

**SELECTMEN'S MINUTES**  
**January 14, 2008 Budget Public Hearing, *Continued***

**MEMBERS PRESENT:** Chairman Alan Carpenter, Dennis Senibaldi, Bruce Breton, Margaret Crisler and Roger Hohenberger were present. David Sullivan, Town Administrator, and Dana Call, Asst. Town Administrator were also in attendance. Mr. Carpenter opened the meeting at 7:00 pm with the Pledge of Allegiance.

**PUBLIC HEARING:** The public hearing on the 2008 Town Budget and Warrant was continued from January 7, 2008 to discuss several articles continued from the previous hearing and petitioned articles received on or before the deadline of January 8, 2008. (Note: Certain article numbers were changed at this hearing as a result of articles being removed from the draft warrant. Article numbers indicated throughout these minutes are based on the presentation drafted in advance of this hearing, prior to any changes).

**Article 8 – Fire Union Contract** – Mr. Carpenter explained the provisions of the tentative agreement as agreed to by the Board and Fire Union. Mr. Sullivan explained that the article was originally drafted based on a two-year contract, but the tentative agreement covers a three-year period, therefore the article has been revised accordingly. Mr. Hohenberger moved to RECOMMEND the article. Mrs. Crisler seconded. Passed 5-0.

**Article 9 – Municipal Union Contract** – Mr. Senibaldi explained the provisions of the tentative agreement as agreed to by the Board. Mr. Sullivan indicated that, to his knowledge, the Municipal Union has not yet voted on the two-year agreement. Mrs. Crisler moved to RECOMMEND the article. Mr. Senibaldi seconded. Passed 5-0.

**Article 27 – Change in Town Clerk compensation from fees to salary/benefits** – Mrs. Crisler moved to DELETE the article. Mr. Senibaldi seconded. Mrs. Crisler tabled the motion for discussion and Mr. Senibaldi seconded. Mr. Sullivan indicated that it had just been discovered that there was a misunderstanding as to the end of the term of the current Town Clerk, Joan Tuck, and her term does not end until 2009. Therefore, he indicated that, as previously discussed, it was not recommended that a change take place during mid term for a sitting town clerk. There was additional discussion as to the timing of the proposed change and whether it would allow an incoming clerk to understand the compensation prior to running for office.

Galen Stearns indicated that this might be the time to put the article on the warrant and, if passed by the town, have it effective March of 2009 to allow for better planning and budgeting. Mrs. Crisler clarified that the reference in the draft article to a “work schedule to be approved by the Board” may need to be revised, as the intent of the article is not to change the operations of the town clerk’s office in any way. The

position would still be elected and the discussion is simply in regards to how the town compensates the individual. Mr. Senibaldi indicated that he does not want to change the fee structure and add another person to the town's benefits package, until such time as the Board is approached by a town clerk that requests such a change.

Mrs. Tuck asked if the article could be dismissed at town meeting if it goes forward and the Board indicated that it could not be dismissed but could be amended. Mr. Hohenberger asked Mrs. Tuck if she could explain why she prefers to remain on fees and if it is mainly because it is better for her financially, and she indicated that it was. She indicated that she wants to go on record against changing the compensation of the position.

Mrs. Crisler asked to take the motion off the table and vote on it, and Mr. Senibaldi seconded. Motion passed 4-1 with Mr. Carpenter opposed.

**Article 25 – Amend Solid Waste Ordinance to remove commercial & residential demolition** – Mr. Hohenberger moved to AMEND the article and instead of *deleting* Section IV D pertaining to residential demolition waste, *amend* it to require that residents transport demolition waste in their own (not rented) vehicle and to disallow any transportation of demolition waste to the station by a commercial hauler, as well as amend Section V H to eliminate the word “residential” from prohibited disposal. Mrs. Crisler seconded. Mr. Senibaldi reiterated his position that the Board had several lengthy discussions regarding this topic, the result of which is the article as proposed, and it should be left as written.

