

# **TOWN OF WINDHAM NEW HAMPSHIRE**



## **Warrant and Budget 2017**

### **DRAFT FOR PUBLIC HEARING**

**SUMMARY SHEET FOR PRESENTATION AT 2017 PUBLIC HEARING**

**Explained by ROSS**

**ARTICLE 4.** To see if the Town will vote to raise and appropriate the sum of Eight Hundred and Fifty Thousand, and no 100ths (\$850,000) Dollars for the purpose of purchasing a Fire Quint Aerial Truck for the Fire Department, to replace a 1980 Ladder Truck (L1), and necessary equipment and materials to place the vehicle into service, as well as payment of costs associated with the financing of said project; said sum to be in addition to any federal, state or private funds made available therefor, and to raise the same by issuance of not more than \$850,000 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and to apply toward the cost any interest earned from the temporary investment of any bond or note and to take any other action as may be necessary to carry out and complete financing of this project, with the balance of \$0 to come from general taxation.

**Note:** Funds are to be used to purchase a new Quint Aerial Truck to replace the Fire Department's Ladder Truck. The Ladder, a 1980 Spartan, was donated to the Town in 2002. It is anticipated that the bond for the Quint will be for twelve (12) years, from 2018 to 2029, and at an estimated payment of \$85,000 per year.

**Explained by JOEL**

**ARTICLE 5.** To see if the Town will vote to raise and appropriate the sum of \$50,000 to be added to the Property Maintenance Expendable Trust Fund.

**Property Trust – No change in requested appropriation from 2016.**

Projects completed in 2016 included replacing the HVAC system in the Community Development Department (\$26,000) and the Searles Chapel septic system (\$23,000). Current balance of Trust at 12/31/16 is approximately \$22,080, which has been reserved for installing vinyl siding on the Community Development building as well as the rear addition of the Town Hall. Additional projects that will receive priority in 2017 include – (1) additional carpeting replacements at various buildings, and (2) repairs/replacements of the HVAC systems at either the Police Station, Fire Station, or Town Hall, depending on funds available and need.

**Explained by JENNIFER**

**ARTICLE 6.** To see if the Town will vote to raise and appropriate the sum of \$30,000 to be added to the Earned Time Expendable Trust Fund.

**Earned Time Trust –**

The following shows the history of the funds raised for this account since 2009:

\$30,000 was funded annually from 1995-2001;

\$0 approved '02-03;

\$30,000 approved '04-05;

\$20,000 for 2006; \$30,000 '07-08;

\$0 approved for 2009

no request was made by the Board for 2010, 2011 & 2012 as a cost saving measure.

\$0 approved in 2013

\$30,000 approved in 2014, 2015, 2016

Current balance of Trust as of 12/31/16 is approximately \$249,022. Total liability as of 12/31/16 is approximately \$1,175,369. Nine (9) employees retired or left employment in 2016. Eight (8) of the earned time buyouts (total \$80,477) were absorbed by the respective department budgets as funds were available pending new employees starting employment and in order to preserve the Trust. The other employee terminated employment as of December 31 so their payout will be made from the 2017 budget or Trust depending on funds available - \$7,748 total.

**Explained by BRUCE**

**ARTICLE 7.** To see if the Town will vote to create an expendable general fund trust fund under the provisions of RSA 31:19-a, meaning that the principle and interest may be appropriated and expended, to be known as the Town Facilities and Grounds Improvement Fund, for the purpose of maintaining, improving, repairing or replacing municipal facilities, grounds, or its other infrastructure, and to raise and appropriate the sum of \$100,000 towards this purpose; and to authorize the transfer of the December 31, 2016 fund balance in that amount for this purpose.

**New Expendable Trust Proposed 2017.**

In 2016 the Board sold several surplus Town properties for a sum of over \$330,000. All but \$100,000 of this amount was used as general revenues towards the 2016 tax rate; the \$100,000 has been retained as part of the Town's general fund balance account. The intent of this article is to establish a new Expendable Trust Fund to be named the Facilities Improvement Trust and use the \$100,000 as the initial funding of this account; the purpose of which will be make repairs to or replace assets of the town in terms of its grounds, physical buildings, or infrastructure. Unlike the existing Property Maintenance Trust Fund which is geared towards maintenance repairs and replacements of smaller scale projects, and is expended by vote of the Board of Selectmen, the new Trust is envisioned to be used for larger scale items and will require a vote of the Town Meeting to be expended.

**Explained by ROGER**

**ARTICLE 8.** To see if the Town will vote to raise and appropriate the sum of \$32,500, said amount to be withdrawn from the balance in the previously established Searles Special Revenue Fund for payment of both marketing related and maintenance related costs associated with the Searles Building. Approval of this article will have no additional impact on the tax rate.

**Note:** Some of the specific expenses paid from these funds include the salary of our part time coordinator to market the building, advertisement costs, and maintenance related projects and services to maintain the building and "set ups" for events. As of 12/31/16, the revenue fund has \$20,575, half of which has been reserved to complete pending items including the refinishing of the hardwood floors - \$4,600, and painting the interior of the building - \$6,045.

