

BOARD OF SELECTMEN
Minutes of August 28, 2006

MEMBERS PRESENT: Chairman Mr. Stearns called the meeting to order at 7:00 PM. Selectmen Roger Hohenberger, Margaret Crisler, Alan Carpenter and Dennis Senibaldi were present, as was Town Administrator David Sullivan. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Fire Chief Tom McPherson announced that the Fire Department would observe the fifth anniversary of the September 11th attacks with a memorial service beginning at 8:30 AM at the Fire Department. Light refreshments will be available prior to the ceremony.

Chief McPherson then advised the Board that beginning in February of 2007, the Fire Act grant program will open, and that he and Deputy Leuci had been evaluating the Department's needs, of which turnout gear is a priority.

Deputy Leuci approached to give a brief explanation of the grant process, and explained that the Department will be seeking to obtain 19 complete sets of protective clothing. This would outfit each member with a full, second set of gear. Deputy Leuci also noted the Department will look to obtain a gear drying, and the total grant monies sought will be \$44,458. The required matching funds from the Town would be \$2,222.

A brief discussion ensued, in which the Board expressed their support of the Chief's plan to apply for the grant as presented.

Mr. Carpenter announced that a ribbon cutting ceremony is being planned for the Windham Rail Trail, which Governor Lynch is expected to attend. More details will be available in the future.

Mr. Carpenter urged all to visit "The Kitchen", owned and operated by John and Kay Normington, which is located at the Windham Depot.

Mr. Senibaldi noted that the Recreation Coordinator had announced the Fall recreational offerings, including the Harvest Festival, a scavenger hunt, and ongoing walking program.

Mrs. Crisler inquired whether the Town beach would be remaining open through Labor Day. Mr. Senibaldi replied the last day the lifeguards would be on duty was August 31st.

Mr. Senibaldi then noted that the erosion at the Beach is getting worse. Mr. Sullivan reiterated that no additional sand can be brought to the area unless the beach is perched. Discussion ensued regarding swale work and drainage cleanup that needs to be done. Mr. Sullivan noted such work cannot be done until the beach is done, and that the cost will be more than a few thousand to complete. Mr. Carpenter inquired whether Mr. Blanchette could look at the swale, and Mr. Sullivan indicated he could be asked to clean it out.

Mr. Hohenberger noted that the flooding this year was abnormal, and inquired whether the Scouts could be asked to aid in hand sifting the sand back into the area. Mr. Senibaldi pointed out they'd never be able to return all the sand that was lost to the beach, and suggested DES needed to be contacted to allow sand to be brought in before the winter. A discussion ensued regarding perching the beach.

Mrs. Gail Webster approached to inquire where the water was coming from, and Mr. Sullivan replied it was resulting from the sheet drainage across Cobbetts Pond Road, as well as normal drainage through the culverts.

LIAISON REPORTS: Mrs. Crisler reported that the Wednesday meeting of the Planning Board, at which Mr. Cass of the NHDOT had been present to discuss roundabouts, had been very well attended. A brief discussion ensued regarding Faith Road and the Planning Board's consternation that the Board of Selectmen had not supported construction of a roundabout there.

ANNOUNCEMENTS, CONTINUED: Transfer Station Manager Dave Poulson approached, requesting that the Board approve the purchase of eight drive tires for the Mack truck. He had obtained three quotes for the purchase, as follows:

<i>Stratham Tire, Brentwood, NH</i>	\$3,420.96
<i>GTP Tire, Windham, NH</i>	2,600.00
<i>New England Truck Tire, Bow, NH</i>	2,343.08

Mr. Poulson requested that the purchase be awarded to GTP Tire, noting that despite not being the low bidder, they were a local business that had served the Transfer Station well over the years. A discussion ensued regarding the brand of tires being offered and mileage expectations.

Mr. Senibaldi then moved and Mrs. Crisler seconded to award the bid to GTP Tire of Windham for their price of \$2,600 for the purchase of eight Dunlap drive tires. Passed unanimously.

CORRESPONDENCE: Letter received from Tax Assessor Rex Norman, requesting an extension until September 29th on filing the MS-1, which will allow time for review of the data collected by Commerford, Neider, and Perkins. Mr. Norman expects the new assessments to be published by September 15th, with time afterwards for public input. Mr. Hohenberger inquired when the assessments will be available on the Town website, and Mr. Sullivan replied it would be by September 29th.

