

**BOARD OF SELECTMEN**  
**Minutes of March 6, 2006**

**MEMBERS PRESENT:** Chairman Roger Hohenberger called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Alan Carpenter, Galen Stearns and Margaret Crisler were present. David Sullivan, Town Administrator and Dana Call, Assistant Town Administrator/Finance Director were also in attendance. Following the Pledge of Allegiance, Mr. Hohenberger read the agenda into the record.

**ANNOUNCEMENTS/LIASION REPORTS:** Mrs. Crisler reminded residents that she will be participating in an information night being held by the Windham Democratic Committee to explain the Town Warrant. The meeting will be held at the Nesmith Library on March 7<sup>th</sup> and will also include Bev Donovan, School Board Member. Mr. Sullivan also noted that the Town department heads will be taping their annual budget show to be broadcast on WCTV during the week prior to the election. Mr. Hohenberger confirmed that the Windham Board of Selectmen will be on the agenda of the Pelham Board of Selectmen's regular meeting on March 7<sup>th</sup> at 6:50 pm to discuss the Castle Hill bridge.

Acting Fire Chief Tom McPherson reported to the Board on a meeting held today with the Pelham Police and Fire Chiefs attended by himself and Jack McCartney, Windham Highway Agent. The purpose of the meeting was to begin discussions between emergency personnel in both towns regarding the Tallant Road and Castle Hill bridges; both the planned temporary closings and any potential permanent closure of Castle Hill. Mr. Stearns asked for the Chief's opinion as to the impact of the future closure of Castle Hill bridge, and to whether it will be a more significant problem for Pelham than Windham. Chief McPherson felt it was a heavy impact to Pelham as Windham had more access roads in the area. Mr. Sullivan indicated that it was his intention that the meeting with the Pelham Board of Selectmen would be the first of several in order to begin discussions on the planned temporary closure as well as funding for the Castle Hill bridge repair project.

Chief McPherson also reported to the Board on his attendance at ongoing meetings with the NH Department of Transportation regarding the I93 expansion. He indicated that local response teams from surrounding towns have created a highway task force for emergency responders for the construction period and beyond. The DOT has asked for input on local community needs from the State, such as emergency access points to the highway and water sources. Mr. Stearns asked about potential funding from the State for manpower needs (i.e. contracted ambulance service) and the Chief indicated that discussion so far had only focused on equipment and that the State would get back to us on the issue of manpower needs. Chief McPherson indicated that at some point in the future, the local task force would invite local Board members and State representatives to attend and join the effort in moving forward on these issues.

**RECREATION COMMITTEE:** Mr. Hohenberger read the items the Recreation Coordinator, Cheryl Haas, and the Recreation Committee planned to discuss with the Board. Mrs. Haas indicated that Charlie McMahon would be speaking on the first items regarding the Griffin Park multi-purpose building and the Windham Baseball/Softball League's field use application. Mr. McMahon gave an update on the building, including the Board's previous request of him to provide all of the information needed to turn the building over to the Town. Mr. McMahon indicated that the "book" of information he is in the process of preparing is not done. He then discussed several of the projects that have been recently completed at Griffin Park including the installation of the sheds and scoreboards, the infield ("Fenway") mix project, and the correction of ongoing surface water/drainage issues. In regards to the well and water at the building, he indicated the issue was simply a capacity issue and that the WBSL has been working with local contractors on a variety of potential solutions. He resolved that it would be corrected by May 1<sup>st</sup>.

Discussion then turned to the parking lot across from the park, and Mr. McMahon indicated that the full plans will be submitted through the normal Planning department process and then to the Board of Selectmen. After being approved by the Board, they will then be forwarded to the State's Division 5 bureau, as Range Road is a State road. Mr. McMahon has spoken to Mr. Lambert at Division 5, who indicated that the plan reviews could be turned around within weeks. The Board then discussed meeting for a site walk of the area, which will be scheduled at a future date, once the full plans are available for review.

Mr. Hohenberger then asked about the well at Griffin Park, in light of a recent memo by the Town's Maintenance Supervisor, Al Barlow, which brought to the Board's attention several issues regarding the well, including a potential crack in the casing. Mr. McMahon indicated that there is no concern with water used at the concession stand as a filtration system is used for coffee, etc. and no food preparation is performed, however, he indicated that part of the correction plan for the well is to replace the casing and ensure no surface water seeps into the well. Discussion then turned to the opening of the bathrooms and WBSL's plan for their use. Dennis Senibaldi, Recreation Committee, requested that the Town, through the Health Officer, do more extensive testing of the water, not just for coliform and ecoli. Consensus was to include Griffin Park in the Town's regular water testing program for all town facilities. Ralph Valentine, Recreation Committee, then discussed the money spent on chemical toilets at Griffin Park in past years, as a result of the stress put on the building's bathrooms due to the well situation. He suggested the Town bring in an outside expert to come in and look at the well situation. He further indicated that the Recreation Committee had already received a quote of \$1,200 to conduct a full testing of the well. Mr. Carpenter motioned to direct Mr. Turner and Mr. Barlow to get a proposal within the next week to fix the well. After further discussion and no second, Mr. Carpenter withdrew his motion. Consensus was that Mr. McMahon would notify the Board well in

advance of May 1<sup>st</sup> if there was an issue with completing the well work by May 1<sup>st</sup> and that once everything had been corrected, a full report of the well capacity would be provided to the Board.