Dave Poulson, Transfer Station Manager, gave a brief presentation regarding some of the issues that the station has encountered as a result of demolition waste being accepted and indicated that the abuse of the facility that has occurred is not a result of commercial demolition, but rather residential use. Mrs. Crisler indicated that the staff has been doing a great job trying to oversee the use of the station, but enforcement continues to be an ongoing issue. Mr. Poulson continued the discussion of several factors, including costs, of the C&D disposal service.

Kevin Scannel spoke regarding a previous letter he had written to the Board in regards to the use of the station by non-residents. His opinion is that the town is not enforcing the current ordinance, so it should not be changed until it is enforced. He also suggested the town consider using coupons for demolition to better control the amounts accepted.

Charlie McMahon indicated that he believes the town has not given Mr. Poulson the tools needed to prevent abuse, and until such time, the ordinance should be left as is. He feels that recent policing and traffic control that has been done is working, and limiting residents' services may cause illegal dumping. Alternatively, he would support a change to the ordinance if it eliminates commercial demolition waste only.

Galen Stearns indicated that accepting demolition is a service to residents that should not be taken away. If changes are needed it should be done in steps, to remove commercial demolition initially and consider utilizing stickers or coupons for residential waste.

Mr. Carpenter indicated that he believes the town should prohibit commercial demolition waste but allow residential, continue to monitor, and consider any additional changes as needed in March 2009. The Board voted on the original motion by Mr. Hohenberger to amend the article, and it passed 3-2 with Mr. Senibaldi and Mr. Breton opposed. Mr. Hohenberger motioned to RECOMMEND the article as amended and Mrs. Crisler seconded. Passed 3-2 with Mr. Senibaldi and Mr. Breton opposed.

**Article 30** – **Adopting a new credit card ordinance** – Mrs. Call explained how the ordinance was drafted to allow the Board to accept credit cards for payment, but enables the Board to consider the specific parameters at a later date in regards to the departments that would accept credit cards and any maximum transaction limits. Mrs. Call indicated that the primary need for this capability was based on a request by the town lacrosse program to allow them to accept credit cards for registrations. Mr. Breton indicated that, as he was the one who initiated the request to proceed with credit cards initially, he would be willing to defer this to another year based on everything else on the warrant. He did, however, request that the town look into putting an ATM machine in town hall. Bob Skinner, Treasurer, indicated that he is in agreement with the proposed credit card ordinance as Treasurer, however, due to the length of the ballot this year, he would agree with delaying it. Mr. Senibaldi motioned to remove Article 30 and Mr. Hohenberger seconded. Passed 5-0.

**Article 23** – **Conveyance of 16 acres of Gage Land to the School District** – Mr. Hohenberger read the article and deferred to Al Letizio, School Board Chairman. Mr. Letizio discussed that this article came about as a result of the School Board's vision for athletic fields and facilities. Mr. Carpenter indicated his belief that there isn't a significant difference between whether this small amount of land is owned by the town or school, however, he suggested the Board allow the article to stand on its own and move forward to the warrant without a recommendation from the Board of Selectmen. Mr. Hohenberger indicated that he feels differently from Mr. Carpenter in that it is the town's job to oversee conservation land. Mrs. Crisler indicated her belief that the original intent of the restriction on the Gage Lands was for conservation and recreation, not to mean sportsfields.

Barbara Coish, School Board member, indicated that the School Board is not unanimous on this issue and it is contingent on the passing of the School District's \$3.8 million bond article for athletic facilities. Beth Valentine, School Board member, indicated that the Selectmen and School Board had successfully worked together on resolving similar land issues in the past.

Jim Finn, Conservation Commission Chairman, indicated the Commission had been working on a conceptual proposal in regards to the land to be swapped, but the commission is not in overall agreement at this time. The Commission's main concern is to not continue to deplete the Gage Lands as needed by the School District. He indicated that they are not in consensus that the land that has been offered in trade is favorable. He also indicated that the Commission wants a third party easement to be attached to the land that will be swapped.

