

## BOARD OF SELECTMEN

### Minutes of June 7, 2004

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

**APPOINTMENTS:** The Board interviewed two candidates, Paul Keller and Lou Hersch, for possible appointment to Zoning Board of Adjustment. The Board will review these and other appointment requests at a later meeting, and make their determinations then.

**PRIVATE ROAD WAIVERS:** Mr. Doyle noted that two requests for waiver to allow construction on Class VI roads had been received and forwarded to the Planning Board for review, the locations being 72 Turtle Rock Road and 18 Fish Road. The Planning Board had approved both requests, subject to the availability of off-street parking during the construction so as not to inhibit emergency access.

Fire Chief Don Messier approached the Board to advise them that Fish Road is very difficult for the safety equipment to negotiate, and stated it is vital the roadway remain open during the construction. Mr. Sullivan noted that the waivers executed by the applicant do include a provision requiring same.

Mr. Doyle moved and Mr. Stearns seconded to grant permit approvals for 18 Fish Road and 72 Turtle Rock Road. Mr. Breton suggested that, in the future, the applicants discuss access needs with the Fire Chief. Passed 4-0.

**FOX CROSSING BOND RELEASE:** Mr. Carpenter noted that this issue had been tabled at a previous meeting. Mr. Vachon, the developer, and Attorney Peter Bronstein were present to address any questions raised by the Board.

A brief discussion ensued regarding separate bonding for the right-of-way area, which Mr. Sullivan stated is already part of the existing bond; and adequacy of funds to address Hopkins Road, which Mr. Vachon indicated would be available after the partial release.

Mr. Doyle moved and Mr. Stearns seconded to release the bond in the amount of \$187,614.60 to Charlie Donohue, retaining \$502,809. Passed 4-0.

**GRIFFIN PARK:** As Mr. McMahon was delayed, Mr. Sullivan began the discussion. He noted that, as yet, no opinion had been received from Town Counsel regarding the status of funds previously received from developers for recreational improvements. However, a public hearing has been posted as part of the June 14, 2004 meeting to officially accept those funds in the event they are deemed to be donations.

Mr. Sullivan explained that Mr. McMahon was requesting permission to expend funds to purchase picnic tables for the pavilion area and benches and fencing for the tennis courts. A brief discussion ensued regarding the increases in fence pricing and the resultant request from Mr. McMahon.

Mr. Sullivan noted that the Friends of Arts and Recreation (FAR) will be donating \$5,000 towards the fencing cost, bringing the amount needing approval down to approximately \$6,000.

A discussion ensued regarding the funds in question, their status, and the procedure used to collect them from developers. Mr. Sullivan then noted that other funds are available for use in conjunction with the FAR donation, so the Board could approve Mr. McMahon's request that evening, without a decision regarding the developer funds.

Mr. McMahon arrived and presented documentation and material samples of the tables and benches. These items, which would be purchased from Allen Ventures of Wisconsin, would be constructed of 100% recycled plastic with buried aluminum bolts. The products come with a 50-year warranty, and are virtually maintenance free. Mr. McMahon proposed purchasing eight (8) Super Duty Series Walk-Thru picnic tables and twenty (2) Rock Island benches, at a total cost of \$10,318.20.

Mr. Carpenter inquired about installation of the items and future security. Mr. McMahon noted that Allan Barlow, Maintenance Supervisor, had generously offered to assemble and transport the tables and benches to Griffin Park. He stated that the picnic tables weigh approximately 360 lbs each, making them very difficult to steal, but they could be anchored into the asphalt if the Board so chose, as could the benches which weigh approximately 175 lbs.

Mr. McMahon then explained in greater detail the increase in fencing costs, also noting that the mesh in question is unique to tennis courts and deemed a special order.

Mr. Breton moved and Mr. Doyle seconded to authorize the withdrawal of \$10,318.20 for the purchase of benches and picnic tables from the Griffin Park Special Grant Fund, payable to Allen Ventures.