**Explained by JOEL**

**ARTICLE 9.** To see if the Town will vote to approve the cost items included in the latest tentative bargaining agreement reached between the Selectmen and members of Local Union No. 1801 AFSCME (Municipal Union) and to further raise and appropriate the sum of \$11,190 representing the amount of the increased cost attributable to the increase in salaries and benefits to said members for the fiscal year 2017. Said contract to expire on March 31, 2020 with the additional cost for 2018 to be \$17,130, \$20,440 for 2019, and \$6,160 for 2020 at the current staffing level.

- (1) **Duration** - Three Years April 1, 2017 – March 31, 2020
- (2) **COLA** raises of **2.0%** effective April 1, 2017, April 1, 2018, and **2.5%** effective April 1, 2019. Clarifies adjustments are effective with first pay period closet to April 1<sup>st</sup>.
- (3) **Recognition**– Adds the Police Records Clerk position as a member of the Bargaining Unit.
- (4) **Health Insurance** – all Comprehensive Plans are eliminated as of January 1, 2017 and town no longer assumes responsibility for the deductibles or out of pocket expenses for these plans.
- (5) **Holidays** – Provides Christmas as a paid Holiday for six (6) PT positions: (Records Clerk, Community Development Administrative Assistant, Highway Laborer, Transfer Station Operator, and Code Enforcement Administrator.
- (6) **GAP Insurance** – town will allow payroll deduction for GAP insurance if chosen by the employee, but employee pays all cost for said insurance.
- (7) **Union Leave** – increased the annual allowed leave time for the union in total by 8 hours (from 32 to 40) and restricted this time to those employees who are either on the Union's Executive Board or Negotiating Committee.
- (8) **Bereavement Leave** – adds the term "celebration of life" with equal wait to the term "funeral" for leave eligibility.

**Explained by BRUCE**

**ARTICLE 10.** To see if the Town will vote to approve the cost items included in the latest tentative bargaining agreement reached between the Selectmen and members of Local Union No. 2915 IAFF (Fire Union) and to further raise and appropriate the sum of \$36,190 representing the amount of the increased cost attributable to the increase in salaries and benefits to said members for the fiscal year 2017. Said contract to expire on March 31, 2020 with the additional cost for 2018 to be \$30,210, \$36,160 for 2019, and \$9,460 for 2020 at the current staffing level.

**Duration** - Three Years April 1, 2017 – March 31, 2020

**COLA** raises of **2.0%** effective April 1, 2017, April 1, 2018, and **2.5%** effective April 1, 2019. Clarifies adjustments are effective with first pay period closet to April 1<sup>st</sup>.

**Health Insurance** – all Comprehensive Plans were eliminated as of January 1, 2017 and town no longer assumes responsibility for the deductibles or out of pocket expenses for these plans.

**Health Stipends** – increased stipend to Waive Health Coverage from \$6,000 to \$8,000 for two-person plans and from \$8,000 to \$10,000 for family plans effective April 1, 2017 provided no increase is given to those employees already on the stipend until such time as enough additional employees from the Union “opt” out of coverage which would result in the Town realizing at least equal savings to cover the added costs of increasing the stipend.

**Incentive** – changed the “EMT-Intermediate” incentive level to “EMT- Advanced” and increased its level from **1% to 2%.**; The “Paramedic” incentive level was increased from **4% to 5%** as language was eliminated that allowed employees at this level to also received the EMT-Intermediate(Advanced) level, resulting in no net change from current contract language.

**Academic Reimbursement** – eliminated the current \$1,500 annual limit any individual employee could receive, but maintains the existing \$7,500 total annual limited for the whole Union that the Town is responsible for.

**Explained by ROGER**

**ARTICLE 11.** To see if the Town will vote to approve the cost items included in the latest tentative bargaining agreement reached between the Selectmen and members of Local Union No. 213 NEPBA (Police Union) and to further raise and appropriate the sum of \$39,840 representing the amount of the increased cost attributable to the increase in salaries and benefits to said members for the fiscal year 2017. Said contract to expire on March 31, 2020 with the additional cost for 2018 to be \$30,210, \$36,160 for 2019, and \$9,460 for 2020 at the current staffing level.

**Duration** - Three Years April 1, 2017 – March 31, 2020

**COLA** raises of **2.0%** effective April 1, 2017, April 1, 2018, and **2.5%** effective April 1, 2019. Clarifies adjustments are effective with first pay period closet to April 1<sup>st</sup>.

**Health Insurance** – all Comprehensive Plans were eliminated as of January 1, 2017 and town no longer assumes responsibility for the deductibles or out of pocket expenses for these plans.

**Health Stipends** – increased stipend to Waive Health Coverage from \$6,000 to \$8,000 for two-person plans and from \$8,000 to \$10,000 for family plans effective April 1, 2017 provided no increase is given to those employees already on the stipend until such time as enough additional employees from the Union “opt” out of coverage which would result in the Town realizing at least equal savings to cover the added costs of increasing the stipend.

