Helping Hands Walk-a-Thon at Griffin Park.

CORRESPONDENCE: Mr. Sullivan advised the Board that he has received a petition from Rex Norman, Assessor, requesting the Board post a public hearing to consider changes in Windham's Pole Licenses pursuant to RSA 231:163. Mr. Sullivan advised the Board that he will schedule a public hearing for December 16, 2013 and send out the required notices to all the utility companies.

MINUTES: Mr. Hohenberger motioned and Mr. Letizio seconded to approve the minutes of November 4th with the following amendment: to change the words "Mr. Letizio motioned" in the past line of the minutes relative to adjournment to the words "Mr. Letizio seconded". Motion passed unanimously.

DONATION ACCEPTANCE: Margaret Case presented the following monetary donations for the Searles Building for acceptance:

Richard and Barbara Dooley in thanks to Marion and George Dinsmore	- \$500
Stephen George the Prime Butcher	- \$500
Windham Community Band	- \$100
Margaret and Tom Case- in memory of Stan Mackey and Virginia Gray	- \$70
Virginia and Richard Campiola	- \$100
Jessica O'Neill – State Farm Insurance	- \$200
Marilyn Bailey	- \$100
Windham Woman's Club	- \$500
Proceeds from Harvest Festival Game	- \$405

Totals \$2,475

Mr. Hohenberger motioned and Mr. Letizio seconded to accept the donations with thanks. Passed unanimously.

PUBLIC HEARING - AMENDMENT TO SEWAGE BIOSOLIDS ORDINANCE: Mr. Letizio motioned and Mr. Hohenberger seconded to dispense with the full reading of the amendments which have been posted previously for public view. Ms. Scott made a brief presentation to explain that the proposed amendments are being made to bring the Ordinance into compliance with current law. No comments were made by the public.

Mr. Hohenberger motioned and Mr. Letizio seconded to approve the amendments as posted. Passed unanimously.

COMMUNITY GARDEN PROGRAM: Ms. Scott introduced Jeff Malloy, MPA Student and resident, who presented a project to create a Community Garden for residents, businesses, and non-profit groups to plant flowers, fruits, and vegetables within individual gardening plots designated by the Community Development Department. The garden will be located on the property of 122 North Lowell Road, owned by the Crossing Life Church, and be built within a .25 acre area. There will be twenty individual plots each measuring 8' x 4'.

Ms. Scott and Mr. Malloy presented the Board with a “Use Agreement” between the Town and Crossing Life Church for the use of the land, as well as Rules and Regulations for the garden users and a site plan of the property. There is no cost for such use of the land. They requested the Board support the proposal and approve the legal Use Agreement between the Town and property owner.

Mr. Hohenberger motioned and Mr. Letizio seconded to support the project and to execute the Use Agreement. Passed unanimously.

The project proposal will next go to the Planning Board for site plan approval.

WINDHAM BASEBALL/SOFTBALL LEAGUE: Jay Yennaco, representing Windham Baseball, requested permission from the Board to “skin” the tee ball/girls softball field at Nashua Road and to install additional fencing in the area of the players benches at Rogers Field. The cost to complete these projects will be borne by Windham Baseball. It was noted that Windham Baseball previously discussed the projects with the Recreation Committee and received a favorable response.

Mr. Hohenberger motioned and Mr. Letizio seconded to authorize Windham Baseball to work on the Nashua Road and Rogers Fields as requested. Passed unanimously.

COMMUNITY DEVELOPMENT ROOFING BID: Mr. Sullivan advised that one bid had been received to re-shingle the Community Development Department. The bid was from MGC Construction of Derry in the amount of \$19,200. Discussion ensued relative to recent of only one bid and the ability to wait until the spring to re-bid the project without compromising the roof. Mr. McCartney indicated that waiting until spring should not cause an issue.

Mr. Hohenberger moved and Mr. Letizio seconded to reject the bid received and to wait until spring to rebid the project. Passed unanimously.

OLD BUSINESS:

Rail Trail Parking Update: Mr. Sullivan advised the Board that a revised draft agreement had been received from the State to add the parking area behind the former Rogers Auto Body on Rte 28 to the existing 25 year lease agreement with the State relative to the Depot area. Once the agreement is finalized it will be given to the Board for signatures.

Skateboard Park: Mr. Sullivan advised that the Recreation Committee had someone who could remove the remaining sections of the skateboard park and fence at no cost to the Town. He further advised that should the Board wish to proceed that they would need to waive the bid process associated with the removal. After a brief discussion Mr. Hohenberger motioned and Mr. Letizio seconded to waive the bid process and to allow a sole source proposal.

