

BOARD OF SELECTMEN
Minutes of September 22, 2014

CALL TO ORDER: Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Roger Hohenberger and Al Letizio were present, as was Town Administrator David Sullivan. Selectmen Joel Desilets and Bruce Breton were delayed; arriving at 7:05 and 7:25, respectively. Mr. McLeod opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Mr. McLeod extended thanks to the Town Clerk staff, Town Moderator, and ballot clerks for their efforts during the State primary.

Community Development Director Laura Scott approached noting there is a free business seminar scheduled for 10/9 at 5:30 PM at Northstar Financial. Those interested in attending should contact Ms. Scott for more information.

Ms. Scott advised that the annual business Trick or Treat at the Harvest Festival will take place on 10/18 from 3-4 PM.

Ms. Scott advised that the department's "Welcome to Windham" packets were being re-done, and any department interested in including information should contact her and plan to submit 100 copies for inclusion in the packet to her by noon on 10/14.

Ms. Scott advised that minute taker Laura Accaputo had submitted her resignation effective at the end of October. Mr. Letizio moved Mr. Hohenberger seconded to accept same with appreciation for her work. Passed 4-0.

Ms. Scott requested that the Board accept the following donations toward the Foodie Expo: twelve (12) lawn signs from Spectrum Printing in Manchester and coffee from Heav'nly Donuts. In addition, Santander Bank and Culinary Capers donated refreshments for the 9/11 Business seminar at Medicus. Mr. Hohenberger moved and Mr. Letizio seconded to accept with thanks. Passed 4-0.

Chief McPherson approached and, on behalf of Chief Lewis, announced that the Town will participate in the National Drug Take Back event on 9/27 from 10A to 2P at the Police Station. Residents may bring their prescription and other drugs to the Station during this time for disposal at no charge.

Chief McPherson then advised that National Fire Prevention week will begin on 10/4, and the Department will host their Annual Open House on that day from 10A to 2P at the Department.

Chief McPherson extended thanks to all who attended to the Department's Annual 9/11 Memorial Service; adding that the staff had done a tremendous job preparing for the event. He extended thanks, as well, to the local businesses who had generously donated to same.

COMMITTEE INTERVIEW: The Board interviewed Mr. Frank Farmer for possible appointment to the Historic District/Heritage Commission. After a brief discussion, Mr. Letizio moved and Mr. Hohenberger seconded to appoint Mr. Farmer as a regular member of the HDC. Passed 4-0.

ANNOUNCEMENTS, CONTINUED: Mr. Desilets advised that Troop 263 would be hosting their Annual Spaghetti Supper at the High School on 10/4 from 5P to 7P.

WOODVUE ROAD: Mr. McLeod noted that this matter had previously been discussed by the Board in non-public session, however, it had exceeded the provision for same and thus was being moved to the public forum. Mr. Sullivan approached and gave a brief background of the issue. He clarified that as part of Planning Board approvals in 1976, a 50' reserved strip between lots 18L-504 and 503 on Woodvue Road was to be deeded to the Town with the final portion of the road itself; neither of which had been done. Mr. Sullivan indicated that the lack of a deed was discovered when the owner of the parcel to the rear, Ms. Devaney, was in need of a variance to access her parcel due to inadequate frontage.

Mr. Sullivan advised that it was the opinion of Town Counsel that the reserve strip still belonged to the developer, Mr. Yennaco, as the statute of limitation has long passed. He noted that the applicant would like a driveway easement over the reserve strip to access two (2) residential homes. Mr. Sullivan indicated he would like to clarify that the intent of such an easement would not be as a prelude to accessing the former golf course, but would be solely for up to two (2) single family dwellings. He advised that the options available to the Board to remedy this situation were:

- Obtain ownership of the reserve strip via a quitclaim deed. In this case, the Board cannot give access to the applicant; rather it must go to Town meeting.
- The owner and applicant, prior to issuance of a quitclaim deed to the Town, can agree upon a restricted easement which would then carry over to the quitclaim deed.
- A public hearing could be held to release all interest in the property from public servitude. This would result in no Town involvement in the parcel save issuance of variances, etc.

Mr. Sullivan noted that he did not believe the Town should give up their interest in the property; rather he felt that the second option of a quitclaim deed inclusive of an easement would serve to meet the spirit and intent of the 1976 Planning Board condition. Discussion ensued as to restricting access to the rear property, lack of action since 1976, and the possible repercussions of an easement (eg future use as a cut through between Woodvue Road and the golf course property). Mr. Sullivan noted that he gave credit to the applicant for coming to the Board as, candidly, they could have done whatever they liked as the Town does not own the property.

Mr. Charlie McMahon approached on behalf of Ms. Devaney. He reiterated Mr. Sullivan's summary of the issue. He indicated that an easement was being requested that would define what is permitted in the right-of-way; specifically no more than two (2) lots are to be accessed via the location. Mr. McMahon also noted that the applicant will still need to go to the Planning Board and/or Zoning Board of Adjustment if this request is approved.