**Stipends** – provides that an employee assigned as a School Resource Officer will receive a 1.5% stipend added to their base pay.

**Recognition** – recognized the position of PT Dispatcher as a member of the bargaining unit; employee will receive prorated uniform allowance (\$200), and bereavement leave benefits (1 day), as well as be eligible for extra holiday pay for working the holiday (up to 8 hrs)

**Authorize Leave** - Provides that under the Chief’s discretion, “light duty” assignments may be available to those out of work due to non-work related injuries or pregnancy, subject to these opportunities going to those out on work related injuries first and an actual need for such assignments at the time.

**Administrative Leave** – provides that employees while on administrative leave, as determined by the Chief, for a justified police action, will receive their normal hourly wages and benefits and calculation of same will include a one year average of their overtime, excluding training, firearms, and outside details.

**Language Changed** – several narrative language changes were made for clarification purposes, elimination of paragraphs or terms which are no longer applicable, or to change dates in areas where current terms or sections were continued.

**Explained by JENNIFER**

**ARTICLE 12.** Shall the Town of Windham, if Articles #9, 10 or 11, are defeated, authorize the governing body to call one special meeting, at its option, to address Article(s) #9, 10, or 11, cost items only?

**Note:** This article is intended to serve as a “fallback” article should the approval of either the Police Union, Fire Union, or Municipal Union proposed contracts fail. Passage of this article would authorize the Selectmen to hold a Special Town Meeting to consider revised union contract article(s) without having to seek the permission of the Superior Court to hold such a meeting.

**Explained by JOEL**

**ARTICLE 13.** To see if the Town will vote to raise and appropriate the sum of \$50,000 to replace the Town’s thirty-year old phone system. This article is part of the Capital Improvement Program.

**Note:** This article is part of the Capital Improvement Program. Funds are to be used to replace the town’s telephone system including its main control PBX as well as its individual phones throughout the town offices with a VOIP (voice over IP) system which will leverage the internet to provide estimated annual cost savings of between \$12,000 and \$17,000.

**Explained by ROSS**

**ARTICLE 14.** To see if the Town will vote to raise and appropriate the sum of \$85,000 for the purpose of replacing the carpeting and hard flooring in the Library as well as painting of the building’s exterior, and to authorize the withdrawal of four thousand seven hundred thirty five dollars (\$4,735) towards this project from the Library Maintenance and Renovation Capital Reserve Fund created for this purpose, with the balance to come from general taxation; and further after withdrawal to discontinue the noted capital reserve fund that was established in 2000 and repurposed in 2014. Any remaining funds with accumulated interest to date of withdrawal, are to be transferred to the town’s general fund. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**Note:** This article is part of the Capital Improvement Program. As the article details these funds are to be used to replace the carpeting and hard flooring in the Library, built in 1998, as well as painting of the building’s exterior. The requested funding will be offset using \$4,735 in funds which remain in a Capital Reserve Fund established for making such repairs and renovations to the Library. Once this project is completed the CRF would be discontinued. The CIP report states “*the carpeting at the library is 19 years old. The application would cover the cost of the carpeting and hard flooring (\$65,000) and exterior painting (\$20,000). The carpets will be replaced with tiled carpets squares which can be replaced in spots when needed in the future and the hard linoleum floors with vinyl tiles. Both are considered safety issues as old carpet has puckered and most of the adhesive had broken down. The hard floors are chipped and broken and are difficult to clear in the bathrooms and kitchen. The exterior of the library was last painted over 6 years ago and will need a fresh coat and protect it from rot.*”

**Explained by JENNIFER**

**ARTICLE 15.** To see if the Town will to vote to raise and appropriate the sum of \$900,000 representing the costs to engineer, design, and construct sections of the Windham Greenway Recreation Trail west of Interstate 93 to the Rockingham Recreational Trail east of Interstate 93. The area to be constructed will begin in the area of the Old Mill / Meetinghouse Road intersection and run easterly to the intersection with North Lowell Road east of Interstate 93, approximately 13,000 linear feet in length, as well as other expenses associated with the overall project, and further to authorize the acceptance of \$720,000 of this appropriation from the State of New Hampshire as part of a Transportation Alternatives Program (TAP) grant to fund 80% of the project with the balance of \$180,000 to come from general taxation. Should this article be approved but the Town not receive the grant, this article will be considered null and void. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of three (3) years, whichever is less. This article is part of the Capital Improvement Program.

**Note:** This article is part of the Capital Improvement Program. Funds are to be used to prepare and pave much of the Greenway Recreational Trail from west Windham to the Windham Depot. Note that we applied for a TAP grant to fund 80% of this project, and while we have not yet heard a final determination on funding, preliminary scoring has not been favorable to the Town. Should we receive word from the granting authority prior to the final posting of the 2017 Town Warrant that we will NOT receive the grant, our intent is to reallocate the \$180,000 net town request towards the Dispatch Command Center article and to fund that project in total in 2017 rather than over a two-year period. This intent is supported by the Capital Improvement Plan as approved by the Planning Board.