Mr. Hohenberger motioned and Mr. Letizio seconded to accept the offer from Jean Guy’s Used Car Parts of Pelham, NH to remove the structures and fence at no cost to the town. Passed unanimously.

Rental of Town Hall: Mr. Hohenberger requested an explanation regarding recent emails in which it seemed to be determined that a long term user of the town hall would be no longer allowed to use the building. Both Mr. Letizio and Mr. Sullivan explained that with the impending refinishing of the wood floor that Mr. Sullivan advised the group that come March of 2014 they may no longer be able to use the room due to the wear it causes to the floor. After a lengthy discussion it was agreed that the Board wished to be part of this type of decision and that any emails sent out be first provided to the Board.

BUDGET WORKSHOP:

Mr. Sullivan presented the 2014 overall Town budget as proposed. Mr. Sullivan expressed his concern that although the budget is being put forward at an overall increase of 10.5%, he is not in support of this budget increase. Many of the drivers of the increase are due to items outside of the Town operating budget, specifically a large portion of the increase stemming from a large increase in allocation from this year's CIP. He noted that in order to address the factors we are facing, the Board needs to have input in the process so he has moved the budget forward for deliberation with the Board. Mr. Sullivan noted that the total budget increase of \$1,332,024 is comprised of a \$618,465 increase in the operating budget (an increase of 4.88% over the 2013 approved budget); a \$351,880 increase in special articles including union contracts (an increase of 2.78% over 2013) and a \$361,679 increase in allocation from the CIP program (an increase of 2.86%). Much of the operating budget increase is due to factors outside of the departments' control including a 53rd week of payroll, which occurs every 5-6 years, and a full year's impact of increases in State retirement rates. In addition, we have an unprecedented number of "special" warrant articles this year, due to success in negotiating contracts (some going back 3-4 years) with the Town's three bargaining units. These outside factors have created somewhat of a "perfect storm", all hitting the budget in 2014.

Discussion ensued regarding the overall CIP funding and the anomaly that the Town side of the ledger is taking on the majority of the CIP allocation, whereas the School side has been allocated very little of the overall \$.75 CIP allocation, and that this was the case for the 2013 budget as well. Mr. Hohenberger agreed that more discussion on the CIP is warranted because this is not how it was designed to work and is causing an excessive spike in the Town budget.

The Board agreed that a detailed discussion will occur at the next budget workshop. Mr. Sullivan explained that Administration, while supportive of the individual projects and concepts presented in the 2014 draft budget, is not able to support a 10.5% budget increase to present to the voters, and thus we have some specific ideas in order to reduce the overall increase to just below 6%. The ideas include a plan for bond or lease financing for the large CIP articles including Spruce Pond fields, the Solid Waste Loader and the Ambulance. In addition, certain requests for funding can be deferred, such as funding for new employees. Mr. Hohenberger asked that Administration put forward a document for the Board to review these suggested changes, prior to the next budget meeting.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Letizio seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a and c. Mr. Sullivan advised that a non-meeting would precede the non-public sessions to discuss a legal matter with counsel. Passed unanimously.

Roll call vote to enter into non-public, all members "yes". The topics of discussion were personnel and reputations.

The Board, Mr. Sullivan, and Mr. Poulson were in attendance in the first session.

Part Time Transfer Station Employee - The Board discussed hiring a 25 hr part time worker to replace a vacant full time position for the Transfer Station. Mr. Letizio motioned and Mr. Hohenberger seconded to waive the full recruitment process requirements other than medical and hire the recommended candidate subject to first receiving concurrence with the municipal union to waive the in-house posting requirement. Passed unanimously.

The Board and Mr. Sullivan, were in attendance in the remaining sessions.

Conservation Minute Taker Position - Mr. Sullivan recommended a candidate for the position of minute taker for the Conservation Commission. Mr. Hohenberger motioned and Mr. Letizio seconded to hire the candidate as recommended subject to all background requirements, allowing the employee to begin work on December 12th. Passed unanimously.

Police Union Tentative Agreement - Mr. McLeod and Mrs. DiFruscia both called in on speakerphone to participate in this session. The Board discussed a tentative agreement with the Police Union for 2011-2017. Mr. Hohenberger confirmed that while he had been on the negotiating committee, he had removed himself from the final negotiating session and was no longer on the committee.

Mr. Letizio motioned and Mr. McLeod seconded to support the Tentative Agreement reached between the town and police union for April 2011- March 2017. Passed 4-1 with Mr. Hohenberger opposed.

Reputations – Matter continued until next meeting

ADJOURNMENT: Mr. Hohenberger motioned and Mr. Letizio seconded to adjourn. Passed unanimously. Meeting adjourned at 9:05 pm.

Respectfully submitted,

David Sullivan
Town Administrator

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