Mr. Hohenberger then moved and Mr. Senibaldi seconded to sign the request for extension form to be submitted to the Department of Revenue Administration. Passed unanimously.

Memo received from Planning Director Al Turner noting that the Planning Board had voted to recommend that Peter Griffin be appointed to the Rockingham Planning Commission through 2009. Mrs. Crisler moved and Mr. Senibaldi seconded to appoint Mr. Griffin as recommended. Passed unanimously.

Memo received from Planning Director Al Turner noting that the Planning Board had voted to recommend that Annette Stoller be appointed to the Rockingham Planning Commission through 2010. Mrs. Crisler moved and Mr. Senibaldi seconded to appoint Ms. Stoller as recommended. Passed unanimously.

MINUTES: None.

BID AWARDS: Finance Director Dana Call advised the Board that no bids had been received relative to the Impact Fees. Mr. Sullivan indicated appropriate vendors would be contacted to see if there were any interest in the project and, if so, it would be re-bid.

Mrs. Call noted that two bids had been received for propane, as follows:

	06-07	07-08 optional	08-09 optional
Palmer Gas, N. Salem, NH			
<i>Option 1</i>	<i>Selkirk+\$0.35</i>	<i>Selkirk+\$0.35</i>	<i>Selkirk+\$0.35</i>
<i>Option 2</i>	<i>\$1.65 fixed</i>	<i>Selkirk+\$0.35</i>	<i>Selkirk+\$0.35</i>
Eastern Propane, Hudson, NH			
	<i>\$1.65 fixed</i>	<i>No bid</i>	<i>No bid</i>

Mrs. Call stated that, after review, it was recommended the bid be awarded to Palmer Gas for Option 1, for a three year period. Mr. Carpenter inquired how much propane the Town purchases, and Mrs. Call replied approximately 26,000 gallons were purchased in 2005, at a cost of \$40,000 +/-.

Mr. Hohenberger stated he preferred option two be awarded, with the fixed price for year one. He then moved and Mrs. Crisler seconded to approve the award of option 2 to Palmer Gas of North Salem. Passed 4-1, with Mr. Stearns opposed, citing his support for option 1.

Paving Projects: Mr. Sullivan read the following bids into the record:

Brox Industries, Inc. Dracut, MA	
<i>Cardinal Road</i>	\$ 90,000
<i>Searles Road</i>	270,000
<i>West Shore Road</i>	195,000
<i>Add'l to remove unsuitable materials</i>	37,000

Tate Bros. Paving Co., Inc., Hudson, NH	
<i>Cardinal Road</i>	47,015
<i>Searles Road</i>	216,145
<i>West Shore Road</i>	143,242
<i>Add'l to remove unsuitable materials</i>	\$15/cu. yd.

Highway Agent Jack McCartney approached to advise the Board that he had clarified with Tate Brothers that removal of unsuitable material had been included in their bid price, and that the quoted amount of \$15/cubic yard was above the specified amount. A discussion ensued regarding the amount expected.

Mr. McCartney then recommended that Cardinal and Searles Road be done, as West Shore is not as heavily traveled. He further stated that a 4,500' section of Searles could be completed, from St. Matthews to Governor Dinsmore Road, and Mr. Sullivan noted that both Searles and Cardinal are at the top of the priority list for completion.

After a brief discussion, Mr. Hohenberger moved and Mr. Carpenter seconded to award the bid for repair of Cardinal and Searles road to Tate Brothers Paving for their bid amounts of \$47,015 and \$216,145, not to exceed \$263,160. Passed unanimously.

Marblehead Road: Mr. McCartney read the following bids into the record:

<i>Tate Bros. Paving Co</i>	\$277,000
<i>American Excavating</i>	142,500

A discussion ensued regarding that portion of Marblehead just completed, that this reconstruction will encompass the section from Fletcher to Woodbury road, the ongoing inconvenience to the residents, and the blasting required for this project.

Mr. Carpenter expressed concerns regarding the bids submitted and the specifications distributed, and whether the responses could be compared equitably.

After further discussion, Mr. Hohenberger moved and Mrs. Crisler seconded to award the reconstruction of 1,450' of Marblehead Road to American Excavating for their bid amount of \$142,500 plus the additional cost of unsuitable materials and ledge removal, with the Highway Agent to monitor the project budget.

A brief discussion ensued regarding the ledge removal costs. Motion passed 4-1, with Mr. Carpenter opposed.