Mr. Letizio noted that it appeared the interests of both the Town and the owners would be best served by Mr. Yennaco granting an easement to Ms. Devaney over the strip; followed by deeding of same to the Town along with Woodvue Road. Discussion ensued, with concurrence from Mr. McMahon and Mr. Sullivan. Attorney Campbell approached noting that this was a feasible option as discussed, and that the Board could request to review the draft easement language. He indicated that the deed to the Town would thereafter to be subject to the easement, and that the question at hand was whether the Town wanted to own the property subject to same. Attorney Campbell noted that a deed has been prepared for Woodvue Road which includes such an easement; adding, however, that the Town could also decide they don't want to own the strip at all. He advised that, should be the Board undertake the easement/quitclaim deed scenario, access to the property would not be via a direct public way and as such the applicant would have to appear before the Board of Selectmen under RSA 674:47 to obtain a building permit. Discussion ensued regarding the statute in question, and that the Board could defer same to the ZBA.

Mr. Hohenberger raised concerns regarding liability, and whether there were a means to absolve the Town of same. Discussion ensued in that the Town inherently has general immunity, that the owner could also opt to request a Class VI road be laid out over the strip, and that Mr. Yennaco could also just deed the strip to Ms. Devaney and then no Board approval would be required.

Mr. Sullivan noted that the intent in 1976 was for the strip to serve as a right-of-way for future access under the Town's control. He indicated that he felt by giving up the strip entirely the Board would do a disservice to the other property owners on Woodvue Road who were under the assumption that this was/would be the case. He opined that the easement with restrictions provides protection to the owners in the development.

Mr. Breton inquired whether Ms. Devaney's parcel was assessed as being landlocked, and Mr. Sullivan replied in the negative. Mr. Letizio inquired as to the maintenance of the cul-de-sac on Woodvue Road, and Mr. Sullivan noted that the Town does not maintain any landscaped cul-de-sac areas. Discussion ensued.

Attorney Campbell suggested that, if the Board were so inclined, the proper motion would be to agree to accept the conveyance of the strip subject to an easement granted to the owner of parcel 18L-475 to pass and re-pass for two (2) residential lots; plus Woodvue Road.

Discussion ensued as to the status of Woodvue Road as a Town road. Mr. Letizio then moved and Mr. Hohenberger seconded to accept as noted by Attorney Campbell to include Woodvue Road. Mr. Desilets inquired whether the cul-de-sac area could be exempted from the acceptance of Woodvue Road, and Attorney Campbell replied in the negative. After further, brief discussion, motion passed unanimously.

Mr. McMahon extended thanks to the Board, and inquired whether they would be expecting the applicant to appear for any other reason. Attorney Campbell noted that the issue of RSA 674 would need to be clarified, and Mr. McLeod suggested that Mr. McMahon and Mr. Sullivan could work together on same. Brief discussion ensued, however, no further decisions were made.

Mr. Desilets moved and Mr. Hohenberger seconded to recess the Board of Selectmen meeting. Passed unanimously.

Mr. Breton moved and Mr. Desilets seconded to enter into the Board of Health. Passed unanimously.

BOARD OF HEALTH: Health Officer/CDD Laura Scott advised that the amendments made by the Board as part of their discussion on the 8th had been incorporated into the proposed Board of Health Rules of Procedure. Mr. McLeod then reiterated the amendments as follows:

- Section I, A: replace “cognizance of” with “precautions to protect”
- Section III, 2, a: replace “State Statute” with “per”
- Section III, A, 3, a, 5: deletion of same (and renumbering of subsequent sections)
- Section III, A, 3, c: deletion of same
- Section IV, A, 2, 4, and 5: deletion of same (and renumbering accordingly)
- Section IV, A, 6 (new #3): addition of “as long as the time and place are announced in the meeting.”
- Section IV, A, 7 (new #4): addition of the words “any applicable” before “plans”. Relocation of “All meetings will be posted in accordance with NH RSA 91-A.” to new subsection (5).
- Section IV, B: deletion of “1.” and the final sentence “Minutes will be approved prior to the next Board of Selectmen’s meeting.”
- Section VII: correction of the term “sitewalk” to “site walk” throughout.
- Section VII, F: removal of “without prior Health Department Notice” and replacement of the word “discouraged” with “disallowed”.
- Section VII, G: addition of “or had any ex parte conversations with the applicant regarding same”.
- Section VIII: removal of “A)”, addition of “and approved by the Board” after “Health Officer”, and deletion of second and third sentences.
- Section IX: removal of “Workshops” in title.
- Section IX, B: replacement of the word “question” with “amendments”
- Section X: removal of “A)”, replacement of “office of Planning and Development” with “Community Development Department”, and replacement of “waiver” with “waiver, appeal, or rehearing”.
- Section XI: addition of “Appeals” to title.
- Section XI, A: insertion of “or appeals” after “waiver”, replacement of “appendix A by the Board” with “Section VIII”, replacement of “presented to the Administrative Secretary to the Planning Development Department who shall receive and date all applications.” with “submitted to the Health Officer for processing.”, replacement of “and a receipt for same provided to the applicant” with “in accordance with Section XV.”
- Section XI, B: deletion of the words “waivers” and “for”