Ralph Valentine, representing the Recreation Committee, indicated that the committee fully supports the land swap as presented.

Mark Charbonneau, 14 Horne Rd, indicated that he believes it is important for the town to do this because it is going to get a lot more use out of the land in the capacity being proposed.

Charlie McMahon asked the Board to support this land swap as it is the result of the work of the Athletic Committee and fulfills a promise to the community in regards to the high school facilities and curriculum to be delivered. He reiterated that it is town owned land and not conservation land.

Mr. Carpenter asked Mr. Letizio to address the issue of the school bond article passing and the land swap article not passing, in terms of the impact of the fields and Mr. Letizio indicated that it would impact the master plan and future middle school property.

Mrs. Crisler indicated that she had met with Londonderry school officials in regards to the field locations with contiguous schools and noted that the idea is to keep playing fields as close to the school as possible and not mix fields among different schools with different age groups and scheduling issues. As a result, she indicated she is in reluctant agreement with the land swap but has concerns about the depletion of the Gage property. She also suggested the article be amended to include that if the School District doesn't complete the field construction within six years, the land will revert back to the town.

Mr. Valentine spoke again indicating that the Conservation Commission controls 900-1,000 acres of land and that, in his view, 16 acres is not a lot from that perspective. In regards to that, Mr. Morris indicated that 4% of land in town is designated Conservation land, while the NH Conservation Commission's recommendation is 25%.

Mr. Breton commended Mr. Letizio, the School Board and the Athletic Committee for the work they've done and he agrees with the plan as presented. Mr. Senibaldi agrees with the six-year amendment and that the school district land given to the town should be at least two times what the town gives the school. The Board had additional discussion on the six years and what would be an appropriate time frame and Mr.

Letizio indicated that the six year time frame should be adequate but that any state aid would be subject to an application and approval process.

Mr. Sullivan summarized the proposed amendments to the article as follows: "...to accept a portion of the School District land that is at least twice the acreage..." and add a sentence "Said authorization to complete this transaction shall expire on December 31, 2014." Mrs. Crisler motioned to amend the article as read and Mr. Senibaldi seconded. Motion passed 3-2 with Mr. Hohenberger and Mr. Carpenter opposed. Mr. Breton motioned to RECOMMEND the article as amended and Mr. Senibaldi seconded. Motion passed 3-2 with Mr. Hohenberger and Mr. Carpenter opposed.

**Article 4 – Authorize Selectmen to raise and appropriate \$1,020,000 (\$1,000,000 of which to be issued through bonds) for constructing Londonbridge Road.** The Board then opened the bond public hearing by reading the following notice:

*In accordance with RSA 33:8-A, the Board of Selectmen will hold a Public Hearing on a proposed bond issue in the amount of \$1,000,000 for the purpose of constructing a new Town Road over the area of the former Londonbridge Road beginning at the end of the new road leading to the Windham High School and ending at its intersection with Castlehill Road, on **Monday, January 14, 2008 at 8:00 pm** at the Planning and Development Department. The total cost of the construction is estimated to be \$1,000,000.*

Mr. Carpenter deferred to Mr. Letizio to open the discussion. Mr. Letizio indicated that a citizen petition had been received by the School District for the same project as the Board of Selectmen article, because if constructed by the School District, the project would be eligible for the 30% State aid. Mr. Letizio indicated that he is asking that both Boards support the citizen petition, by removing the town's article, with the understanding that the Board of Selectmen and town staff will oversee the road layout. Bob Coole asked if the article can be removed at this hearing, from a procedural standpoint. The Board confirmed that the previously received "petition to layout the road" is a separate process from this warrant article and bond hearing. The Board reiterated that statutes regarding road layout stipulate the procedures for determining betterment fees, etc., so nothing precludes the Selectmen from considering this at future proceedings.

