

BOARD OF SELECTMEN
Minutes of March 9, 2009

MEMBERS PRESENT: Chairman Dennis Senibaldi called the meeting to order at 7:05 PM. Selectmen Bruce Breton, Galen Stearns, and Roger Hohenberger were present; as was Assistant Town Administrator Dana Call. Selectman Charles McMahon and Town Administrator David Sullivan were excused. Mr. Senibaldi read the agenda into the record, followed by the Pledge of Allegiance.

RECREATION AWARD: Recreation Coordinator Cheryl Haas approached noting that, for many years, the Committee has presented an annual award to an individual selected for outstanding service to the community. She noted that, as there are many groups in Town who are extremely helpful to the Recreation Department, she had initiated a group award program this year, as well.

Ms. Haas then presented, with great pleasure, the first annual Group Recreation Award to Girl Scout Troop 12107, in appreciation of outstanding community service to the Town of Windham Recreation Department. Ms. Haas noted that the girls, and their troop leaders, have always been readily available and a tremendous help at events such as the Tree Lighting and Harvest Festival, and often contact her directly to see if she needs assistance.

Mr. Senibaldi extended his thanks to Ms. Haas for arranging this award, and presented individual plaques to the following with the Town's thanks: Jack Donohue and Sue Chapman, troop leaders; and Molly Donahue, Stephanie Chapman, Carolyn Higgins, Angela Bleeker, Katie Schmidt, Rachel Brissette, Anna Cino, and Celena Wilt, troop members.

MINUTES: Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of 12/01, 12/08, 12/22, and 12/29/08; and 01/05, 01/12/, 01/19, 01/26, 02/02, 02/03, 02/09, and 02/23/09 as written. Passed 4-0.

ANNOUNCEMENTS: Ms. Haas advised that the Annual Easter Egg Hunt is coming up on April 4th at 10:45 PM at the Town Hall. She also noted that tickets to the Daddy Daughter Dance are completely sold out.

Mr. Stearns reminded all to vote the following day. Polls will be open from 7AM to 8PM at Golden Brook School.

Mrs. Call noted that Selectman Charles McMahon and Town Administrator David Sullivan were absent that evening as both were attending the State's Budget presentation in Salem.

Mr. Senibaldi noted that Town Planner Laura Scott had begun her duties that afternoon, and a luncheon had been held to welcome her.

CORRESPONDENCE: Mr. Hohenberger moved and Mr. Stearns seconded to release legal correspondence relative to Article 3, Amendment 9, to the Town Moderator, Planning Board, and public. Correspondence pertained to an error in the wording of the article, which has resulted in its nullification. Passed 4-0.

Letter received from the Town of Goffstown relative to construction of a cell tower.

Right-of-Way Permit: Mr. Breton explained that this permit was relative to improvements to Jones Road as part of the Planning Board approval of the Cyr Lumber expansion.

Mr. Hohenberger moved and Mr. Stearns seconded to approve the right-of-way permit for Cyr Lumber to conduct work on Jones Road. Passed 4-0.

LIAISON REPORTS: Mr. Hohenberger noted that the Cable Advisory Board will next be meeting on Thursday, the 12th, at 7 PM at the Cable Studio.

SKATEPARK PROPOSAL: Ms. Haas approached noting this is a continuation of the presentation made to the Board by Recreation Committee member Scott Mueller in October, at which a draft registration plan for the skate park had been discussed. Ms. Haas noted that this proposal had been reviewed by the Recreation Committee, which recommended it be approved. She then presented the following highlights of the proposal:

- Resident users would complete an application at the Town Clerk's Office; under 18 would require parental signature; a helmet sticker and guest pass would be issued.
- Non-resident users would also be required to fill out an application and, further, attend a short training/informational session at which the regulations for the park would be reviewed. Non-residents will receive a sticker only, of a different style.
- Enforcement will be handled by Police, Park Rangers, or Ms. Haas, and penalties for infractions will include: first offense, warning; second offense, must leave for the remainder of the day; third, barred for one week, fourth, barred for one month; and, a subsequent offense will result in being barred for the remainder of the season.

Lengthy discussion ensued regarding enforcement, the intent of the proposal, possible relocation of a security camera from the multi-purpose to the immediate area, and installation of additional lighting/signage.

Mr. Stearns requested that additional language be added relative to any violations of a suspension period. Ms. Haas and the Board concurred. Mrs. Barbara Coish approached to suggest that Ms. Haas be supplied with some form of shirt that would identify her as a Town employee having authority to enforce the program.

After further discussion regarding moving the security camera as suggested and exploring costs for sensor lighting, Mr. Hohenberger moved and Mr. Breton seconded to approve the proposal for skate park registration with modifications as discussed. Passed 4-0.

OLD/NEW BUSINESS: Ms. Haas advised the Board that she had received a request from Nault's for permission to once again conduct testing of watercraft on Cobbetts Pond. Ms. Haas indicated she had spoken to the Cobbetts Pond Improvement Association who had no objection provided the conditions remained the same as last year.

Mr. Breton moved and Mr. Hohenberger seconded to approve the request from Nault's to conduct testing on Cobbetts Pond based upon the terms approved in 2008. Passed 4-0.

Mrs. Call advised that a request had been received from the Greater Salem Area Board of Realtors to be added to the list of non-profit organizations able to utilize the Searles facility at a reduced rate.

Mr. Stearns moved and Mr. Breton seconded that the GSABR located at 81 Indian Rock Road be added to the non-profit status list for use of the Searles School. Passed 4-0

Mrs. Call advised the Board that she had followed up to clarify the assessment of the Public Safety Impact Fees in 2008, noting that any subdivision approved prior to February 14, 2008 had been grandfathered. She clarified that the collection of only one fee as of year-end, was correct, and that moving forward with the hire of the new Town Planner a tracking system will be implemented to differentiate between building permits issued for grandfathered versus non-grandfathered subdivisions.

PUBLIC HEARING/RYAN FARM ROAD: Mr. Senibaldi read the public hearing notice into the record, and then noted that the roadway has been inspected, the cistern tested, and the deed recorded. *Mrs. Call* stated that the Board had previously accepted Timberlane and Heritage Hill Road, but that Ryan Farm Road had been held out of the approval process as it was believed it had been left out of the deed. She noted that it was, in fact, included in the deed in question and the Town does therefore own the road.

Mr. Breton moved and Mr. Stearns seconded to accept Ryan Farm Road from station 0+00 to station 9+75, and to release the bond in its entirety in the amount of \$51,960 to Everett Ryan. Passed 4-0.

Mr. Breton then moved and Mr. Hohenberger seconded to post Ryan Farm Road from station 0+00 to 9+75 as 25 MPH. Passed 3-1, with Mr. Stearns opposed.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Breton seconded to enter into a non-public session in accordance with RSA 91-A:3-II b, c, and e. Roll call vote – all members “yes”.

The Board, *Mrs. Call*, *Ms. Haas*, and *Ms. Devlin* were in attendance in the first session.

After a brief discussion, Mr. Hohenberger moved and Mr. Breton seconded to extend an offer of employment for the position of Tennis Instructor as recommended by *Ms. Haas*, subject to the requirements of the Town’s Employment Policy, at the pay rate per the current scale. Passed 4-0.

The Board, *Ms. Call* and *Ms. Devlin* were attendance in the remaining session.

Ms. Call discussed a reputations matter with the Board. No decisions were made.

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

The meeting was adjourned at 8:20 PM.

Respectfully submitted, Wendi Devlin, Administrative Assistant

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