- Section XI, C: deletion of “for waiver(s)”, deletion of “it/them to be”, amend “scheduled” to “scheduling”, replacement of “discussion” with “public hearing”
- Section XI, D: add “and decide” after “hear”, add “receipt of the” prior to “application”, delete “for waiver”, add “or continuation” after “postponement”
- Section XI, E (new section): “The Health Officer shall present the waiver or appeal requests to the Board of Health for review. At the option of the Board, the applicant’s agent may be allowed to present the plans.”
- Section XI, F (formerly E). delete first sentence, delete “on a form”, replace “Board and shall be sent to the applicant, and the Selectmen’s Office, and the Assessor” with “Health Officer within five (5) business days and provided to the applicant, the Board Chair and posted in the Community Development Department.”
- Section XII, A: replace “Administrative Secretary to the Planning and Development Department or designee of the Board” with “Health Officer”, replace “beginning the next working day the Office of Planning and Development is open to the public following the day the decision is” with “being”, replace “presented to” with “scheduled for” and “Board” with “Board’s”, replace “at the next scheduled meeting” with “and a decision will be made within thirty calendar (30) days of receipt of the properly completed request.”
- Section XIII, A: delete “return receipt required”, delete text after “notice” in second sentence.
- Section XIII, B: delete “tax”, add “and submitting them as part of the application” after “Town hall”
- Section XIV, A: add “notice of decision, approved meeting minutes” after “correspondence”
- Section XV, A: delete second sentence in its entirety
- Section XV, B: delete subsection
- Additional minor grammatical/punctuation errors, as well as insertion of the word “calendar” throughout as it pertains to days.

There being no public input, Mr. Desilets moved and Mr. Breton seconded to adopt the Board of Health Rules of Procedure as amended. Passed unanimously.

Ms. Scott then noted that the four (4) new forms had been slightly amended for formatting and consistency purposes. The forms include a “Well Waiver Application”, “Septic Waiver Application”, “Application for Rehearing”, and “Application for Appeal of Administrative Decision”; each of which includes instructions for proper completion.

Mr. Breton moved and Mr. Desilets seconded to adopt the forms as amended. Passed unanimously.

Mr. Desilets moved and Mr. Letizio seconded to adjourn the Board of Health and resume as the Board of Selectmen. Passed unanimously.

PUBLIC HEARING/COMMUNITY DEVELOPMENT FEES: Ms. Scott advised that she had received no comments on the proposed language amendments to the community development fees. Mr. Breton moved and Mr. Hohenberger seconded to adopt as posted. Passed unanimously.

MARGARET CASE: Mr. Sullivan advised that Mrs. Case had inquired whether the Town could augment the donations received toward the Searles facility in order to facilitate paving of the parking lot on the Delahunty side. He added that one proposal for same has been received, a second is pending, and two (2) additional are being sought from Brox and Hudson Paving. Mr. Sullivan noted that he had advised Mrs. Case that the budget is very tight, however, if the Board supports her request, use of the Property Maintenance Trust would be appropriate. He added, however, that as an alternative Highway Funds could be allocated toward the project, which would be preferred.

Mr. Sullivan noted that two motions would be in order if the Board was in support of the request: 1) to authorize the use of highway funds not to exceed \$20,000, and; 2) to waive the bid process and authorize staff to award the project to the low quote. Mr. McLeod clarified that the three (3) quotes would be from those vendors that are active in Town projects.

Mr. Hohenberger indicated he was not comfortable with this request; citing the warrant article requesting funds for renovations at the Searles which had been defeated by the voters. He added that Mrs. Case has done an excellent job in fundraising, and that he didn't see the need to push so quickly as to by-pass the vote of the public to not expend funds on the building; citing concerns about the "no means no" statute.

Mr. Sullivan noted that the statute pertains to warrant articles within the given year, and that the warrant article in question was defeated two years ago. He added that fundraising has slowed down, there are other needs at the facility, and paving of the lot will serve to increase marketing for the building.

Mr. Letizio expressed his agreement with the statute, noting that it had, however, been two years. He felt that this was a very specific request as opposed to global renovations; adding that the building serves as a positive revenue source and this project will enhance that. Discussion ensued, and Mr. Hohenberger reiterated his discomfort.

Mr. Desilets expressed his agreement with both Mr. Hohenberger and Mr. Letizio; adding that while this request did not represent a small amount of money the Board should hear out Mrs. Case. Discussion ensued, and Mr. Breton opined that the lot should have been paved years ago and Mr. McLeod concurred; adding that this request was distinctly different from that presented to the voters two years ago. Further discussion ensued regarding the proposals and the delta, and Mrs. Case noted that the unpaved lot also represents a safety hazard.