There was a discussion regarding the cost of the road as quoted in the town article and petitioned article and Mr. Sullivan and Mr. Zohdi clarified that the differences were in regards to the value of the land versus the cost to build the road. Mr. McMahon spoke, as he was the citizen that initiated the petition to the School District, and further clarified how the \$1.25 million in the citizen petition came about. He indicated that the petitioned article includes costs to purchase the land, as the School District would need to own the land in order to benefit from the 30% State aid. Mr. McMahon asked the Board to support the petition, as the second access road is critical. Mrs. Crisler had questions

regarding the road layout and the Board indicated that further discussion in regards to underground conduits and other issues relevant to the layout process would be discussed at a future meeting.

Mr. Senibaldi motioned to REMOVE Article 4 and Mr. Breton seconded. Mr. Hohenberger indicated that he still has concerns regarding the two articles and previous discussions by members of both Boards outside of regular meetings. Mrs. Coish indicated that there was information given to individual members of both Boards regarding suggestions from Glen Davis, and that this information should be distributed to the full Boards. Further discussion ensued regarding the nature of the various meetings and the information prepared by Mr. Davis. Bev Donovan indicated that Mr. Davis' suggestions would be addressed at the School District deliberative session through the amendment process, as the citizen petition must appear on the warrant as written. After further discussion the Board voted on the motion to REMOVE, and the motion passed unanimously. Mr. Senibaldi motioned to close the public hearing and Mr. Breton seconded. Motion passed unanimously.

**Article 28 – Authorize Selectmen to enter into water agreement for**

**Fellows Rd** – Mr. Carpenter indicated that he thought the Board's desire was to have a draft agreement for the residents to review and not to present the exact same article that appeared on the warrant last year (which appears again on the current draft warrant). Mrs. Mesiti approached the Board with a letter from her and Mr. Mesiti, asking the Board to withdraw the article, as they have decided not to pursue the water agreement. A lengthy discussion ensued in regards to the meetings that have taken place over the past year to draft the agreement, the Board members' views on the previous town meeting vote in regards to the level of citizen involvement in the final agreement and the Mesiti's views regarding any negative reaction from the town. The Board indicated that they would like to continue to try to work out an agreement with the Mesiti's under the previous authorization given by the 2007 town meeting vote, and asked that this topic be included on the agenda of the February 4<sup>th</sup> Board meeting. Mr. Senibaldi motioned to REMOVE Article 28 and Mr. Breton seconded. Motion passed 4-1 with Mr. Hohenberger opposed.

**Article 24 – Adopt revisions to the Blasting Ordinance** – Joe Maynard of Benchmark Engineering introduced Robert Haas from PreSeis, Inc. a blasting vibration consulting firm, to offer suggestions to the members regarding portions of the proposed ordinance revisions. Vibration limits, pre-blast survey/permit duration correlation, and permitted hours as proposed were discussed, as was the use of nitrates in blasting material.

Greg Kindrat, Meetinghouse Rd, then spoke in regards to a proposed amendment, essentially banning rock crushing. The Board indicated that they were not prepared to make such an amendment at this hearing, but asked staff to provide the wording to Town Counsel in advance of the deliberative session so that should such amendment be proposed at that time that Counsel would be prepared to respond.

Joe Gauthier spoke as a resident and excavating contractor and suggested amending the article (Section VII 1 & 2) to allow up to 4,000 cubic yards of material to be removed from a site for a 30-day permit, instead of 2,000 as currently proposed. Mr. Gauthier also spoke in opposition to any amendment that would ban rock crushing from town and indicated that this would inhibit not only certain small building projects, but the construction of town roads as well, and noted that there is a significant difference between the level of rock crushing needed for these projects versus the commercial “quarrying” that is occurring at the Ledge Road site; therefore, the Board should consider the total town needs in revising the ordinance.

Al Turner, Planning Director, spoke in regards to the proposed ordinance changes and noted that Section IV B may need to be amended in regards to the level of Hz that should coincide with the PPV of 13mm/s or 0.50 in/s (i.e. should the 40 Hz also be cut in half). The Board directed Mr. Turner to follow up with the town’s consultant on this issue, as well as information about any nitrate free blasting agents, in time for the deliberative session.