**Explained by ROGER**

**ARTICLE 16.** To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of replacing and upgrading the Dispatch Command Center at the Police Station, including restructuring the physical dispatch offices and purchasing equipment, furnishings, and technology needed and to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) to be place in the fund. This article is part of the Capital Improvement Program.

**Note:** This article is part of the Capital Improvement Program. As the article details the intent is to establish a new Capital Reserve Fund the purpose of which will be to replace the Town's Dispatch Command Center within the Police Department. The Center, which was built as part of the original building in 1998, needs upgrading both in terms of its technology as well as the functioning space it requires. The total project cost is estimated to be \$280,000. The balance needed, \$180,000, is currently planned within the CIP for 2018 and will be presented to the Town Meeting next year for approval along with a request to withdraw the funds being set aside this year. The CIP report states *"The facilities and equipment have exceeded their useful life and are in dire need of replacement. Primary communications equipment (radio infrastructure) has now reached obsolescence with parts no longer available from the manufacturer for repairs. The Comparator (Voter) is no longer supported by the manufacturer. The Department's main radio, the Quantar, will be unsupported in the 2018 timeframe; the current audio recorder is presently 8 years old with a normal life of 7 years. The Astro Spectra used for school communications is no longer supported and with the initiative to stream live video from the schools, additional video connections will require reconfiguration of the bay. The current workstations are not conducive to multi-tasking. To provide for more efficiency and customer service, a restructuring of the Dispatch Bay is proposed.*

**OR to use following if Greenway Grant is not approved**

**Explained by ROGER**

**ARTICLE 16.** To see if the Town will vote to raise and appropriate the sum of \$280,000 for the purpose of replacing and upgrading the Dispatch Command Center at the Police Station, including restructuring the physical dispatch offices and purchasing equipment, furnishings, and technology needed to complete the project. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**Note:** This article is part of the Capital Improvement Program. As the article details the funds will be used to replace the Town's Dispatch Command Center within the Police Department. The Center, which was built as part of the original building in 1998, needs upgrading both in terms of its technology as well as the functioning space it requires. The CIP report states *"The facilities and equipment have exceeded their useful life and are in dire need of replacement. Primary communications equipment (radio infrastructure) has now reached obsolescence with parts no longer available from the manufacturer for repairs. The Comparator (Voter) is no longer supported by the manufacturer. The Department's main radio, the Quantar, will be unsupported in the 2018 timeframe; the current audio recorder is presently 8 years old with a normal life of 7 years. The Astro Spectra used for school communications is no longer supported and with the initiative to stream live video from the schools, additional video connections will require reconfiguration of the bay. The current workstations are not conducive to multi-tasking. To provide for more efficiency and customer service, a restructuring of the Dispatch Bay is proposed.*

**Explained by JENNIFER**

**ARTICLE 17.** To see if the Town will vote to raise and appropriate the sum of \$20,000 for the Town's 275<sup>th</sup> Anniversary Celebration in 2017; said funds will cover costs associated with events and activities planned to celebrate the anniversary.

**Note:** The Town's 275<sup>th</sup> Celebration is being planned for a weekend in the summer of 2017. The Historic District Commission, with the assistance of other "275<sup>th</sup> Anniversary" volunteers, is currently planning a series of activities and events to celebrate the Town's 275<sup>th</sup> Anniversary.

**Explained by JOEL**

**ARTICLE 18.** To see if the Town will to vote to discontinue the Fire Station Renovation Capital Reserve Fund created in 1994 (\$122.49 balance as of 1/1/16). Any funds within each account, with accumulated interest to date of withdrawal, are to be transferred to the town's general fund.

**Note:** The purpose of this article is to discontinue a series of Capital Reserve Funds which are no longer needed and to transfer any balances that may exist to the Town's general fund to be used as revenues towards the 2017 Tax Rate. This is allowed by RSA 35:16-a which states *"Any town, school district, village district or county which has established a capital reserve fund pursuant to the provisions of this chapter may, as provided by RSA 35:3, vote to discontinue such capital reserve fund. If such fund is discontinued, the trustees of the trust fund holding the account for said fund shall pay all the monies in such fund to the town, district or county treasury as applicable"*. A simple majority vote is required.

**Explained by BRUCE**

**ARTICLE 19.** To see if the Town will to vote to discontinue the Route 111 Complex Capital Reserve Fund created in 1997 (\$1,475.97 balance as of 1/1/16). Any funds within each account, with accumulated interest to date of withdrawal, are to be transferred to the town's general fund.

**Note** – See narrative explanation under Article 18

**Explained by ROSS**

**ARTICLE 20.** To see if the Town will to vote to discontinue the Old Fire Station Renovation Capital Reserve Fund created in 1998 (\$6,084.27 balance as of 1/1/16). Any funds within each account, with accumulated interest to date of withdrawal, are to be transferred to the town's general fund.

