

BOARD OF SELECTMEN MEETING

Minutes of April 5, 2004

ROLL CALL: Chairman Alan Carpenter called the meeting to order at 7:05 PM at the Planning and Development Department. Those present included Selectmen Bruce Breton, Christopher Doyle, Roger Hohenberger, and Galen Stearns. Mr. Sullivan was also present. Chairman Carpenter read the agenda into the record.

ANNOUNCEMENTS: None.

LIAISION REPORTS: Mr. Breton indicated that the Planning Board had conducted a site walk on the proposed supermarket property and the Pine Hill extension area on Saturday, April 3. Mr. Doyle stated the site walk had been properly posted and that three Board of Selectmen members had also attended. Mr. Hohenberger questioned when the official site walk of the Pine Hill extension needed to be conducted for the upcoming public hearing. Mr. Sullivan indicated that it would have to be done before the hearing, and the Board members scheduled it for Monday, April 19 at 5:30 PM. Mr. Sullivan will post accordingly.

MASTER PLAN: The Board reviewed the agreement with Taintor and Associates for completion of the 2005 Master Plan. Mr. Stearns took a moment to explain the differences between the Master Plan and the Strategic Plan currently being undertaken by the Board of Selectmen and Department Heads: where the Master Plan pertains to planning and zoning issues, the strategic plan is for operational and staffing issues, etc. He went on to say that data collection overlap between the plans will likely occur, but hopefully much usable information can be exchanged between the two.

Mr. Carpenter inquired whether Town Counsel had had the opportunity to review the agreement. Mr. Turner indicated Atty. Campbell had reviewed the agreement, without comment or concern.

Mr. Sullivan explained that the agreement was a closed-end contract, and the \$89,705 would cover all expenses.

Mr. Breton invited Planning Board Chairman, Eileen Maloney, to give a brief review of the Master Plan. Ms. Maloney stated that the Planning Board was excited about the 2005 Master Plan and will serve as a steering committee toward its development. She went on to explain that meetings will be scheduled in the future for each of the five sections of the Plan, allowing input from the public. The Planning Board also intends to develop a website, perform public outreach, and involve Windham students in the process.

Mr. Hohenberger moved, and Mr. Breton seconded, to sign the agreement with Taintor and Associates as presented. Passed unanimously.

PUBLIC HEARING – TIMBERLANE/HERITAGE HILL: Mr. Sullivan explained that the developer of a new subdivision in the area of Timberlane and Heritage Hill roads had approached him requesting to install four way "Stop" signs at the intersection of Timberlane and Heritage Hill Road. The approved subdivision calls for this area to be a four-way stop in the future, however due to safety concerns, the developer would like to install the signage sooner.

Mr. Sullivan explained that the Highway Safety Committee had not reviewed the request, as a public hearing was required, but that Chief Moeckel had expressed his disapproval of the installation. The Chief believes that Heritage Hill should be designated as the “main” roadway, and “Stop” signs installed only on Timberlane.

After further discussion regarding jurisdiction over the unfinished roadway, Mr. Breton moved and Mr. Doyle seconded to instruct Chief Moeckel and Planning Director Al Turner to explore with the developer the possibility of making the four-way intersection safer through some form of signage other than “Stop” signs. Passed unanimously.

EPA PRESENTATION: Mr. Carl DeLoi and Mr. Doug Heath of the Environmental Protection Agency (EPA), and Mr. Mark Lauren of the NH Department of Transportation were in attendance to detail to the Board the ongoing measures being taking by the EPA regarding water quality and, in particular, the effects of salt use during the winter season.

Mr. Heath hosted a lengthy presentation regarding the EPA’s efforts in the area of Windham and the I-93 corridor involved in the upcoming expansion. Some highlights of the presentation include:

- Cooperative efforts are ongoing between the Department of Environmental Services, the Department of Transportation, and the Environmental Protection Agency to lessen the impacts of salt from the MA state line to Exit 6 on I-93.
- Beyond use on the roadways, salt impacts can result from other sources such as its use as a water softener and run off from improperly contained salt piles.
- In the winter of 2002-03, a total of 28.2 tons of salt per lane mile were used along the 20 mile corridor from Salem to Manchester.
- In March of 2003, Cobbetts Pond tested at 122 mg/l of sodium chloride (versus 63 mg/l in 1987), and Canobie lake tested at 115 mg/l (versus 41 mg/l in 1988).
- In March of 2004, violations of the State of NH Clean Water Act were found in several Salem brooks, Windham tributaries to Canobie Lake, and Beaver Brook in Londonderry.