Mark Charbonneau spoke in opposition to any amendment that would eliminate on-site rock crushing, as he believes doing so will create additional environmental issues as a result of more truck traffic being required to transport materials in and out of town.

Mr. Carpenter agreed with the previous resident’s suggestion to expand the levels in Section VII paragraph 1 to be 0-4,000 and paragraph 2 to be 4,000-15,000. In regards to Section IX B (first paragraph), the Board asked Mr. Turner to have the town’s blasting consultant review the radius requirements for each level of permit (30, 60 or 90 day) to see if they are too extensive, as well as review the depth of charge levels associated with each permit. The Board also agreed to remove the application permit from the ordinance and make it a separate document. Mrs. Crisler motioned to AMEND the article to include the amendment to Section VII noted above and to remove the permit application from the ordinance. Mr. Hohenberger seconded and motion passed unanimously. Mr. Hohenberger motioned to RECOMMEND the article as amended, and Mrs. Crisler seconded. Motion passed unanimously.

**Article 31** – **Petitioned article requesting the Town discontinue the old woods road known as “Old County Rd”** – Joe Maynard presented on behalf of the petitioner and indicated that, as a result of the discontinuance, the owner would replace the existing trail with a new road built to town standards. Wayne Morris spoke in opposition to the article as the trail is used for recreational purposes and, therefore, he believes there is a value to this trail to the town. Mr. Morris indicated that the town’s Trails Committee will be meeting with Mr. Maynard on this topic at an upcoming meeting. Mr. Breton asked that the minutes of any Trails Committee meetings be made available. Mr. Hohenberger suggested the article be worded such that approval is contingent on the

road being built. Mrs. Crisler indicated that she would like to wait until after the Trails Committee meets with Mr. Maynard to vote on a recommendation of this article. Mr. Breton moved to RECOMMEND the article. Mr. Hohenberger seconded. Passed 4-0-1 with Mrs. Crisler abstaining.

**Article 32** – **Petitioned article to discontinue a pedestrian easement at 26 Bear Hill Rd** – Allan Putnam, the petitioner, presented the article indicating that this issue came about as a result of a plan by the Trails Committee to clear a four foot path to “develop” a trail through the easement, which runs in between two residences at 26 and 24 Bear Hill Rd. Mr. Putnam indicated that the easement was granted in 1997 and was intended to be used as an access from Lowell Road to the Gage lands, however, he believes with the additional development of the town there are now more appropriate access points to the Gage lands, including Johnny Hill (which includes parking). Mr. Putnam indicated that although he and his neighbor knew the easement was there, very few people use it and over the years, by previous owners, the area has been landscaped and trees have grown in, which causes people to unknowingly traverse across private property if they do use the easement. He believes that maintaining a trail, including adding proposed signage, would create significant safety and privacy issues for his family and neighbors.

Thomas Seniow, 62 Lowell Rd, spoke in opposition to the article indicating that it is a pedestrian easement and there are no signs to the general public indicating that it is there, therefore, other residents should be allowed to use it. In addition, he believes since it is a town asset, it should not be given up. Mike Fitzgerald, 24 Bear Hill Rd, spoke in favor of the article and echoed the reasons stated by Mr. Putnam.

Mr. Turner spoke in regards to the easement indicating that the current owners knew the easement was there and have increased the plantings to prevent access to the area. Mr. Morris spoke on behalf of the Trails Committee and believes the town should not give up an asset. Chief Gerald Lewis spoke in regards to the “buffer” that the current landscaping provides and indicated that, in his opinion, removing this buffer would expose the properties to more issues.

Mr. Hohenberger asked if the Trails Committee could work with the owners to relocate the trail to a better area and Mr. Carpenter asked that they address how the trail should be used. Mr. Hohenberger motioned to NOT RECOMMEND the article and Mrs. Crisler seconded. Motion passed 3-2 with Mr. Senibaldi and Mr. Breton opposed.