**Note** – See narrative explanation under Article 18

**Explained by JENNIFER**

**ARTICLE 21.** To see if the Town will to vote to discontinue the Senior Center Capital Reserve Fund created in 2003 (\$169.04 balance as of 1/1/16). Any funds within each account, with accumulated interest to date of withdrawal, are to be transferred to the town's general fund.

**Note** – See narrative explanation under Article 18

**Explained by ROGER**

**ARTICLE 22.** To see if the Town will to vote to discontinue the Salt Shed Capital Reserve Fund created in 2005 (\$1,645.95 balance as of 1/1/16). Any funds within each account, with accumulated interest to date of withdrawal, are to be transferred to the town's general fund.

**Note** – See narrative explanation under Article 18

**Explained by JOEL**

**ARTICLE 23.** Shall the Town vote to adopt the “all veterans’ property tax credit” under RSA 72:28-b? If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who (1) served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or was an officer honorably separated from service, and (2) is not eligible for and not receiving the credit for veterans who served in a qualifying war or armed conflict or for veterans with a service-connected disability. If adopted, the credit will be in the amount of five hundred dollars (\$ 500), which is the same amount as the credit for a veteran who served in a qualifying war or armed conflict. If the credit is adopted, any person desiring to claim the credit will be required to file an application with the selectmen or the assessors by April 15 of the tax year.

**Note:** The 2016 session of the State Legislature authorized the granting of an “all veterans” credit. The new law expands the list of veterans who may qualify to all veterans who meet basic qualifications, including “honorable discharge”. If adopted the credit must be the same as that given to current veterans who qualify - \$500. While some estimates indicate close to 215 more Windham veterans would qualify, the tax assessing office estimates between 25 and 100 veterans who currently are not receiving the \$500 credit would qualify. The total net tax impact to the town as a whole would be \$12,500-\$50,000 which would be reallocated across all other tax payers.

**Explained by ROSS**

**ARTICLE 24.** To see if the Town will to authorize the Board of Selectmen to accept a perpetual easement deed on tax map 25-C, Lot 250, known now as Moeckel Dam, as well as an access easement over the Town of Pelham's Bay Leaf Road that will secure recreational access in perpetuity to Moeckel Pond for the public with provisions acceptable to the Board of Selectmen; and to further raise and appropriate the sum of one dollar (\$1) for this purpose.

**Note:** The Friends of Moeckel Pond, who have been working to reconstruct the Moeckel Pond Dam, desire to apply for a 50% grant from the State's Land and Water Conservation Fund, however they do not meet the eligibility requirements, and have asked the Town to partner with them as a grant applicant. The purpose of this article is to provide the Town with the needed "legal" ownership of the Dam required to be an applicant. The actual authorization to apply for the grant is covered by another article within this year's warrant.

**Explained by ROGER**

**ARTICLE 25.** To see if the Town will vote to raise and appropriate, through grants and donations, the sum of \$300,000 for the purpose of reconstructing the Moeckel Pond Dam, including the cost of engineering, permitting, construction, and any other ancillary costs associated with this purpose, and further to authorize the acceptance of \$150,000 of this appropriation from the State of New Hampshire as part of the Land and Water Conservation Fund, and the acceptance of the balance of \$150,000 from a donation by the Friends of Moeckel Pond. Should this article be approved but the Town either not receive the State grant or the donation from the Friends, this article will be considered null and void. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is complete or for a period of four (4) years, whichever is less. This article will have no impact on the Town tax rate.

**Note:** This article would appropriate the funds needed to reconstruct the Moeckel Pond Dam as well as to accept a donation of \$150,000, or the 50% grant match, from the Friends of Moeckel Pond. While the Town would be responsible for the project and the grant administration, the Friends would assist in all aspects of both. Should either the grant or the donation not occur this article would be deemed null and void.

**Explained by BRUCE**

**ARTICLE 26.** To see if the Town will vote to raise and appropriate the sum of \$6,000 to be used towards forest maintenance and recreational trail improvements within the McIlvaine Town Forest and further to raise the same by withdrawal of six thousand dollars (\$6,000) from the Special Forest Maintenance Fund created in accordance with RSA 31:113. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse for a period of two (2) years. Approval of this article will have no additional impact to the tax rate.

**Note:** This article authorizes the Town and the Forestry Committee to expend \$6,000 in funds previously raised through a timber harvest of the McIlvaine Town Forest in 2015, and used same towards making improvements to the forest and its trails. As provided for in RSA 31:113 the \$56,115 in revenues generated from the harvest were placed into a Special Non-Lapsing Fund and any use of these funds can only be authorized by action of the Town Meeting.

**Explained by ROSS**

**ARTICLE 27:** To see if the Town will vote to adopt the following By-law as follows:

**BY-LAWS:**

**MANAGEMENT OF THE MCILVAINE TOWN FOREST:**

**(Parcels: 25-R-103, 25-R-6500, 25-R-6000A, 25-R-7010, 25-R-7025, 25-R-8000)**

**SECTION I: PURPOSE**

In order to promote multiple uses including recreation, wildlife habitat, soil and water conservation as well as sound long term sustainable timber management of the McIlvaine Town Forest, the Windham Town Meeting adopts the following use regulations for the area pursuant to the authority granted to the Town by RSA 31:39.