Mr. Heath went on to explain the next steps in the EPA’s efforts, including: additional monitoring; total maximum daily load modeling and identification of salt sources; Best Management Procedure (BMP) development; and education and outreach. The following recommended reduction practices were also discussed:

- Education and outreach to local highway departments, schools, and news services.
- Use of optimized salt application methods, including: road weather information systems, truck sensors, and alternative de-icing compounds.
- Proper salt storage and handling including sheds and drainage.
- Adherence to Stormwater BMP’s.

- Identification of water softening systems in non-sewered areas.
- Enforcement through local ordinances, regulations, etc.

Subsequent to Mr. Heath's presentation, several questions were posed by the Board members, and comments were received from Lisa Linowes and Bruce Anderson of the Conservation Commission, and Wayne Morris of the Planning Board, and resident Russ Wilder. After a brief discussion, Mr. Carpenter extended the Board's thanks to the men for their efforts and attendance at the meeting, and read into the record a letter from the Vice President of the Canobie Lake Protection Association in support of all efforts to reduce the salt effects.

HDC – WINDHAM DEPOT: Mr. Patrick Schena, Chairman of the Historic District Commission (HDC) addressed the Board regarding ongoing Commission concerns about the land and buildings at the Windham Depot. He highlighted a recent meeting between the HDC and the Department of Resource and Economic Development (DRED) wherein the ownership and disposition of the property was discussed. He indicated that DRED believes that the buildings are not owned by the Town but, if they were deemed to be surplus, they could possibly be transferred to the Town in the future if all State agencies were not interested in retaining them. The State also does not deem the buildings to be historic.

Mr. Schena advised the Board that HDC has recommended the establishment of an advisory committee to study the Depot, including further research into actual ownership of the area, property lines, etc. Mr. Sullivan suggested that the advisory committee be formed as a sub-committee of the Board of Selectmen and be comprised of one member from the HDC, one member from the Board of Selectmen, one member from the Rails to Trails Committee, the Town Administrator, and two citizen representatives.

After a brief discussion, the Board concurred with the formation of a committee to study the Depot area. Mr. Breton moved and Mr. Doyle seconded to approve the formation of a committee to study the Depot area per the HDC and Mr. Sullivan's suggestion. Passed unanimously. Mr. Doyle nominated Mr. Stearns as Selectman member of the Committee. Seconded by Mr. Breton. Passed unanimously. A Committee charge will be drafted by the Administrative staff for review by the Board of Selectmen.

MINUTES: Mr. Stearns moved to accept the minutes of March 22 and 29, 2004 as written. Mr. Breton requested that the minutes of March 29 be tabled for amendment to the non-public portion of the minutes. Mr. Doyle seconded the amended motion. The minutes of March 22nd passed unanimously.

CORRESPONDENCE: *Letter* received from the Zoning Board of Adjustment requesting that the Board arrange for appointments to the ZBA to bring their number of Alternate members to five. Mr. Sullivan indicated that, currently, the ZBA is only authorized to have three Alternative members, and that an increase to five would need to be approved at Town Meeting.

Mr. Sullivan went on to explain that the annual postings to solicit volunteers to Town boards and committees will be submitted to the local paper and posted to the Town website next week, which would include a request for ZBA members.

OLD BUSINESS:

Mr. Sullivan advised the Board that he had spoken directly to Fish and Game regarding the removal/maintenance of beaver dams and the trapping of beavers. He had been advised that, per F&G regulations and NH RSA 210:9 II, the town had not acted inappropriately in the past when it had removed beavers. He stated that, so long as permission is granted by the Town to do so, beaver dams and/or beavers can be removed. He then presented a letter to the Board which he had received from the CPIA regarding the erosion of the Cobbetts Pond Dam due to the high water, supporting the need to take action to protect the downstream property.

Mr. Hohenberger asked that the Town be notified in the future when there is an issue, and that a Town representative visit the site at that time. After some further discussion, Mr. Doyle moved and Mr. Stearns seconded to allow the trapping of beavers by the CPIA with proper notification to the Town Administration. Also, notification should be given of clearing operations of the dam if needed. Passed unanimously.