Mr. Sullivan advised that the Historic District/Heritage Commission has approved the project, and a donation of gravel is pending; adding this is the perfect time to complete the project. Discussion ensued.

Mr. Letizio moved and Mr. Breton seconded to allow staff to utilize the Highway budget to cover residual costs to pave the Searles lot as discussed. Passed 4-1, with Mr. Hohenberger opposed.

Mr. Letizio moved and Mr. Breton seconded to waive the bid process and allow staff to award the project to the lowest of the quotes received. Passed 4-1, with Mr. Hohenberger opposed.

Mrs. Case then advised she had received the following, additional donations towards the Searles restoration: \$100 from Mr. Hohenberger, \$200 from Enterprise Bank, and \$47 from the fundraising jar at the Foodie Expo. Mr. Desilets moved and Mr. Breton seconded to accept these donations with gratitude. Passed unanimously.

BID AWARD: Mr. Sullivan advised that the following bids had been received for paving projects:

	1	2		
Vendor	Telo Rd	Ministerial Rd	Total (if awarded both)	Alternate for additional gravels, if needed
Brox Industries, Dracut MA	\$93,000	\$75,400	\$159,900	\$5,600 (@ 300 tons)
Tate Brothers Paving, Hudson NH	\$100,265	\$85,578	\$185,843	\$3,000 (@ 200 tons)
Hudson Paving, Hudson NH	\$91,657	\$71,936	\$163,593	\$2,956.25 (@ 215 tons)

He then indicated that the recommendation would be to award the bid to Brox for their total bid price of \$159,900; adding that the additional \$5,600 may be needed for gravel, however even with that Brox would still be the lowest bidder.

Discussion ensued, and Mr. Breton moved and Mr. Desilets seconded to award the paving to Brox as recommended. Passed unanimously.

Mr. Sullivan advised that two (2) bids had been received for the bid opening for re-shingling of the Bartley House, and a third was discovered after same. He indicated the latter had been postmarked on 9th as received by the Town, but not given to Administration until after the opening. Bids received included:

Vendor	Bid Price	Separate Price for ½ plywood underlayment over sheathing
A+ Roofing, Milton NH	\$10,750	\$1.50/sq ft*
All Roofing, Hartland VT	\$12,375	\$2.00/sq ft
Peter DeSalvo Contracting, Hudson NH**	\$9,450	\$3.75/sq ft

He then indicated that the recommendation was to award the bid to DeSalvo for their bid amount of \$9,450. After a brief discussion, Mr. Letizio moved and Mr. Breton seconded to award the bid to DeSalvo Contracting for their bid amount of \$9,450. Passed unanimously.

TOWN PROPERTY WORKSHOP: Mr. Sullivan reviewed with the Board members a listing, as attached, of Town owned parcels of land which are currently undesignated to determine those that should be either placed for sale, kept or officially designated. He advised that recommendations had been sought and received from the Assessor, Planning Board, Economic Development Committee, Conservation Commission, and Community Development. Discussion ensued regarding the various means by which these properties were obtained, and the types of recommendations received.

Mr. Letizio moved and Mr. Breton seconded to keep those eight (8) lots which in the overall scoring were marked as such. Passed unanimously.

Parcels 8-B-850 (Map ID #103) and 900 (#104) were discussed at length. Mr. Letizio moved and Mr. Desilets seconded to keep these parcels based upon the recommendations. Discussion ensued in that such a motion may prohibit any negotiation on the parcel, such as might occur with the Conservation Commission. Mr. Letizio amended his motion and Mr. Desilets his second to hold these parcels. Passed 4-0-1, with Mr. Breton abstaining. Brief discussion ensued, and Mr. Letizio clarified that the intent of his motion was to hold these parcels for future consideration.

Parcel 16-L-50 (#125) was discussed. Mr. Letizio moved and Mr. Hohenberger seconded to keep same, and discussion ensued regarding the terminology of keep versus hold. It was the consensus of the Board that usage of the word “keep” reflected a desire to retain the parcel at this time but not necessarily in perpetuity. The motion passed 4-1, with Mr. Breton opposed.

Mr. Sullivan advised that the recommendation was to merge #91, 92, and 93 for sale. Discussion ensued as to previous consideration of retaining an engineer to analyze Town parcels, and Mr. Breton suggested these parcels could be retained and graveled as trail access.

After further discussion, Mr. Breton moved and Mr. Letizio seconded to merge and sell #91, 92, and 93 with disposition of the proceeds to be determined. Passed unanimously.

Mr. Hohenberger moved and Mr. Breton seconded to sell #90, located on Blueberry Road. Passed unanimously. Discussion ensued regarding sale to an abutter versus opening it to all, and Town Meeting authorization.

Mr. Hohenberger moved and Mr. Breton seconded to sell #96. Brief discussion ensued regarding the Planning Board recommendation that same be conditional. Passed unanimously.