**SECTION II: PERMITTED USES WITHIN THE MCILVAINE TOWN FOREST**

- A. Passive recreational activities such as hiking, bicycling, dog walking, cross country skiing, snowshoeing, carry-in and carry-out picnics, wildlife watching, and other uses that are consistent with the purpose of these By-Laws, which is to protect the natural resources of this area.
  - 1. Dogs are allowed and subject to the same restrictions as specified under; Regulations: Dogs on Town Property # WIN 2:06:21:04.
- B. Overnight camping is allowed for a period of no more than one continuous week.
  - 1. Follow the “Leave No Trace” guidelines for waste disposal.
  - 2. Camp fires are not permitted.
- C. Hunting is allowed, but subject to the same New Hampshire Fish and Game regulations as specified for state owned or state managed lands.
  - 1. Permanent hunting stands are illegal. Portable stands or blinds may only be erected between August 1 and January 31, and must be removed by January 31.

**SECTION III: PROHIBITED USES WITHIN THE MCILVAINE TOWN FOREST**

- A. Discharge of firearms for target shooting.
- B. The use of all motorized vehicles is prohibited, subject to the following exceptions:
  - 1. Motorized vehicles for any maintenance or construction work needed to implement the management plans for the Forest.
  - 2. Law enforcement vehicles/emergency vehicles may be permitted within this area.
  - 3. Wheeled devices typically operated by the handicapped which were not originally manufactured as motor vehicles.
- C. Disposal of yard waste, garbage, vehicles, or any other trash is prohibited.
- D. Cutting, digging up or otherwise willfully damaging trees, shrubs or plants, is prohibited, except as needed to implement the management plans for the Forest.
- E. Building of fires is strictly prohibited.
- F. Damage or removal of historic sites, walls, or artifacts is prohibited.
- G. Collection or removal of firewood by the public is prohibited.
- H. Smoking is prohibited.
- I. Parking is prohibited except where required for Forest management purposes.
- J. Camping beyond allowed time frame.

## **SECTION IV: VIOLATIONS**

Violations of these By-Laws shall be punishable to the fullest extent as permitted by law.

## **SECTION V: ENFORCEMENT**

This ordinance shall be enforced by the Windham Police Department or any other law enforcement authority.

## **SECTION VI: WAIVERS**

The Windham Forestry Committee is authorized to make exceptions or grant waivers regarding the permitted/prohibited uses within such areas for specific events or activities for good cause shown provided such activity is not inconsistent with the purposes for which such land was acquired as set forth in RSA 31:111.

## **SECTION VII: SEVERABILITY**

If any section, clause, provision, portion or phrase of these By-Laws shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these By-Laws.

**Note:** The proposed bylaws are similar to those previously approved for the Deer Leap and Fosters Pond Conservation Areas, as well as most recently (2015) for Moeckel Pond and the Route 28 Town Forest.

### **Explained by BRUCE**

**ARTICLE 28.** To see if the town will authorize the Selectmen to lease to the Windham School District the former Police Station/Pre-School facility and land associated (lot 20-D-900) for one dollar (\$1) per year for a period of five (5) years and upon such other terms as may be acceptable to the Selectmen; said lease to be for the purpose of allowing the School District to use the facility for their maintenance operations, professional development training, registrar, conference/community rooms, and other administrative needs.

**Note:** In 1998 the Town, as authorized by Town Meeting that year, conveyed the building to the School to be used as a Pre-School with at least a ten-year term. In 2013 the School terminated its use for that purpose and thereafter the building was re-conveyed to the Town. The present School Administration and School Board has again requested that the building be made available for School District uses as outlined in the article. As the building is currently not being used by the Town, the Selectmen, while not wanting to give up ownership of the building, support entering into a five-year lease with the School. This article would authorize the Selectmen to enter into such a lease.

**Explained by BOARD MEMBERS**

**ARTICLE 29.** Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$13,706,200.22. Should this article be defeated, the operating budget shall be \$13,446,415.22 which is the same as last year, with certain adjustments required by previous action of the town, or by law, or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI to take up the issue of a revised operating budget only.

Town Officers' Salaries	\$ 3,330
Administration	539,010
Town Clerk Expenses	286,590
Tax Collector Expenses	144,430
Election and Registration	23,370
Cemeteries	41,450
General Gov't Buildings	422,980
Appraisal of Properties	186,480
Information Technologies	212,200
Town Museum	5,000
Searles Building	23,730
Legal Expenses	50,400
Retirement Service Charges	4,000
Insurance	360,260
Contracted Services	5
Police Department	3,057,590
Dispatching	477,430
Fire Department	3,252,355
Emergency Management	30,170
Community Development	525,580
Town Highway Maintenance	1,188,190
Street Lighting	16,390
Solid Waste Disposal	836,450
Health and Human Services	41,330
General Assistance	45,540
Library	1,118,900
Recreation	231,200
Historic District Commission	6,000
Conservation Commission	5,640
Senior Center	5,040
Cable TV Expenses	118,945
Interest Expenses (TANs)	500
Long Term Debt	85,715.22
	<i>(Principal \$81,976.55 and Interest \$3,738.67)</i>
Capital Outlay – Roads (Part of CIP)	360,000

**\*Note:** Warrant Article 29 (operating budget does not include appropriations proposed under any other warrant articles).