Mr. Stearns stated he had witnessed problems on Route 111 due to uncovered loads being transported to the *Transfer Station*. He felt that the loads should be covered, as per our local ordinance, and had asked Mr. Poulson to check into it. Mr. Breton suggested that that particular section of the ordinance in question be excerpted and posted publicly as a reminder to residents.

NEW BUSINESS:

Fire Chief Messier presented the following bids for consideration by the Board:

- Vehicle Lift:	Lappen's Auto Supply	\$ 9,400.00
	Gary Bloom Sales	9,690.00
	Windward Petroleum	10,399.00

The Chief recommended that the bid be awarded to Lappen's Auto Supply. Mr Doyle moved and Mr. Stearns seconded to award the bid for the purchase and installation of the vehicle lift to Lappen's Auto Supply Co., Inc. for an amount not to exceed \$9,400. Passed unanimously.

- Intercom System:	R & R Communications	\$18,308.00
	Two-Way Communications	
	David Clark Proposal #1998	15,340.00
	David Clark Proposal #2002	20,468.40
	Peltor Proposal #1999	15,340.00
	Peltor Proposal #2000	16,236.00
	Lily Pond Communications	10,092.00
	NE Fire Equipment & Apparatus	9,214.00

The Chief reminded all that this item, along with the Vehicle Repeater system, is being funded via a Fire Act Grant, and recommended that the bid be awarded to Two-Way Communications per their proposal #2000. He explained that the low bid, from New England Fire Equipment did not include installation of the system. He also indicated that proposal #2000 included electronic headsets for use with the intercom system, which the other proposals did not. Mr. Doyle moved and Mr. Breton seconded to authorize the purchase of the vehicle intercom system from Two-Way Communications per proposal #2000, for an amount not to exceed \$16,236.00. Passed 4 -1 with Mr. Hohenberger opposed.

- Repeater System:	R&R Communications	\$ 6,913.00
	Central Communications	7,444.00
	Two-Way Communications	7,496.00
	Lily Pond Communications	7,500.00

The Chief recommended that the bid be awarded to R & R Communications. Mr. Doyle moved and Mr. Hohenberger seconded to award the bid for the purchase of a vehicle repeater system to R & R Communications for an amount not to exceed \$6,913.00. Passed unanimously.

Mr. Doyle inquired as to the amount of activity at the Fire Department during the recent heavy rainstorm and flooding. The Chief noted that 30 or so basements had been pumped out by the Department over the course of the storm for homeowners unable to do so themselves, and that the staff had put in some long, hard hours during the worst of the storm.

Mr. Breton inquired as to when power might be restored at Griffin Park. Mr. Sullivan explained that Allan Barlow, Maintenance Supervisor, will do so as soon as the water has sufficiently receded and the unit can be reinstalled.

Mr. Hohenberger stated that, in looking over the Impact Fee Ordinance, he noted that the Board of Selectmen should periodically review the contents. He noted that the Planning Board had discussed such a review several times, and that he would like to see the Selectmen updated.

Mr. Carpenter noted that he had spoken with Mr. Sullivan about the possibility of closing the Board of Selectmen agenda on Tuesday afternoons, rather than Friday, allowing time for it to be posted in the local papers. Mr. Breton did not feel this was immediately possible, as it would require changing the Board of Selectmen's by-laws.

Lisa Linowes, Conservation Commission informed the Board that, for their reference, a USGS study is underway on the seacoast to develop estimates of groundwater, feeling this might be something the Board should monitor.

NON-PUBLIC SESSION: Motion by Mr. Doyle and second by Mr. Hohenberger to enter into non-public session in accordance with RSA 91-A:3,IIa, b, c. Roll call vote: all members "yes". The subjects of discussion were Land Acquisition, Reputations, and Personnel. The Board, Mr. Sullivan, and Conservation members Bruce Anderson, Lisa Linowes, Tom Seniow, and Dennis Senibaldi were in attendance for the first session. The Board and Mr. Sullivan were in attendance for the remaining two issues.

Mr. Hohenberger moved to seal the minutes of the first session concerning land acquisition. Mr. Doyle seconded. Passed unanimously.

No decisions were made in the second or third sessions concerning reputations and personnel.

Meeting was adjourned at 10:45 pm.

Respectfully submitted,
Wendi Devlin, Administrative Assistant

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