Brief discussion ensued regarding retaining the land around Seavey Pond.

Mr. Letizio moved and Mr. Hohenberger seconded to keep #105, as it is a right of way. Passed unanimously.

Mr. Hohenberger moved and Mr. Breton seconded to keep #101 and 102 due to their proximity to Seavey Pond. Discussion ensued regarding other area parcels, rights of way in general, and the possibility of giving 102 to Conservation, before the motion passed 3-2, with Mr. McLeod and Mr. Desilets opposed.

Mr. Breton moved and Mr. Hohenberger seconded to keep #124, 132, 141, and 149 as all are rights of way. After brief discussion, motion passed unanimously.

Mr. Hohenberger moved and Mr. Letizio seconded to hold #114, 115, and 116. Passed unanimously.

Mr. Letizio moved and Mr. Desilets seconded to keep #113. Passed unanimously.

Mr. Hohenberger moved and Mr. Breton seconded to keep #117, which was recommended for designation as conservation. Passed unanimously. Discussion ensued again regarding the use of keep versus hold and the intent of the same.

Mr. Hohenberger moved and Mr. Desilets seconded to sell #99. Passed unanimously.

Discussion ensued regarding #118, 119, and 120 as to whether to sell or retain same as a buffers in the event of failed septic. Mr. Hohenberger moved and Mr. Desilets seconded to keep these parcels. Passed unanimously. Further discussion ensued regarding retaining such lots in the event of failed septic systems at the expense of other taxpayers.

Mr. Hohenberger moved and Mr. Desilets seconded to keep #151. Passed 3-2, with Mr. McLeod and Mr. Letizio opposed.

Mr. Hohenberger moved and Mr. Breton seconded to keep #152. Passed unanimously.

Mr. Hohenberger moved and Mr. Letizio seconded to keep #98. Passed unanimously.

Mr. Breton moved and Mr. Hohenberger seconded to sell #139. Passed unanimously.

Mr. Hohenberger moved and Mr. Letizio seconded to keep #138. Passed unanimously.

Mr. Letizio moved and Mr. Hohenberger seconded to keep #137. Passed unanimously.

Mr. Hohenberger moved and Mr. Breton seconded to keep #110. Passed 3-0-2, with Mr. Letizio and Mr. Desilets abstaining.

Mr. Hohenberger moved and Mr. Desilets seconded to keep and merge #108 and 109. Passed 4-1, with Mr. Breton opposed.

Mr. Letizio moved and Mr. Desilets seconded to merge and sell #126, 127, 128, and 130. Passed 4-1, with Mr. Hohenberger opposed.

Mr. Desilets moved and Mr. Letizio seconded to sell #129. Passed 3-2, with Mr. Breton and Mr. Hohenberger opposed.

Mr. Hohenberger moved and Mr. Desilets seconded to keep #123. Motion failed 1-4, with all save Mr. Hohenberger opposed.

Mr. Letizio moved and Mr. Breton seconded to sell #123. Passed 4-1, with Mr. Hohenberger opposed.

Mr. Hohenberger moved and Mr. Desilets seconded to sell #135 and 136. Passed unanimously.

Mr. Letizio moved and Mr. Hohenberger seconded to keep #144. Passed unanimously.

Mr. Breton moved and Mr. Desilets seconded to keep #143. Passed 3-2, with Mr. McLeod and Mr. Letizio opposed.

Mr. Hohenberger moved and Mr. Desilets seconded to keep #142. Failed 1-4 with all save Mr. Hohenberger opposed.

Mr. Letizio moved and Mr. Desilets seconded to sell #142. Passed 4-1, with Mr. Hohenberger opposed.

Mr. Letizio moved and Mr. Breton seconded to sell #133. Passed 3-2, with Mr. Desilets and Mr. Hohenberger opposed.

Mr. Letizio moved and Mr. Breton seconded to sell #97. Passed 3-2 with Mr. Desilets and Mr. Hohenberger opposed.

Mr. Desilets moved and Mr. Hohenberger seconded to keep #95. Passed unanimously.

Mr. Hohenberger moved and Mr. Letizio seconded to keep #121. Passed 4-1, with Mr. Desilets opposed.

Lengthy discussion ensued regarding #106 as it pertained to the recommendation of the EDC that Libbey Road be discontinued and the possible ramifications to the owners of same. It was the consensus of the Board that this be scheduled as a unique agenda item for further discussion. Mr. Hohenberger moved and Mr. Desilets seconded to keep #106. Passed unanimously.

Mr. Hohenberger moved and Mr. Desilets seconded to keep #122. Passed unanimously.

Mr. Letizio moved and Mr. Hohenberger seconded to keep #145. Passed 4-0-1, with Mr. Desilets abstaining.

Mr. Letizio moved and Mr. Hohenberger seconded to keep #146. Passed 4-1, with Mr. Desilets opposed.

Mr. Hohenberger moved and Mr. Breton seconded to keep #148. Passed unanimously.