## **General Notes:**

### **Salaries:**

1. Employees – The following overall staffing changes are proposed in the operating budget:
  - a. Administration: Increase the PT Bookkeeper from 25 hours/week to 29 hours/week – impact of \$4,500 in 2017
  - b. Administration: Increase the HR Coordinator position from PT to FT; to increase its responsibilities as well as paygrade by two (2) to reflect the added duties and expectations – impact of \$42,140 in 2017 (salaries and benefits).
  - c. Town Clerk: Increase the PT Assistant Clerk position from an average of eight+ (8+) hours/week to twenty (20) hours/week – impact of \$10,820 in 2017.
2. COLA Increases – 2.0% - for Non-Union Employees – cost of \$52,620 (41 employees). COLA increases for Union employees are reflected in separate individual warrant articles associated with approving new three-year contracts for each of the three (3) unions.
3. Step Increases – Combined cost of \$24,150 across all departments (23 employees).
4. Health Insurance – Net change across all departments (\$71,710)
5. State Retirement – Net increase of \$66,070– across all departments. Rates increase in July 2017 as follows:
  - a. Police – from 26.38% to 29.43% (11.56% in rates)
  - b. Fire – from 29.16% to 31.89% ( 9.36% in rates)
  - c. Municipal – from 11.17% to 11.38% ( 1.88% in rates)
6. Continued Removal of Selectmen’s Salaries for 2017 – Voted by Board of Selectmen – Savings of \$6,100

### **General Government - JENNIFER**

**The 2017 Budget request for General Government items is \$2,303,230 representing a decrease of (\$8,395) or (.36%) below the 2016 totals of \$2,311,625.**

Main areas of change, aside from Salary increases due to COLA adjustments for non-union employees, staffing changes mentioned above, or increases in retirement and health insurance costs, include-

Elections – Decrease of (\$17,405) due to having less elections planned for 2017 versus 2016.

General Govt Buildings – Decrease of \$96,870, mainly as a reflection of the savings realized by re-organizing the department and transitioning from a mainly paid staff to a contracted services focus. While some line items (GroundsKeeping +\$25,610, Property Maintenance -\$5,520, Contracted Services +\$66,010, and Equipment Maintenance +700), have increased, other (Salary and Benefit Accounts) have significantly been reduced as a result.

Assessing – Increase \$5,860 generally as resulting from the scheduled increase in our contract with our Assessing Consultants for year two or a five-year commitment.

IT – Decrease of (\$19,190) mainly from a reduction in Health Insurance costs (-\$18,840) due to employee plan changes and (\$5,000) less in Equipment Maintenance expenses.

Museum – Increase of \$4,995. It has been 14 years since the Town allocated any funding to the Museum operations. The Museum Trustees have been operating under the original \$5,000 appropriated to the facility in 2002. With the recent added focus given to the Museum the original funding is running low necessitating additional funds.

Searles Building – Decrease of (\$2,990) due to lower expected utility cost both due to a new HVAC system install in the past 1+ years as well as current electricity rates,

Insurance – Increase of \$73,690 – due to higher Workers Compensation costs, up \$69,730. While our overall premiums have not increased significantly, the “premium holidays and premium credits” we have enjoyed for the past three years are no longer applicable, resulting in our actual funding needs increasing.

## **Public Safety - BRUCE**

**The 2017 Budget request for Public Safety items is \$7,343,130 representing an increase of \$181,085 or 2.53% above the 2016 totals of \$7,162,045.**

Police Department shows an overall increase of \$153,150 – due to a full year of salaries from 2016 increases as well as step increases (total salary increases of \$38,870); increase in overtime costs based on actual expenses and trend over past three years of \$28,990, higher retirement costs based on increase in rates - \$42,530, as well as an increase in health insurance costs due to rate increases and benefit changes by employees - \$35,220. Overall operating budget, outside of salary and benefit increases, is stable from 2016 – up \$3,470.

Dispatch – Overall decrease of (\$1,020) mainly due to salary savings as a result of the retirement of a senior dispatcher at the end of 2016 (\$-9,330), offset by increases in health insurance – \$2,080 and the increased costs associated with our contract with the Town of Derry to dispatch our fire services - \$4,860.

Fire Department shows an overall decrease of (\$32,755) – includes Retirement Cost increase of \$27,100; (\$9,300) decrease in Overtime; \$6,350 more in Training; (\$50,200) less in Vehicle Equipment (*due to purchase of command vehicle in 2016*), (\$3,450) less in Fire Equipment; and \$8,030 more in Vehicle Maintenance (to replace the scene lights on Engine 1)

Emergency Management – Increase of \$23,500 due to the funding of two (2) complex/informational signs for the Fellows Road Complex and a similar sign at the Town Hall Complex. The Fellows Road sign will have an electronic information board while the Town Hall one will not. The Town will be reimbursed for half of these costs through a grant from the State’s Emergency Operations Fund.