Mr. Stearns inquired of Mr. Sullivan what the Town's exposure would be in utilizing these particular funds. Mr. Sullivan noted it was very little, as the developer had made no effort in over two years to collect the funds, and only about six months remained for him to do so under the statute.

Mr. Carpenter expressed concerns about drainage issues at the Park, and Mr. McMahon noted that since the sod was installed the drainage has been working well. He did note that two minor issues may need to be addressed, in the areas of Johnson's and between the Babe Ruth and Zimmer fields.

The motion passed 4-0. Mr. Sullivan will contact FAR regarding their donation and will arrange for the check to Allen Ventures to be cut by staff.

Mr. McMahon gave a brief update on the multi-purpose building, noting that the water is working, electric is hooked up, painting is underway, and the bathrooms are nearly completed.

Mr. McMahon announced that the "Closing Day" planned by the League had been cancelled so as not to compete with the efforts of the Windham Helping Hands fundraiser scheduled for the same day.

**ANNOUNCEMENTS:** Mr. Sullivan stated that a request had been received from Helping Hands to allow placement of a 2'x10' banner announcing their fundraiser at the intersection of North Lowell Road and Route 111. Mr. Doyle moved and Mr. Breton seconded to approve the request. Passed 4-0.

*Mr. Carpenter* congratulated FLOW on their tremendous success with the 2004 Strawberry Festival, noting over \$20,000 had been generated in profits.

*Mr. Sullivan* reminded the Board that the official dedication of the Searles Building had been scheduled for July 1, 2004 at 7:00 PM, and that the Historic Committee had requested one of the members make a brief speech.

*Mr. Sullivan* advised the Board that Transfer Station Manager Dave Poulson had negotiated a proposed demolition contract with L&S for the Board's review. *Mr. Sullivan* noted that, rather than present it to the Board himself, he would arrange for *Mr. Poulson* to attend the June 21 meeting to discuss the matter with the Board.

**CORRESPONDENCE:** Letter received from the School District seeking a member of the Board of Selectmen to serve on the Windham High School Steering Committee. *Mr. Carpenter* nominated *Mr. Stearns*, with a second by *Mr. Doyle*. Passed 4-0.

*Letter received* from the State of NH Highway Safety Agency relative to application by the Chief of Police for grant reimbursement of overtime salaries as part of the impending DWI Saturation Patrols. Motion by *Mr. Stearns* and second by *Mr. Breton* to accept the grant and allow the Chairman to execute the agreement. Passed 4-0. *Mr. Sullivan* noted that when the funds are actually received from the State a public hearing will be scheduled to officially accept them.

*Two requests* for trenching permits were received from Verizon. After review, *Mr. Stearns* moved and *Mr. Doyle* seconded to approve the permits as submitted. Passed 3-0-1, with *Mr. Carpenter* abstaining.

*Mr. Sullivan* advised the Board that a representative of Verizon had contacted him with concerns about approvals in emergency situations. *Mr. Sullivan* asked that the Board consider designated a member authorized to sign on behalf of the Board in emergency situations. *Mr. Stearns* moved and *Mr. Doyle* seconded to designate *Mr. Breton* and/or *Mr. Doyle* as authorized to allow work within the Town's rights-of-way, limited to emergency situations only.

The Board called for a five minute recess.

**CORRESPONDENCE, CONTINUED:** *Mr. Doyle* moved and *Mr. Breton* seconded to authorize execution of a pole license as submitted by Verizon and dated April 22, 2004. Passed 4-0.

**WORKSHOP/FIRE CHIEF:** Chief *Messier* updated the Board on the status of several grants the Department has successfully applied for:

- The intercom systems have been installed are working out well,
- The vehicle lift has been installed at the Station and is operational,
- The radios provided by the State have been installed and are operational.

As previously discussed with the Board, as part of the Homeland Security Grant the Department went out to bid for two (2) thermal imaging cameras. One bid was received from Fire-Tech Safety in the amount of \$25,194 to purchase two (2) T-3 Max Cameras with chargers. Motion by *Mr. Doyle* and second by *Mr. Breton* to approve the purchase of two thermal imaging cameras per the Chief's recommendation in an amount not to exceed \$25,194. Passed 4-0.