Discussion then turned to the draft field use policy and the outstanding field use permit application by the WBSL that had been tabled by the Recreation Committee. A lengthy discussion ensued as to the length of time the WBSL would have priority use of the fields and if it would include just the core baseball season or any other functions, tournaments, etc. held by the WBSL. Consensus of the Board was that WBSL had always done a good job in the past and that there had never been any significant conflicts arising out of their priority use of the fields for any of their programs. Also, consensus of the Board was that if a new program or league was started under the WBSL, as long as they coordinate the details with Mrs. Haas, the Board does not have an issue with the application as submitted. Brian Carne spoke on behalf of the WBSL in regards to scheduling and confirmed that while the WBSL would have priority use through the end of August, they would work with Mrs. Haas to avoid conflicts with any other events. Beth Liphold, Recreation Committee, spoke on behalf of the Committee as to why the application was tabled, indicating they had needed further information from the WBSL, which was clarified at this meeting. Therefore, Mr. Carpenter motioned to approve the WBSL application, as amended (removal of the reference to other support functions), and Mr. Breton seconded. Passed 5-0.

Mr. Hohenberger read into the record the resignation letter from Recreation Committee member Kathy Narkewich. Mr. Carpenter motioned to accept with regret and Mrs. Crisler seconded. Passed 5-0. Mr. Carpenter motioned to appoint Lynn Goldman, current Alternate, to a full-time member and Mrs. Crisler seconded. Passed 5-0.

Mrs. Haas then presented the final draft of the Rules of Procedure for the Windham Recreation Committee, which are intended to replace the current Recreation Committee Rules. After several minor revisions were made, Mrs. Crisler motioned to approve the Rules of Procedure, as amended. Mr. Stearns seconded; passed 5-0. Mr. Sullivan stated that these Rules should be posted for public input and voted on at a later meeting. Mr. Carpenter motioned to reconsider the previous motion and Mrs. Crisler seconded; passed 5-0. Mrs. Crisler withdrew her previous motion and Mr. Stearns withdrew his second. Mrs. Crisler then motioned to direct staff to post the revised Rules of Procedure, as amended, for public comment and possible adoption. Mr. Carpenter seconded; passed 4-1 with Mr. Stearns opposed.

Mrs. Haas then discussed other departmental standard operating procedures including the handling of residents versus non-residents for programs and the department's practice of giving refunds for programs. Consensus of the Board was agreement with Mrs. Haas' proposed procedures. Mrs. Haas also announced several upcoming Recreation

programs including the Easter Egg Hunt and Daddy/Daughter Dance, both on April 8<sup>th</sup>.

Discussion then turned to the skateboard park at Griffin Park and if consensus of the Board was to have the Recreation Committee fix the vandalism that occurred last year, which was estimated at \$375. Several members of the Board expressed concern that it would be fixed and then vandalized again, as well as the potential for additional repair costs due to the fact that it was not covered throughout the winter. Mr. Carpenter motioned to fix the park for the estimate of \$375 and Mr. Breton seconded. Motion failed 2-3 with Mr. Hohenberger, Mrs. Crisler and Mr. Stearns opposed. Consensus was to confirm there would be no additional cost to fix any winter damage and then reconsider.

Mrs. Haas then presented the Board with a final draft of the Field/Facility Usage Policy. Mr. Breton motioned to direct staff to post the Field/Facility Usage Policy, as written, for public comment and possible adoption. Mrs. Crisler seconded; passed 5-0.

The meeting was recessed from 9:30 to 9:40 pm.

**PUBLIC HEARING:** Mr. Hohenberger read the following notice into the record:

*The Board of Selectmen will hold a public hearing at 8:15 pm on March 6, 2006 at the Planning Department to consider the acceptance of the following roads as public roads:*

*Flat Rock Road from station 00+00 to 12+80  
Crestwood Road from station 0+00 to 5+34.76  
Searles Road from station 28+00 to 42+84.54  
Mockingbird Hill Road from station 26+00 to 67+84.01  
Netherwood Road from station 6+24.24 to 14+70.22  
Stoneywyke Road from station 10+00 to 20+71.90*

Flat Rock Road – Al Turner, Planning Director, presented the request for bond release and road acceptance. Mr. Hohenberger read a letter from the Highway Agent indicating the road was acceptable and Chief McPherson noted there was a community water system, therefore, the fire department was satisfied with the road acceptance. Mrs. Crisler motioned to release the bond from \$12,800 to \$0 and accept the road as a Town road, subject to final review of the deed by Town Counsel. Mr. Stearns seconded; passed 5-0.

