

SELECTMEN'S MEETING SEPTEMBER 24, 2001

MEMBERS PRESENT: Margaret Crisler, Christopher Doyle, Galen Stearns and Roger Hohenberger. Ms. Webber was excused. David Sullivan, Town Administrator, was also present. Mrs. Crisler, Vice-chairman, conducted the meeting, which commenced at 7:00 pm.

MOMENT OF SILENCE: Mrs. Crisler led a moment of silence in remembrance of all the victims of the terrorist attack on September 11th. Mrs. Crisler also recognized Bernie Rouillard, a structural engineer from Windham, for his work in New York City as a volunteer member of FEMA. He is also a member of the Windham Conservation Commission.

FIRE CHIEF FRUCHTMAN: Chief Fruchtmann announced that an open house will be held on October 14 at the station. At that time, the accessory building will be dedicated and volunteers involved in its construction will be recognized.

Chief Fruchtmann also warned residents about telephone scams asking for donations to aid the firefighters' families in New York. He urged residents to contact the Fire Department to confirm the legitimacy of any telephone solicitations. He said donations are being accepted by the Fire Association, which are then forwarded to the relief organizations.

Chief Fruchtmann also noted that the flags at the nation's fire stations will remain at half-staff until October 11th at the request of the International Association of Fire Chiefs.

Chief Fruchtmann announced that a Pancake Breakfast Buffet will be held at the Common Man Restaurant on Range Road on Sunday, September 30th, all proceeds from which will support the New York Firefighters 9-11 Disaster Relief Fund and World Trade Center Police Relief Fund.

MARY GRIFFIN RECOGNITION: Mr. Sullivan recognized State Rep. Mary Griffin for receiving the Joseph D. Vaughan award for Rockingham County in appreciation for her work on behalf of the state's senior citizens. The meeting was briefly interrupted while the tape of Rep. Griffin's award presentation was cablecast to the viewing public.

LIAISON REPORTS: Mr. Hohenberger said the Planning Board was still meeting weekly, and that the CIP committee is beginning to prioritize requests from various departments.

PUBLIC HEARING - HIGHWAY SAFETY: Mr. Doyle read the public hearing notice concerning the following: installation of a "Stop" sign at the intersection of Lexington and Ledge Roads in place of the present "Yield" Sign; and installation of a "Stop" sign at Third Street and Ministerial Road, to be located in the Ministerial Road right-of-way. Mr. Sullivan stated that both signs were recommended by the Highway Safety Committee.

Mr. Doyle moved and Mr. Stearns seconded to accept the recommendations of the Highway Safety Committee and install the "Stop" signs as stated. Passed unanimously.

HIGHWAY SAFETY ISSUES: The Board discussed four highway safety issues, explained by Mr. Sullivan, which do not require a public hearing. The following actions were taken:

Mr. Stearns moved and Mr. Hohenberger seconded to remove a large oak tree at the intersection of Grandview and Londonderry roads due to site distance problems. Passed unanimously. It was suggested

that the power company be approached to remove the tree in question, as well as several others which have been tagged for removal on Londonderry Road.

Mr. Stearns moved and Mr. Doyle seconded to place a "Stop Ahead" sign prior to crest of the hill on Meetinghouse Road as one approaches Route 111. Passed unanimously.

Mr. Hohenberger moved and Mr. Stearns seconded to install a standard "Library" sign in the town's right-of-way on Fellows Road, possibly on the existing "No Outlet" sign. Passed unanimously.

Mr. Hohenberger moved and Mr. Doyle seconded to install a "School Bus Stop Ahead" sign heading easterly on Route 111 near the Windham Preschool Building. Passed unanimously. The State will be contacted to install the sign, as there is already a similar sign heading west on Route 111.

MINUTES: Mr. Stearns asked that the minutes of the September 10th meeting be amended under the Griffin Park Update section to include: "The Board asked the Committee to consider bringing the walkways back to original width due to the generous donation of the Taylor family."

Mr. Hohenberger stated that at the last meeting he was remiss in making a motion in non-public session requesting the Board of Adjustment to hold a rehearing on a recent decision on elderly housing on Mammoth Road. The motion passed 4 to 1. He said the entire action should have been held in public session.