**Article 33** – **Petitioned article to discontinue a pedestrian easement at 19 Squire Armour Rd** – Michael Piessens, the petitioner, presented the article indicating that, like the previous article, this issue came about as a result of a plan by the Trails Committee to clear a four foot path to “develop” a trail through the easement, which runs from the back portion of Griffin Park through his property. Mr. Piessens indicated that he

believes the original intention of the easement was to enable a specified-use hiking trail connecting the Squire Armour neighborhood with the adjoining fields/farmland, prior to Griffin Park being built up to the level it is today. Now, he believes, it would be an alternate access to the park, because of the existing overflow parking issues, and create higher traffic volume on Squire Armour Road, which was not the original intention. Mr. Piessens presented his concerns with the development of the easement and his view that it would enhance criminal activity in the area, causing safety and privacy issues to the residents. Mr. Piessens cited many statistics received from the Police department in regards to responses to the park since 1999 and indicated that this “trail” would not have the characteristics of a “safe trail” as concluded in studies produced by national trails organizations.

Mr. Senibaldi indicated that the Recreation Committee would not be in favor of developing and utilizing this trail, thus he would recommend the article. Mr. Hohenberger commented that the town is not using or planning to use the easement, therefore, it does not need to be discontinued. Mrs. Crisler indicated that the original intent was for children in adjoining neighborhoods to access the park. Mr. Morris indicated that the Trails Committee’s intention is to follow the master plan. Rich Deschaies, a resident of Squire Armour Rd, spoke in opposition to the article and indicated that he would be in favor of developing a trail for access by his family and other neighbors. Mrs. Crisler motioned to NOT RECOMMEND the article and Mr. Hohenberger seconded. Mr. Carpenter commented that the Board needs to represent all residents in that the easement has potential for future use. Motion passed 3-2 with Mr. Senibaldi and Mr. Breton opposed.

**Article 34** – **Petitioned article to adopt a Noise Ordinance** – Daphne Kenyon, the lead petitioner, presented the article and Mrs. Crisler reviewed the components and noted that it had been changed from previous drafts presented to the Board, to gear the ordinance more towards time restrictions rather than specific decibel levels. The Board requested that staff have Town Counsel review this draft of the ordinance prior to deliberative session.

Joanne Vigneault, Meetinghouse Rd, spoke in favor of the article and suggested further restricting the time to earlier than 10:00 pm. A discussion ensued regarding the general provisions of disorderly conduct and enforcement by the Police Department, and Captain Yatsevich summarized for the Board what the Police currently can do under State statute. Greg Kindrat indicated that Section IV does not address or define holidays, therefore the Board indicated that this might be an appropriate amendment to have drafted in advance of the deliberative session. Mr. Breton asked about a waiver provision and it was indicated that it is included in Section VI. Mr. Hohenberger motioned to RECOMMEND the article and Mrs. Crisler seconded. Motion passed 4-1 with Mr. Breton opposed.

As there were no additional articles to discuss, the Board opened the discussion to Greg Burton, 26 Simpson Road, who had intended to have a petitioned article to remove an easement on his property, but was unable to submit a valid petition to the Board by the deadline. Therefore, Mr. Burton requested the Board consider adding an article to the warrant, as a Selectmen's article, to address the issue. Mr. Sullivan read the proposed article as follows:

*"To see if the Town of Windham will vote to discontinue a Town owned pedestrian easement located across lots 26 Simpson Road (parcel 20-E-129) and 12 Candlewood Road (parcel 21-G-851) and further to authorize the conveyance of the underlying town's fee interest to the easement, if any, to the abutting property owners. Said easement totals approximately 16,205 sq ft in area and is part of Candlewood Estates subdivision plans approved in 1997 and recorded as plan D25985".*