Also as part of the Homeland Security Grant, bids were solicited for a gas meter. Two (2) bids were received: IPS in the amount of \$1,500 and Fire-Tech Safety in the amount of \$1,600, the former of which was recommended by the Chief. Motion by Mr. Doyle and second by Mr. Stearns to approve the purchase per the Chief's recommendation in an amount not to exceed \$1,500.

Chief Messier requested that grant funds formerly approved by the Board for expense on portable radios be reallocated for purchase of a Knox Box KeySecure system. Chief Messier explained that, as the State is supplying all Departments with new digital portable radios, these funds were now excess grant monies. The Chief feels that the KeySecure system will improve the accountability of the Department's master keys, reducing the likelihood of lost or stolen keys. Motion by Mr. Doyle and second by Mr. Stearns to approve the expenditure of \$6,774 in grant funds for the purchase of Knox Box KeySecure system from the manufacturer. Passed 4-0.

Chief Messier advised the Board the installation of the Zentron Station Alert system is underway, and he will be meeting with the Town of Derry this week to coordinate the remainder of the installation.

Chief Messier advised the Board that an application has been submitted seeking \$350,000 in grant funds from the 2004 Fire Act for purchase of a new engine, however, word of the Department's application will not be available until January, 2005.

The purchase by the Conservation Commission of a new forestry truck was briefly discussed. The Chief indicated that all parties have tentatively agreed to the purchase, and Mr. Sullivan indicated that he would confirm with Town Counsel that it was a legitimate use of Conservation funds provided the Commission was explicit in their motion that the truck was necessary to protect conservation lands.

The possibility of replacing the Fire Inspector's vehicle with one of the police cruisers slated to go to auction was discussed. Deputy McPherson explained that the current vehicle's roadworthiness was questionable, and that the Department was not seeking to add an additional vehicle but rather a replacement. The request was supported by the Board.

Chief Messier extended his thanks to Selectman Stearns for his attendance at the recent water rescue training, and indicated that the cooperative effort between Windham, East Derry, the beach staff and representatives of Eastern Mountain Sports went very well.

Mr. Sullivan advised the Board that he was continuing to work with the Fire and Police to analyze the Town's dispatching. They hope to have a recommendation compiled for the Board by September.

Discussion moved to the Route 28 substation. The Chief and Deputy Chief expressed concerns to the Board regarding response times to that area of Town. While the National Fire Protection standards recommend a response time of 4 minutes or less for EMS calls, Windham's average is currently 12 minutes. As the I-93 project progresses and traffic increases, the Town's response time will slow even more. With the increasing development in the Route 28 area, the Department feels the project needs to be accelerated.

Currently, the Town is approximately 2 ½ years into the 6 year funding schedule toward establishment of the station. The Town owns two parcels on

Route 28 of two acres each, and through grant funding the building can be constructed at virtually no cost to the Town.

A lengthy discussion ensued, highlights of which included: aesthetics of the structure; amount and length of station coverage; possible sharing of the station and related costs with Derry or Salem; staffing costs; and site assessment of the Town's parcels for usability in this project.

Mrs. Lisa Linowes suggested the Board conduct a workshop with the Planning Board to discuss the sub-station project and the possibility of slowing development in the Route 28 area until it is completed.

After further discussion, Mr. Doyle moved and Mr. Breton seconded that a committee be established to study the impacts and requirements of the substation. Passed 4-0.

**NON-PUBLIC SESSION:** Mr. Doyle moved and Mr. Stearns seconded to enter in a non-public session in accordance with RSA 93-A:3c. Roll call vote – all members “yes”. The Board and Mr. Sullivan were in attendance.

The Board discussed a request for waiver of fees received from a property owner. Mr. Doyle moved and Mr. Stearns seconded to deny the request for waiver and refer the matter to the general assistance process. Passed 4-0.

Motion by Mr. Stearns and second by Mr. Breton to adjourn. Passed 4-0.

The meeting was adjourned at 10:20 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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