Mr. Stearns moved and Mr. Hohenberger seconded to approve the September 10th minutes as amended. The motion passed by a majority vote, with Mrs. Crisler abstaining.

ROAD BONDS: Mr. Doyle moved and Mr. Stearns seconded to release \$8,000 to CJM Excavating for Osgood Road, and retain \$45,424. Passed unanimously.

Mr. Doyle moved and Mr. Stearns seconded to release \$65,836 to H & B Homes for Carr Hill, Coventry and Grandview roads, and retain \$61,074. Passed unanimously.

BID AWARD - BARTLEY HOUSE: Mr. Sullivan stated that only one bid was received in the amount of \$187,985 submitted by DellaGatta Contracting Company of Nashua, NH. He recommended to the Board that the bid be rejected, as the Town only had \$120,000 for the first phase of the project. Mr. Sullivan suggested that the specifications be revised and resubmitted for bids. Mr. Stearns moved and Mr. Doyle seconded to reject the bid received and revise the specifications for resubmission to bidders. Passed unanimously.

BID AWARD - SKID STEER LOADER: Mr. Sullivan stated that seven bids had been received for a Skid Steer Loader for the Transfer Station. He informed the Board that the bids had been reviewed by the Transfer Station staff, and the two lowest bidders gave demonstrations of their equipment. Mr. Sullivan said the staff recommended awarding the bid to Bobcat in the amount of \$28,150.

Mr. Hohenberger moved and Mr. Doyle seconded to award the bid to Bobcat for a Skid Steer Loader in the amount of \$28,150. Passed unanimously.

WAYNE MORRIS - TRAILS: Mr. Morris, Planning Board Trails Sub-committee, informed the Board that a walking path from Collins Brook Road to the Nesmith Library was being considered by the Trails committee. He said that Maureen Bass, Center School Principal, had been contacted and she said the school had a library but might be interested in using the path for emergency evacuation reasons.

Mr. Stearns felt the trail should only be a connector to a walking path on the Fellows land. Mr.

Hohenberger and Mrs. Crisler said they liked the idea of the trail, but not as an emergency exit for school children. Mr. Sullivan suggested that the committee conduct further research and present more detailed information to the Board.

Mr. Morris also said the committee is interested in finding funds and/or grants to improve the east-west railroad bed for recreational purposes. He said they would like to block off the bed to ATVs and snowmobiles only. Mr. Sullivan said that the railroad beds are specifically designated as trails for ATVs and snowmobiles by the State and cannot be blocked off with the possible exception of using some type of gate. Mrs. Crisler said she had no problem with the committee seeking grants.

The Board concurred that the Trails Committee should be encouraged to seek grants to improve the railroad bed.

LOWELL ROAD BIKE PATHS: Mr. Sullivan informed the Board that he and Mr. Hohenberger had met with the State concerning the proposed bike paths on Lowell Road. He said the paths would involve fifteen feet of land for a single path on one side of the road, and eight to ten feet for paths on both sides of the road. He said on-site inspections of the road indicated that there would be major impact to property owners and the state showed little flexibility in changing the width of the paths. He said that trees and some stone walls would be removed and the State indicated that, where necessary, the center line of the road would be changed. He also said that the above widths were inclusive of shoulders and drainage swales where necessary.

Mr. Sullivan said the state is looking for a commitment which would involve appropriating \$15,000 for the engineering at the 2002 Town Meeting, and the State is requesting a commitment by the end of September. He said the Rockingham Planning Commission had offered to facilitate discussions with the State to see if any changes could be negotiated. Mr. Sullivan said he did not have confidence that the State will be flexible since federal funds were involved in this grant.

The Board voiced several concerns, such as: the State is considering upgrading some Windham roads, including Lowell Road, which would include bike paths; impact on properties too great; costs are questionable and not economical; not in best interest of town; why is Lowell Road already listed on the State map for bike paths, as well as North Lowell Road.

Mr. Morris, Mr. Carpenter and Mr. Schreiner spoke in favor of the project and urged the Board to support the engineering. Mrs. Azibert and Mr. Zins, both residents of Lowell Road, opposed the bike paths, citing reasons of safety, impact on properties and changing character of road, while Mrs. Case felt getting the state involved would create big problems.