RIGHT-OF-WAY PERMIT: Mr. McCartney explained that a private contractor was performing under drain work for a resident of Blossom Road, and was requesting permission to tie into a Town-owned basin. Mr. McCartney noted this would be beneficial to the Town, in that it would lessen the wetness in this area of Blossom Road. The work will take place in the right-of-way only, and will not effect the roadway.

Mr. Carpenter moved and Mr. Senibaldi seconded to approve the work within the right-of-way at 26 Blossom Road as proposed. Passed unanimously.

BUILDING PERMIT/PRIVATE ROAD: Mr. Stearns read the Planning Board comments into the record. Mr. Joe Maynard, Benchmark Engineering, approached on behalf of the property owners, Paul and Stella Tokanel. He presented a plan of the area to the Board, and explained that the owners have a second lot available for use as a staging area during construction and that the required waiver has been completed. Mr. Maynard noted that the owners would also be improving Fourth Street, to some extent, as part of the project, and will be monitoring the project at all times to ensure the roadway remains clear.

After a brief discussion, Mrs. Crisler moved and Mr. Hohenberger seconded to approve the issuance of a building permit at Fourth Street as requested, subject to adherence to the waiver and standard Building and Planning Board requirements. Passed unanimously.

The Chair called for a five minute recess.

2005 AUDIT REPORT: Mr. Bob Vachon, Auditor, conducted a slideshow presentation for the Board, highlights of which included:

- The Town's ratio of debt remains exceptionally low at under \$2M
- No internal control issues or reportable findings were noted during the audit.

Mr. Carpenter inquired what effect the large school bond would have on the debt ratio, and Mr. Vachon replied it would still be acceptable given the Town's \$1.2 billion in valuation. Mrs. Call noted that the School is evaluated separately, and only bonding agencies look at the combined level of debt.

Mr. Vachon extended his congratulations to the Board for their continuing efforts on behalf of the Town. The members then thanked Mr. Vachon and Mrs. Call.

OLD/NEW BUSINESS: Mrs. Crisler inquired as to the status of the Library steps. Mr. Sullivan replied that Mr. Barlow had inspected them, but no definitive time period has been established for their improvement.

Mr. Sullivan noted that the Board needs to schedule a site walk and public hearing for Flat Rock Road, and inquired whether the members would like to conduct both on the same evening. After a brief discussion, it was the consensus of the Board to schedule the site walk for 6:30 P.M., prior to the public hearing.

Mr. Sullivan advised the Board that, after further research, it has been determined that the lot and location of the proposed roadway to the Village Center District must be approved by the Planning Board prior to the Board of Selectmen holding a "conditional layout" hearing on the matter. He noted that the hearing scheduled for the September 11th meeting would be to gain some public input, but a final hearing would have to be held at a later time.

Mr. Sullivan reported that he had met with Hiram Morrill of NHDOT Division 5 regarding the speed limit/crosswalk at Griffin Park. He noted that the State supports the reduction in speed in the area as part of their overall

approval of the project. In addition, the State will approve the crosswalk and signage, however, not the installation of lighting.

Mr. Sullivan advised the Board that the ADA improvements at Griffin Park had been completed, and that Ms. Killam of the Governor's Council on Disability had reviewed and is pleased with the results.

Mr. Sullivan noted that Requests for Proposal have been drafting for auditing and legal services, and will be sent out shortly. He inquired whether any of the Board were interested in participating in the review process. The members will contact Mr. Sullivan regarding their availability.

NON-PUBLIC SESSION: Mr. Carpenter moved and Mr. Senibaldi seconded to enter into non-public session in accordance with RSA 93-A:3 IIa and d. Roll call vote, all members "yes". The topics of discussion were personnel and legal. The Board, Mr. Sullivan, and Ms. Devlin were in attendance

Legal: Mr. Sullivan discussed a proposed settlement relative to a code enforcement matter. It was the consensus of the Board that Mr. Sullivan proceed as recommended.

Personnel: Mr. Sullivan updated the Board on a personnel matter. No decisions were made.

Personnel: Mr. Sullivan discussed a potential personnel change with the Board. After a brief discussion, it was the general consensus of the Board that Mr. Sullivan proceed as requested.

Mr. Carpenter moved and Mrs. Crisler seconded to adjourn. Passed unanimously.

The meeting was adjourned at 9:30 P.M.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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