Mr. Desilets moved and Mr. Hohenberger seconded to keep #147. Passed unanimously

Mr. Desilets moved and Mr. Letizio seconded to sell #140. Failed 2-3, with Mr. Hohenberger, Mr. McLeod and Mr. Breton opposed.

Mr. Hohenberger moved and Mr. Breton seconded to keep #140. Passed 3-2, with Mr. Desilets and Mr. Letizio opposed.

OLD/NEW BUSINESS: Mr. Sullivan advised that staff had spoken to a number of brokers and suppliers as it pertained to the previous discussion regarding the Town's energy supply; and that it was now believed that the best option for the Town would be to go directly to the suppliers without a broker. He noted that staff had learned that not all brokers obtain pricing from all suppliers. Mr. Sullivan went on to explain that doing so would mean more work for staff, however, the LEC had expressed a willingness to assist with development of the bid specifications.

Discussion ensued regarding the Town's previous use of a broker/discussion of same, the bid process, and the LEC's assistance with the specifications; the latter of which included input from LEC Chairman Mark Kovacs. Mr. Sullivan advised that the Board would need to determine which level, if any, of renewable energy they wished potential vendors to bid on. Further discussion ensued, and Mr. Hohenberger moved and Mr. Desilets seconded to support pursuing at least 50% renewable energy. Passed unanimously.

CORRESPONDENCE: Bond Release/Quarry Brook: Mr. Breton moved and Mr. Desilets seconded to release the \$2,000 cash guarantee plus any accrued interest to El Hefni Educational Foundation for Quarry Brook as recommended. Passed unanimously.

The Board executed a letter of support for the TAP Grant Application relative to the Greenway Trail.

Mr. Sullivan discussed with the Board their preference as to conducting interviews for the Assessor position. It was the consensus that interviews be scheduled for October 6th beginning at 4PM; to be followed by a regular meeting if necessary.

MINUTES: Mr. Breton moved and Mr. Letizio seconded to approve the minutes of September 8th as written, Passed unanimously.

NON-PUBLIC SESSION: Mr. Sullivan briefly noted that the intended non-public session which the Board had previously been advised of, had been deferred.

Mr. Desilets moved and Mr. Breton seconded to adjourn. Passed unanimously. Meeting was adjourned at 11:05 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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

**ALL TOWN OWNED PROPERTIES
SHOWING ONLY "UNDESIGNATED" LANDS
AS OF JULY 2014**

Map	Block	Lot	Suffix	Street Name or Closest Street	Acres	Comment	MAP ID	Assessor's Recommendation	CDD Recommendation	Planning Bd Rec.	EDC Recommendation	Conservation Recommendation	overall
TOWN PARCELS CLASSIFIED AS "UNDESIGNATED" THAT HAVE BEEN ACQUIRED THROUGH TAX DEED													
2	A	1325		FROST RD	1.5	Land Across from Depot - Caboose is on Site - Listed as Historic District Site - Stickney Cellar Hole is here.	94		Keep	Keep			keep
8	A	40		SEAVEY RD	0.02	R.O.W. access to Seavey Pond	100	Public access to Seavey Pond	Conservation/Recreation				keep
11	A	634	A	EASTWOOD RD	0.18	580 (land behind Town Hall)	111	Hold for future town use	Keep		Keep		keep
17	I	49		ARMSTRONG RD	1.4	Narrow strip of land along Armstrong Road	131	Hold for drainage or road improvements	Keep	Keep - w/in 700' of water body			keep
17	M	46	A	YORK RD	0.09	Road intersection	134	Hold for drainage or water access w/17-I-49	Keep	Keep - w/in 700' of water body			keep
25	E	481		ABBOTT RD	0.06	Small parcel with water access	150	Merge with 25-E-500 water access	Keep				keep
8	B	850		ROCKINGHAM RD	4	Land off of Rte 28 - near Seavey Road - other town land abuts property - previously look at as possible Fire Substation location.	103	Hold for future town use	Determine if fire sub-station is feasible/desirable here; if so keep land. If not, sell parcels	Keep - w/in 700' of water body	Keep		mixed
8	B	900		ROCKINGHAM RD	3.3	Land off of Rte 28 - near Seavey Road - other town land abuts property - previously look at as possible Fire Substation location.	104	Hold for future town use	Determine if fire sub-station is feasible/desirable here; if so keep land. If not, sell parcels	Keep - w/in 700' of water body	Keep		mixed
16	L	50		FELLOWS RD	1	Landlocked parcel abutting Fellows Road complex and Devaney property on Rte 111 next to Post Office	125	Utility is impacted by wetlands, sell to abutter	Keep		Keep		mixed
1	B	1025		BLUEBERRY RD	1.01	Wetlands and WWPD Impacts (#10 Blueberry)	91	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house			Conservation	mixed
1	B	1026		BLUEBERRY RD	0.92	Wetlands and WWPD Impacts (#8 Blueberry)	92	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house			Conservation	mixed
1	B	1027		BLUEBERRY RD	0.96	Wetlands and WWPD Impacts (#6 Blueberry)	93	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house	merge together to create 1 residential house lot, do lot line adjustment with abutting properties to make their lots more conforming, and sell remaining lot for house			Conservation	mixed
8	A	61		SEAVEY RD	0.34	Abuts Lamplighter Village	101	Sell to abutter	Sell	Keep - w/in 700' of water body			mixed
8	A	9010		SEAVEY RD	0.6	LL Uplands next to Seavey Pond - has waterfront - near Lamplighter Village and two other small town lots	102	Hold for conservation purposes	Conservation/Recreation	Keep - w/in 700' of water body			mixed
8	B	1860		ROCKINGHAM RD	0.46	40' ROW to Seavey Pond - off of Rte 28	105	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body	Keep		mixed
13	K	30		COLE RD	0.07	#8 Cole Road - Water Access to Shadow Lake	118	Hold for future town use	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
13	K	34	A	DOIRON RD	0.11	Land off of Dorion Road	119	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
13	K	34	B	COLE RD	0.16	Land between Dorion and Cole Road	120	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed

**ALL TOWN OWNED PROPERTIES
SHOWING ONLY "UNDESIGNATED" LANDS
AS OF JULY 2014**

Map	Block	Lot	Suffix	Street Name or Closest Street	Acres	Comment	MAP ID	Assessor's Recommendation	CDD Recommendation	Planning Bd Rec	EDC Recommendation	Conservation Recommendation	overall
16	C	5		GAUMONT RD	0.3	Land appears to have some utility	123	Investigate utility to sell for development	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
16	F	8	A	ASH ST	0.04	12' ROW to Cobbetts Pond - off of Ash Street	124	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
16	P	510		FOURTH ST	0.22	Abuts other town land	126	Sell to abutter	merge together to create 2 residential house lots and sell; merge with 16-P-1010	Keep - w/in 700' of water body			mixed
16	P	520		FOURTH ST	0.18	Abuts other town land	127	Sell to abutter	merge together to create 2 residential house lots and sell; merge with 16-P-1010	Keep - w/in 700' of water body			mixed
17	J	134	A	BELL RD	0.03	10' ROW to Cobbetts Pond - steep topo	132	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
17	L	65	A	FARMER RD	0.11	AKA #14 Farmer Road Located at corner of Mammoth and Glance Rds with	133	Investigate utility to sell for development	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
19	B	701		GLANCE RD	1.78	Power Easement over parcel Located off Chipmuck Road in the area of Fish and	135	Investigate utility to sell for development	keep - dog park, community garden, playground				mixed
21	V	243	J	CHIPMUNK RD	0.25	Ash Streets In small triangle area off Esty Road across from	142	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
21	V	255	B	ESTY RD	0.12	Cemetery on Plains	143	Sell to abutter	Keep	Keep - w/in 700' of water body			mixed
25	D	2	A	ROCK POND RD	0.29	ROW between 25-D-2 and 25-D-3	149	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
25	G	152		EMERSON RD	0.3	Off Emerson Road - landlocked parcel	151	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land	Keep - w/in 700' of water body			mixed
1	B	1022		BLUEBERRY RD	0.97	Wetlands and WVPD Impacts (#5 Blueberry) On Derry Town Line between Rte 28 and Nathan	90	Sell to abutter	offer to sell to abutting property owners with condition that it be merged with their land				sell
3	B	680		ROCKINGHAM RD	1.28	Road - landlocked piece	96	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
3	B	850	L2	BUCKLAND RD	0.03	Fractional Parcel - Land on Derry Town Line off of Buckland Road	97	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
7	A	625		MOCKINGBIRD HILL RD	3.1	Near Mockingbird Hill Rd - landlocked by Rte 93 Piece of former B+M Railroad property - off Kendall	99	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
9	A	652		KENDALL POND RD	0.05	Pond behind Kiddie Academy	108	Sell to abutter	Merge with 9-A-655 and sell		Merge with 9-A-655 and sell		sell
16	P	540		FOURTH ST	0.14	Abuts other town land	128	Sell to abutter	merge together to create 2 residential house lots and sell; merge with 16-P-1010				sell
16	P	560		THIRD ST	0.27	Triangle shaped lot - other town lots in area	129	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
20	D	2500		LONDONBRIDGE RD	4.1	Off Londonbridge Road - potential developable site	139	Investigate utility to sell for development	sell				sell
21	V	227	A	ASH ST	0.07	13' ROW to Cobbetts Pond - end of Shady Lane	141	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
TOTAL ACRES - ACQUIRED BY TAX DEED					29.81								
NUMBER OF PARCELS - ACQUIRED BY TAX DEED					38								
TOWN PARCELS CLASSIFIED AS "UNDESIGNATED" THAT HAVE BEEN ACQUIRED BY OTHER MEANS THAN A TAX DEED													
3	B	290	A	FLAT ROCK RD	8	Landlocked wetland between RR ROW and Hadley Woods Condo	95	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.
11	C	1800		SHEFFIELD ST	4.75	Long wetlands in area of Sheffield and Camelot Roads	114	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.
11	C	1801		CAMELOT RD	4.83	Long wetlands in area of Sheffield and Camelot Roads	115	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.

