

BOARD OF SELECTMEN

Minutes of May 3, 2004

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

ANNOUNCEMENTS: Mr. Breton reminded all that a follow-up meeting regarding the Skate Park had been scheduled for Thursday, May 6, 2004 at 7:00 PM at the Planning Department. He stated that the initial meeting had been very well-attended, and several good ideas presented by the children.

Mr. Sullivan requested clarification regarding the previously announced meeting about the Lowell Road Bike Path and its intent. Mr. Carpenter stated that it was a meeting with the Engineer and the Committee to discuss the worst case scenarios of the project.

LIAISON REPORTS: None.

FINANCE DIRECTOR: Dana Call, Finance Director, presented her quarterly report to the Board regarding the Town's financial position. Highlights included: that the budget percentage expended to date is approximately 25%, which corresponds with the passing of the first quarter; the Adelphia franchise fees submitted were higher than anticipated, increasing the Town's estimated revenue; the possible need to borrow additional funds to cover the annual school payment; and the status of several of the Town's special revenue funds.

The Board requested further information on the possible need to borrow more funds. Mrs. Call explained that the school payment of \$4.3M will need to be paid in June and that there is currently \$3.8M of that available. The June tax bills will generate further revenue, making it unlikely, but possible, that the Town will need to borrow funds to cover the payment. The Board requested an update from Mr. Sullivan on the status of the Tax Collector's software, in light of previous events. Mr. Sullivan advised the members that the software had been successfully tested and that all looks well for the bills' mailing in late May.

The Board thanked Mrs. Call for her efforts in keeping the Board current on financial matters.

PUBLIC HEARING, GOVERNOR DINSMORE RD: Mr. Sullivan read the public hearing notice into the record. Mr. Stearns then moved and Mr. Hohenberger seconded to recess the meeting to allow the members of the Board to conduct the required site walk of the property. Passed unanimously.

Upon arrival at the site, Mr. Doyle moved and Mr. Breton seconded to reconvene. Passed unanimously. After reviewing the property, Mr. Doyle moved and Mr. Breton seconded to recess the meeting to allow the Board to return to the Planning and Development Department. Passed unanimously.

Upon returning to the Planning and Development Department at 7:50 PM, Mr. Breton moved and Mr. Doyle seconded to reconvene the meeting of the Board of Selectmen. Passed unanimously.

Planning Director Al Turner gave a brief history of the proposed upgrade, and advised the Board that the requestor, Sam Nassar, has agreed to bear the costs to upgrade approximately 800' of roadway, encompassing the old road. This project would also include improvements to drainage in the area and construction of a temporary cul-de-sac.

Mr. Hohenberger sought to clarify that the actual portion to be opened is approximately 500', as the remainder is part of Mr. Nassar's property. Mr. Turner concurred.

Discussion then ensued about the proposed width of 22', versus the norm of 28'. Mr. Turner advised the Board that the plan has been approved by the Planning Board, subject to Selectmen approval, and that the width of 22' was the result of a court ordered agreement between Mr. Nassar and the Planning Board. At that time, Mr. Carpenter read into the record a memo from the Planning Board explaining the Court's decision and the agreement.

Attorney Campbell explained that when the requestor's plan was originally approved by the Planning Board it was done so subject to various conditions, which led to litigation. The issues between the developer and the Planning Board were resolved and, in part, 22' was allowed in exchange for the developer upgrading portions of the existing roadway.

Mr. Doyle moved and Mr. Breton seconded to reclassify that portion of Governor Dinsmore Road from station 1075 to station 1530 from Class VI to Class V as per the approved plan. Passed unanimously.

IT DIRECTOR: Eric DeLong, IT Director, presented to the Board a request to purchase two (2) servers, for which \$6,100 had been appropriated as part of the 2004 budget. He explained that he had received several quotes, from local vendors, Dell, and Gateway for the equipment. Of the submitted proposals, Dell was the lowest priced and able to supply the equipment he was seeking. Additionally, he would be able to increase the number of user licenses with the Dell purchase, but would end up exceeding the budgeted amount by \$104.75.

He explained that the servers would provide a secure environment for the Tax software and the Police Department software respectively, and would include RAID 5 systems to ensure the preservation of the data in the event of a failure.

After a brief discussion regarding the benefits of RAID 1 versus RAID 5, Mr. Doyle moved and Mr. Breton seconded to authorize the purchase of two RAID 5 servers per the IT Director's specifications at a cost not to exceed \$6,204.75. Passed 4-1, with Mr. Hohenberger opposed.

SALE OF PROPERTY: Mr. Sullivan explained that, subsequent to approval of Article 36 at the Annual Town Meeting, the sale of lot 16P-350 for the sum of \$10,000 plus legal fees to Mr. & Mrs. Swieder had been referred to the Planning Board and Conservation Commission for input, both of which expressed their support of the transfer. The motions of both to approve the sale were then read into the record by Mr. Sullivan.

Mr. Doyle moved and Mr. Hohenberger seconded to authorize the sale of lot 16P-350 per Article 36 of the 2004 Annual meeting. Passed unanimously.

MINUTES: Mr. Doyle moved and Mr. Stearns seconded to approve the minutes of April 19, 2004 as submitted. Passed unanimously.