Crestwood Road – Mr. Turner presented the request for bond release and road acceptance. Mr. Hohenberger read a letter from the Highway Agent indicating the road was acceptable and Chief McPherson indicated this road does not have a cistern. Mr. Carpenter motioned to release the bond from \$8,100 to \$0 and accept the road as a Town road, subject to final review of the deed by Town Counsel. Mrs. Crisler seconded; passed 5-0.

Searles Road, Mockingbird Hill Road and Netherwood Road (combined into one deed) and Stoneywyke Road – Mr. Turner presented the request for bond release and road acceptances and indicated that the owner had requested removal of Netherwood Road from this deed/bond release because of ongoing issues with the cistern which could not be corrected in time for this public hearing. Craig Francisco of Bedford Design spoke on this issue and requested the Board move forward with the release of the Stoneywyke and Searles/Mockingbird Hill bonds. Mr. Hohenberger read a letter from the Highway Agent indicated these three designated roads, or portions thereof, were acceptable. Chief McPherson indicated that there were no issues with any cisterns on these roads, only the Netherwood cistern. Mrs. Crisler motioned to release the Stoneywyke bond from \$11,507 to \$0 and accept the road as a Town road. Mr. Carpenter seconded; passed 5-0. Mrs. Crisler motioned to release the Searles/Mockingbird Hill bond from \$130,612 to \$0 and accept the road as a Town road, subject to receipt of a clean deed with Netherwood removed. Mr. Stearns seconded; passed 4-1 with Mr. Carpenter opposed.

**CORRESPONDENCE:** Mr. Hohenberger read a road bond release request for a portion of Governor Dinsmore Road and Mr. Turner presented the details. Mr. Carpenter motioned to release the bond from \$6,504 to \$0 and Mrs. Crisler seconded; passed 5-0.

**NEW BUSINESS/OLD BUSINESS:** Mr. Sullivan presented an abatement request for Lot 25-E-500, which has been accepted as a donation to the Town as conservation land. Mr. Carpenter motioned to approve as presented and Mrs. Crisler seconded. Passed 5-0.

Mrs. Crisler reported that she attended a meeting today with the SAU staff, the School Board, Team Design and others regarding the high school road layout. Team Design will be getting a third party quote on the cost of underground utilities and consensus was that the parties involved would wait a week before making a final decision on this issue.

**CORRESPONDENCE/MINUTES, continued:** Mr. Hohenberger read a letter to the Planning Board from Joseph Maynard of Benchmark Engineering in regards to Spruce Pond Estates, requesting to be on the next available Planning Board agenda for a proposed roadway change that would affect the Hopkins Road area. It was noted that if this proposed roadway is approved, the reclassification of Hopkins Road would not be necessary at this time.

Mr. Hohenberger read a letter from the Windham Community Band announcing their annual “Evening of Music” fundraiser at the Castleton on March 18<sup>th</sup>.

Mr. Hohenberger read two letters from Peter Zohdi of Edward Herbert Associates requesting to be scheduled on the next available Selectmen’s agenda. The first subject is in regards to the Town Hall driveway and possible connection to the proposed driveway for the development of Parcels 16-L-570 & 580 (Village District). The second subject is the

future parking area across from Griffin Park. Mr. Sullivan indicated these topics would be scheduled for either March 20<sup>th</sup> or 27<sup>th</sup>, once he confirms with Mr. Zohdi. On the topic of Griffin Park, Mr. Carpenter requested that staff provide the Board with a current “as built” drawing of Griffin Park as it is today.

Minutes – The Board tabled approval of the draft minutes of the February 27<sup>th</sup> meeting.

**NON-PUBLIC SESSION:** Mr. Carpenter motioned to enter into non-public session in accordance with RSA 93-3:A IIB, and immediately following the non-public, recess the meeting to March 7<sup>th</sup> for the meeting with the Pelham Board of Selectmen. Mrs. Crisler seconded. Roll call vote, all members “yes”. The topic of discussion was personnel. After a lengthy discussion regarding the Fire Chief candidates previously interviewed by the Board, Mr. Breton motioned to appoint Tom McPherson to the Fire Chief position, effective upon his acceptance (with a new step date of March 8<sup>th</sup>). Mr. Stearns seconded. Passed 5-0.

Mr. Stearns also commented on the recent criminal events occurring in Town and was complimentary of Police Chief Lewis’ public handling of these events. This sentiment was echoed by the remainder of the Board.

Meeting recessed at 10:50 pm.

*March 7, 2006 – The March 6<sup>th</sup> meeting was continued until March 7, however, the March 7<sup>th</sup> meeting with the Pelham Board of Selectmen was subsequently postponed to a later date due to scheduling conflicts for members of both the Windham and Pelham boards.*

Respectfully submitted,

Dana Call  
Assistant Town Administrator/Finance Director

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