Community Development Department shows an overall increase of \$38,210 – due to the full year impact of increasing the Planning Board Administrative Assistant position to fulltime in 2016 - \$54,500 for Salaries and Benefits offset by lower salaries for the Planner, Code Enforcement Administrator, and Director positions due to new employees hired in 2016 currently at lower steps than predecessors; higher Health Insurance costs due to employee plan changes - \$13,330 (not including Admin Asst impact noted in above figures). The non-salary/benefit accounts are in total lower than 2016.

## **Highways, Streets and Bridges - ROSS**

**The 2017 Budget request for Highway items is \$1,204,580 representing a decrease of (\$14,670) or (1.20%) below than the 2016 totals of \$1,219,250.**

Highway Department shows a decrease of (\$13,840) mainly due to a decrease in Committee Expenses of \$25,000 which was included in the 2016 budget to funds “welcome to Windham” signs (in four to five locations) for the Route 111 Beautification Committee. Contracted summer maintenance has increased \$13,300 due higher costs associated with catch basin cleanings (\$30.50/ versus \$17 in 2016); Winter maintenance is up \$3,100 due to increase cost in Sidewalk Plowing contract; \$2,400 more for winter materials of salt and sand; Vehicle Equipment is lower by \$11,930 due to non-repeating truck purchase in 2016.

### **Solid Waste Disposal - ROGER**

**The 2017 Budget request for Solid Waste items is \$836,450 representing an increase of \$16,900 or 2.06% above the 2016 totals of \$819,550.**

Increase of \$16,900 due mainly to increases of \$7,160 for Waste Removal, \$6,390 for Demolition Removal based on tonnage processed and cost per ton to dispose, and \$3,500 in Vehicle Maintenance; offset by a savings of (\$9,000) in site improvements which were including in the 2016 budget to fund a 50% grant match to replace our lighting in the building with more energy efficient lights.

### **Health and Human Services - JOEL**

**The 2017 Budget request for Health and Human Service items is \$41,330 representing an increase of \$4,570 or 12.43% above the 2016 totals of \$36,760.**

Health - Shows increase of \$4,570 due to salary changes for the part time drivers (up \$3,640) who transport residents to doctor and other appointments as well as shopping trips; and a \$1,500 increase in contributions to the Community Caregivers; offset by \$1,000 reduction in support to Community Health Services (based on funding requested).

### **General Assistance (Welfare) - JOEL**

**The 2017 Budget request for Welfare Service items is \$45,540 representing a decrease of (\$11,500) or (20.16%) below than the 2016 totals of \$57,040.**

Decrease of (\$11,500) to reflect the overall expenses incurred in the past few years. It is important to note that while we can reduce the budget request based on the lower costs trends, should the demand for our support increase, statutorily the Town is obligated to do over-expend as needed, and to compensate for any over expenditures by reducing expenses in other department budgets.

### **Culture and Recreation - ROSS**

**The 2017 Budget request for Culture and Recreation items is \$1,485,725 representing an increase of \$61,965 or 4.35% above the 2016 totals of \$1,423,760.**

Library budget increase of \$39,310 due mainly increases in salaries (for COLA adjustments), and health insurance costs due to employee plan changes - \$12,650. The operating line items (non-salary and benefits) for the Library is lower than in 2016.

Recreation budget increase of \$18,510 mainly due to a proposed increases in Recreation Sportsfields of \$15,000.

Cable budget increased \$3,985 due mainly to the general COLA adjustment and health rate increase.

Senior Center budget increase of \$80 due to utility costs.

Historic District Commission – no change from 2016.

Conservation Commission budget is \$80 more due to COLA adjustments for Park Ranger position.

**TAN Interest - ROGER**

The 2017 Budget request for TAN Interest is \$500 representing a \$0 increase or 0.00% from 20165.

The intent of these funds is to provide a small amount to cover possible borrowing needs for a short term duration if taxes are delayed or do not come in as quickly as needed.

**Long Term Debt - JENNIFER**

Notes due include: (interest rates in parenthesis)

(1) Fire Engine - principal \$ 81,976.55 - interest \$ 3,738.67 (1.5%) total \$ 85,715.22 - 2/4 payments

Note: The Fire Engine, with associated equipment, was purchased in 2015 through an appropriation of \$500,000, \$334,960 of which was bonded over a period of four (4) years at 1.5%.

**Capital Outlay – Road Improvements - \$360,000 - BRUCE**

**Note:** This article is part of the Capital Improvement Program. Funds to be used towards the improvements being made to a road needing large scale reconstruction or improvements. The following portions of roads are being considered for 2017 pending bid results – Balmorra (3,049’); Blossom (2,400’); Tully (1,800’); Fordway Extension (2,350’) and Governor Dinsmore (3,250’) Final determinations will be made in the spring of 2017.

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