Mr. Sullivan recommended that a decision be deferred for two weeks to allow for another meeting with the State. Mrs. Crisler felt the Town should pursue the project further and support the engineering. Mr. Stearns and Mr. Hohenberger felt they should let the voters decide the issue.

Mr. Hohenberger moved and Mr. Doyle seconded to table any commitment and meet with the State and Rockingham Planning Commission to resolve any possible flexibilities available, as well as reallocation of funding to allow more paths to be constructed. Passed unanimously.

Mr. Sullivan informed the public that the bike path project would be discussed at the Selectmen's meeting on October 15th.

OLD BUSINESS: Mr. Sullivan reminded the Board members of the upcoming NHMA annual meeting.

Mr. Sullivan also showed the Board a picture of the sign for the town complex on Fellows Road and

explained the style and location. The Board approved.

Mrs. Case approached the Board with a request for relief in paying a police officer for the Apple Festival on September 30th. Mr. Hohenberger moved and Mr. Stearns seconded that the Town pay \$160 for police service at the festival. Passed unanimously.

A written request was received from the residents of Turtle Rock Road to amend the criteria for emergency lanes relative to school buses. If amended, a school bus would be allowed to turn around at a certain point of a private road and return from the direction it came rather than having to pass through a private road. Mr. Sullivan said another alternative would be for the town to assume the plowing responsibilities of the road at an estimated cost of \$500 to \$600 per storm with the residents being liable for reimbursing the town for said costs. Mr. Stearns was not in favor of amending the criteria unless the section in question was removed in its entirety.

Mr. Hohenberger moved and Mr. Stearns seconded to not consider amending the criteria, but the Board is willing to consider town plowing with residents paying the costs; plowing to a point determined by the staff to be acceptable within this complex; and working out details of payment; all contingent on school allowing bus to go down Turtle Rock Rd. Passed unanimously.

Mr. Sullivan confirmed that the joint meeting with the School Board would be October 22nd, if convenient for the School Board.

NEW BUSINESS: Mrs. Crisler said she has had several complaints about used cars for sale on Mammoth Road and around town. Mr. Stearns commented that if car is registered and on private property no action can be taken. Mrs. Crisler noted that if cars are being sold on private property as a business that site plan approval is required. The Board agreed to have Mr. Turner and Mr. Sullivan investigate the problem.

Mr. Sullivan announced that Lynn Wunderli, Cable Studio Coordinator, had submitted her resignation, effective October 17, 2001. Mr. Stearns moved and Mr. Doyle seconded to accept Mrs. Wunderli's resignation, with regrets, and authorize the Cable Advisory Committee to begin the process of filling the vacancy. Passed unanimously.

A discussion on the roof work at the Building Department required Mr. Doyle to recuse himself as he is affiliated with the contractor doing the work. Mr. Sullivan informed the Board that architectural shingles were being used on the roof rather than traditional 3-tab shingles presently on the other buildings of the town complex. He recommended that the Historic District Commission be contacted to make a decision to approve the new shingles or to require the contractor to replace them with shingles compatible with the other buildings as originally bid. The Board agreed with his recommendation. Mr. Doyle returned to the Board.

NON-PUBLIC SESSION: Mr. Stearns moved and Mr. Doyle seconded to go into Non-public session in accordance with RSA 91-A:3,IIa, b. and e. Roll call vote - all members - Yes. The subjects were personnel and reputations. The Board, Mr. Sullivan and Police Chief Moeckel were present in the first session. The Board and Mr. Sullivan were present in the remaining sessions.

Mr. Doyle moved and Mr. Hohenberger seconded to support the hiring of a new part-time Dispatcher as recommended by Chief Moeckel, pending a successful background and medical check. Passed unanimously.

Mr. Sullivan updated the Board on union negotiations.

Mr. Doyle moved and Mr. Stearns seconded to take no further action on a proposed land swap transaction. Passed unanimously.

Mr. Doyle moved and Mr. Hohenberger seconded to adjourn. Meeting adjourned at 10:30 pm.

Respectfully submitted,

Elaine Keefe
Administrative Secretary

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