

DRAFT

**PRESENT:** R. P. McDermott, Chairman; M. Kasprzak, Vice Chairwoman; L. M. Smith, Selectman; L. A. Ruest, Town Administrator

REVIEW OF WINTER ROAD MAINTENANCE AGREEMENT: This work session was scheduled to review the marked up copy of the draft agreement that includes both the Board's proposed changes and the input received from Town counsel.

A page by page review of the changes took place with suggestions made. L. A. Ruest will incorporate the following:

AGREEMENT SPECIFICATIONS – SCOPE OF WORK

Page 1, Section II, 1. All Town roads are to be safe and passable. Snow removal and/or road treatment will begin no later than when snow accumulation is at "**conditions require or the Contractor is called out by the Road Agent.**"

WINTER ROAD MAINTENANCE SERVICES AGREEMENT

Page 1, Section 5 Contract Term: Work under this Agreement will commence on October 1, 2014 and shall ~~continue as noted below~~ **be a five-year contract**, subject to any modifications as provided for in the Contract Documents. This Agreement ~~may be renewed annually by the parties for up to four additional one-year contract terms without the need for additional competitive bidding, provided that both parties agree to the same no later than May 15, 2015~~ will be reviewed annually as well as adjusted for inflation each year as outlined in Section 7. Contract Amount – ***Exhibit C Per Inch Schedule***. **This Agreement is subject to appropriations by the town meeting sufficient to support this contract.**

Page 2, Section 10. Significant Winter Event: In the event of a significant winter storm, where a more than normal amount of trees fall on town roads, the Town will be responsible for the removal of trees. It is expected that the Contractor's equipment drivers will push fallen trees (of a size that can be managed by the snow plow equipment) that may fall onto the roadway to the side of the road. In the instance of a fallen tree(s) of a greater size, the Contractor is to inform the Road Agent.

Winter Road Maintenance Contract J. Ziolkowski of ELM Services, Inc. joined the meeting at this time. A page by page review of the changes took place with him with the Board answering questions.

One issue to be answered is the increase in insurance coverage recommended by Town counsel. L. A. Ruest will contact counsel to determine if an Umbrella policy is acceptable. J. Ziolkowski stated the changes were acceptable to him. A new Certificate of Insurance will be provided.

L. A. Ruest noted that other information remains outstanding. J. Ziolkowski is to provide an annual statement of ELM Services, Inc. in order to update the company's certifications on file with the Town. He is also to prepare and submit a plan with regard to winter road maintenance services to the Town for inclusion in the Service Areas Exhibit of the Agreement.

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OTHER:

WINTER ROAD MAINTENANCE RETENTION FUNDS: J. Ziolkowski inquired about the \$1,000 of winter road maintenance funds retained by the Town. The Board explained that expenses incurred as a result of winter road maintenance issues have been paid from these funds. L. A. Ruest will request information from the Town Treasurer as requested and report her findings to the Board and J. Ziolkowski.

SPECIAL WARRANT ARTICLE – WINTER ROAD MAINTENANCE FUNDS: The Board discussed the option of putting a warrant article on the 2015 ballot for consideration of the voters. The warrant article would ask for approval of creating a special fund where any remaining budgeted funds would be transferred to the special fund for use in future years should there be a situation where there is an increase in winter road maintenance services needs above the budgeted contracted amount. For example, in a budget year where \$150,000 of the \$180,000 winter road maintenance services budget was expended, \$30,000 would be transferred to the special fund rather than be returned to the General Fund.

Discussion and questions were heard at this time. L. A. Ruest was asked to contact Town counsel to verify that this option is allowable.

MOTION: To go into nonpublic session at 3:00 p.m. in accordance with RSA 91-a, II. (a) Personnel.

MOTION: L. M. SMITH  
SECOND: M. KASPRZAK  
UNANIMOUS

MOTION: To seal the minutes of the August 25, 2014, non-public session.

MOTION: L. M. SMITH  
SECOND: M. KASPRZAK  
UNANIMOUS

MOTION: To go out of nonpublic session at 3:15 p.m. and adjourn.

MOTION: L. M. SMITH  
SECOND: M. KASPRZAK  
UNANIMOUS