Mr. Burton requested that if the Board elected to not move forward with the article, he asked that the Board ensure the Trails Committee does not move forward with clearing or putting signage up until the Board is able to address the issue at a regular meeting. The Board reiterated that the Trails Committee understands not to do any such work without previously meeting with the Board on each easement in question. Mr. Senibaldi motioned to put the article on the warrant with the addition of an opening phrase "At the request of Greg Burton..." and Mr. Breton seconded. After further discussion in regards to the process of citizens' submitting petitions and precedent that would be set by the Board if they were to add articles on behalf of citizens who didn't meet the deadline, Mr. Senibaldi withdrew his motion and Mr. Breton withdrew his second. Eric Luterus, 21 Simpson Road, approached the Board and inquired of the status of the Trails Committee's project of establishing trail systems throughout the various easements, and the Board reiterated that nothing would take place without the Board's oversight.

Article 14 - Mr. Sullivan requested the Board reconsider Article 14 in regards to the Castle Hill Bridge to eliminate the word "donation" and add instead the words "...to accept and expend off site mitigation funds from a private developer...". Mrs. Crisler motioned to reconsider the article and Mr. Hohenberger seconded. Motion passed unanimously. Mrs. Crisler motioned to RECOMMEND the article as amended and Mr. Senibaldi seconded. Motion passed unanimously.

Article 21 - Mr. Sullivan requested the Board reconsider Article 21 in regards to the firefighter SAFER grant and amend the last line to add "...null and void if the 2008 Federal funding...". Mrs. Crisler motioned to reconsider the article and Mr. Senibaldi seconded. Motion passed 4-1 with Mr. Hohenberger opposed. Mr. Senibaldi motioned to RECOMMEND the article as amended and Mrs. Crisler seconded. Motion passed 4-1 with Mr. Hohenberger opposed.

Article 35 - Mr. Sullivan requested the Board reconsider Article 35 in regards to the operating budget sweep article. At the Board's request, we

were able to pay the outstanding bill for the caboose move out of 2007 available budget funds and, therefore, are able to reduce the 2008 operating budget by \$5,500. Mr. Senibaldi motioned to reconsider the article and Mrs. Crisler seconded. Motion passed unanimously. Mr. Senibaldi motioned to RECOMMEND the article as amended and Mrs. Crisler seconded. Motion passed unanimously.

**NON-PUBLIC SESSION:** Mr. Senibaldi motioned to enter into nonpublic session in accordance with RSA 91-A:3 IIa, b, c and e. Mr. Hohenberger seconded. Roll call vote all "yes". The topics of discussion were hiring, compensation, reputations and union negotiations.

Mr. Sullivan presented a request on behalf of Dave Poulson to hire an individual, who previously worked for the town, as a truck driver on a part-time temporary basis (called in as needed), to be paid at the first step of the part-time truck driver scale. Mr. Senibaldi motioned to approve and Mr. Breton seconded. Passed unanimously.

Chief Lewis entered the meeting and presented a request on behalf of the department's part-time Records Clerk to be given one week of paid time off per year, once the position is increased to 30 hours per week. Mr. Senibaldi motioned to provide the Records Clerk with five personal days in 2008, in recognition of three years of service, on a use or lose basis. Mr. Breton seconded and motion passed unanimously. Chief Lewis left the meeting.

Mr. Sullivan presented a request from a resident to be considered for a hardship abatement. Mrs. Crisler motioned to grant such an abatement for \$3,225.10 representing the total tax due, through the Town's general assistance program, and Mr. Hohenberger seconded. Motion passed unanimously.

Mr. Sullivan advised the Board that he had received a modification petition from the AFSCME Local No. 1801 (Municipal Union) to add the Recreation Coordinator position to the union. He indicated that this issue was initially discussed as part of the contract negotiations but that this modification petition is being processed outside of the tentative agreement approved by the Board. Consensus of the Board was to file the response on behalf of the town that the town disagrees with the position being added to the Union.

Mr. Senibaldi moved to adjourn at 1:05 am. Mr. Hohenberger seconded; passed 5-0.

Respectfully submitted,

Dana Call  
Asst Town Administrator

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