CORRESPONDENCE: Letter received from Theresa Lucas resigning her appointment to the Conservation due to personal reasons. Mr. Doyle moved and Mr. Breton seconded to accept her resignation with regret. Passed unanimously.

Letter received from Denise Ryan resigning her appointment to the Housing Authority, also due to personal reasons. Mr. Doyle moved and Mr. Breton seconded to accept her resignation with regret. Passed unanimously.

Request received from Joseph and Michelle Murphy to allow issuance of a driveway permit for 0 Fourth Street. Mr. Sullivan explained that the Board of Selectmen had previously approved the construction on this lot and that, as the project progressed, the builder had determined that the driveway would be better place on the Fourth Street side of the lot as opposed to the original plan. Mr. Doyle moved and Mr. Hohenberger seconded to allow construction on Fourth Street. Passed unanimously.

The Board reviewed a trenching permit submitted by Verizon for work on Searles Road. After a brief discussion regarding the location of the project, Mr. Doyle moved and Mr. Breton seconded to approve the permit application. Passed 4-1, with Mr. Carpenter abstaining based on his professional connection to Verizon.

Request received from Kelly and Peter Hamill of Marblehead Road to allow removal of two pine trees located within the right-of-way in front of their property. The Board reviewed photographs of the trees in question, and after a brief discussion, Mr. Doyle moved and Mr. Stearns seconded to authorize the removal of the two trees as requested. Mr. Hohenberger expressed his opposition to the removal of trees without a clear reason, and Mr. Breton suggested the Board examine the trees and vote at a later date. Passed 3-2 with Mr. Breton and Mr. Hohenberger opposed.

Letter received from Sherrie Frisone expressing concerns with a high number of ticks in the vicinity of her home and requesting that the Board take measures to address the problem. After some discussion, the Board determined that no action would be taken, but that Mr. Sullivan would look into the possibility of arranging for spraying for ticks, as well as mosquitoes, for incorporation into the 2005 budget.

OLD BUSINESS: Mr. Sullivan advised the Board that the Conservation Commission had requested an official letter from the Board of Selectmen authorizing expenditure of funds to repair Woodbury Road, to which the Town is an abutter. Mr. Sullivan explained that an estimated 8 loads of gravel would be needed for the repairs, at a total cost of approximately \$3,500. Mr. Doyle moved and Mr. Stearns seconded to allow Mr. Sullivan to generate an official letter authorizing the expense. Passed unanimously.

Mr. Sullivan noted that there was an ongoing problem at Deer Leap with litter in the parking area. A tremendous amount has been strewn over the area, and Maintenance Supervisor Allan Barlow suggests placement of a barrel at the edge of the parking lot. The Conservation Commission concurs with this suggestion, as well. Mr. Hohenberger moved and Mr. Stearns seconded to place a barrel at the Deer Leap parking area on a trial basis. Passed unanimously.

Mr. Sullivan advised the Board that, in response to questions raised at the recent workshop session with the Recreation Committee, the purchase of the Beach by the Town had been researched. He indicated that, in looking at the minutes of the 1979 meeting and the warrant article no stipulations were

noted requiring the beach to be self-sufficient. He went on to say that the subsequent removal of the beach fees had been conducted as part of a public hearing.

A brief discussion ensued about the possibility of reinstating the fees for deposit into the Recreation Improvement Fund. This topic will be discussed at the next workshop with the Recreation Committee. Mr. Sullivan will request that the Committee develop an opinion on the matter prior to the meeting.

NEW BUSINESS: Mr. Stearns requested that Mr. Barlow and/or the Recreation Committee visit and examine the playground for discussion at a later date, noting that several pieces of equipment are missing or in disrepair. Mr. Sullivan indicated that he had not been advised of any issues at the playground, either by the Recreation Committee or visitors to the site. Mr. Stearns asked that it be reviewed for needs and their related costs.

Mr. Breton inquired about a large tree branch which is down on the Johnson's Farm side of Griffin Park. He expressed concerns that children are climbing on it and may injure themselves. Mr. Sullivan stated that staff had spoken to a tree service about its removal, and that the company was waiting for dry weather to remove it. Mr. Breton requested that it be cordoned off until it could be removed. Mr. Sullivan will make arrangements.

NON-PUBLIC SESSION: Motion by Mr. Doyle and second by Mr. Breton to enter in non-public session in accordance with RSA 93-A:3 a,b. Roll call vote: all members "yes". The subjects were personnel and reputations. The Board and Mr. Sullivan were attendance.

The Board and Mr. Sullivan discussed removal of a member of the Fire Department from probationary status. Mr. Doyle moved and Mr. Hohenberger seconded to approve the removal of the employee from probation. Passed unanimously.

The Board and Mr. Sullivan discussed health benefits pertaining to an employee. Motion by Mr. Stearns and second by Mr. Hohenberger to approve health insurance coverage for the months of May and June in accordance with a previous agreement between the Town and the employee.

The Board and Mr. Sullivan discussed departmental succession requirements. No action was taken.

The Board and Mr. Sullivan discussed a previously entered into forbearance agreement. Mr. Doyle moved and Mr. Hohenberger seconded to enter into a replacement forbearance agreement with a Windham taxpayer. Passed unanimously.

Mr. Doyle moved and Mr. Hohenberger seconded to adjourn. Passed unanimously.

The meeting was adjourned at 9:20 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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