**ALL TOWN OWNED PROPERTIES
SHOWING ONLY "UNDESIGNATED" LANDS
AS OF JULY 2014**

Map	Block	Lot	Suffix	Street Name or Closest Street	Acres	Comment	MAP ID	Assessor's Recommendation	CDD Recommendation	Planning Bd Rec.	EDC Recommendation	Conservation Recommendation	overall
11	C	1802		CAMELOT RD	1.5	Long wetlands in area of Sheffield and Camelot Roads	116	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.
11	C	3400		NO LOWELL RD	0.81	Vacant land between Camelot and N. Lowell	117	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.
14	A	230		HAVERHILL RD	3.9	WWPD abuts Beaver Brook	121	Hold for conservation purposes	Conservation/Recreation			Conservation	conserv.
8	B	6301		SEAVEY RD	0.88	Part of Seavey ROW	107	Hold for access or road improvements	Merge with 8-B-900	Keep - w/in 700' of water body	Keep	Conservation	keep
11	C	350		INDIAN ROCK RD	4.35	Landlocked wet parcel off Rte 111 - State acquiring 1.6	112	Hold for future development needs	Keep		Keep	Conservation	keep
11	C	1700		SHEFFIELD ST	13.57	Off of Sheffield Road - limited due to wetlands	113	Hold for future development needs	Keep			Conservation	mixed
6	C	200		PINE HILL RD	13	Wetland off of Pine Hill Road (Class VI Road)	98	Hold for conservation purposes	Conservation/Recreation	Keep		Conservation	mixed
8	B	4401		ROCKINGHAM RD	1	Land between Rte 28 and Libbey Road	106	Hold for access or road improvements	discontinue Libbey Road (make it private road) and merge land with abutting parcels (road and parcel)		Discontinue Libbey Rd and offer parcel to abutters along Libbey	Road	mixed
11	A	298		HAVERHILL RD	0.12	Triangle piece of land in front of Transfer Station	110	Hold for access or road improvements	Keep		Keep	Conservation	mixed
14	B	14 A		HIGHLAND RD	3.8	Landlocked between Highland and Atlantic Roads - abutss school land off Londonbridge Road	122	Hold for conservation purposes	Keep				mixed
19	B	715		GLANCE RD	2.4	Corner of Mammoth Rd - w/ power easement	136	Investigate utility to sell for development	keep - dog park, community garden, playground				mixed
20	D	1000		HAVERHILL RD	20	Land Behind Old Police Station	137	Hold for conservation purposes	Keep		Keep	Conservation	mixed
20	D	1550		LONDON BRIDGE RD	14.5	Land near High School and Gage Lands	138	Hold for conservation purposes	Keep	Keep		Conservation	mixed
21	W	2		COBBETTS POND RD	6.4		144	Hold for conservation purposes	Keep	Keep - w/in 700' of water body			mixed
22	R	100 A		SETTLERS RIDGE	0.51	Part of Settlers Ridge Road	145	Hold for access or road improvements	conservation restrictions per subdivision approval				mixed
22	R	250		SETTLERS RIDGE	0.7	Triangle piece of land between Bayberry and Settlers Ridge Road	146	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land			Conservation	mixed
24	F	1551		HERITAGE HILL RD	0.15	SW corner of Lowell and Heritage Hill -	148	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land			Conservation	mixed
25	R	500		MARBLEHEAD RD	0.23	Simpson Celler Hole	152	Hold for conservation purposes	Keep				mixed
9	A	655		KENDALL POND RD	0.69	Lot near Anderson Rd - former RR ROW	109	Investigate utility to sell for development	merge with 9-A-652 and sell		merge with 9-A-652 and sell		sell
16	P	1010		FOURTH ST	0.14	AKA #10 Fourth Street - abuts 3 other town lots	130	Investigate utility to sell for development	merge together to create 2 residential house lots and sell; merge with 16-P-510/520/540				sell
21	C	130		RANGE ROAD	0.15	1/2 interest with Belmonte heirs	140	Investigate utility to sell for development	Sell/give to heirs				sell
24	F	1550		HERITAGE HILL RD	0.24	NW corner of Lowell and Heritage Hill -	147	Sell to abutter	Sell to abutting property owners with condition that it be merged with their land				sell
TOTAL ACRES - ACQUIRED BY OTHER THAN A TAX DEED:					105.02								
NUMBER OF PARCELS - ACQ. BY OTHER THAN TAX DEED:					19								
GRAND TOTAL ACRES - ALL "UNDESIGNATED" LANDS					134.83								
NUMBER OF PARCELS - ALL "UNDESIGNATED" LANDS					57								