

BOARD OF SELECTMEN
Minutes of March 15, 2010

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Ross McLeod, Charles McMahan, and Roger Hohenberger were present, as was Town Administrator David Sullivan. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. McLeod thanked the voters for their support of the salt shed project.

Mr. McLeod reminded all of the Jaguar Boosters Comedy Night on March 18th at the Tupelo Music Hall, and the Firefighters' Ball on March 27th at Castleton.

Mr. McLeod noted that the ZBA would be discussing the proposed cell tower on North Lowell Road as part of their March 23rd agenda.

Mr. McLeod noted that the Annual Easter Egg Hunt is scheduled for March 27th at the Town Hall and is open to children up to age 9.

Mr. McLeod advised all to stay off of the fields, as they are currently saturated and will take time to dry. He also noted that the Skate Park is not yet open for the season.

Mr. McLeod noted that the Board would be meeting the following evening with representatives of the NH DOT and DES to discuss recent incidents at the I-93 project. The meeting will begin at 5PM at the Community Development Department.

Mr. Hohenberger extended congratulations to Mr. Breton on being re-elected.

Mr. Sullivan noted that the Depot project was scheduled to begin shortly and that, during the construction, the parking area will be closed. He indicated that the Trail will remain accessible, and a route established around the construction area to allow continuation to the Derry portion. Mr. Sullivan then stressed that there will be no on-street parking permitted during the project. Mr. Breton suggested that the Taylors be contacted regarding possible use of their parking area for the duration, and Mr. Sullivan indicated he would do so.

Mr. McMahan then asked that the area be clearly marked that parking is prohibited, and Mr. Sullivan replied arrangements have been made to do so.

CABLE AWARD: Ms. Anastacia Sofronas approached and indicated that the meeting was not being televised live due to a downed wire, which Comcast was scheduled to fix the following day.

Ms. Sofronas then advised that the WCTV21.com website now has video on demand available, and that Channel 21 now includes “total video” between programming which offers local weather, news, etc.

Ms. Sofronas then presented special recognition awards to Mr. Tom Case and Mrs. Barbara Coish for their dedication to the Studio and, in particular, their assistance to her over the years.

ANNOUNCEMENTS CONTINUED: Mr. Alan Carpenter approached to suggest that the Board reach out to the commercial enterprise located on Roulston Road relative to possible parking there during the Depot project. Brief discussion ensued.

Mr. Carpenter then expressed concerns regarding the ramifications of the defeat of the Workforce Housing petitions. He suggested the Board schedule a joint meeting with the Planning Board to discuss these issues, including the need for each case to now go to arbitration at the State level in the absence of a local ordinance, and urged the Board to consider retaining a land-use specific law firm to represent the Town in such cases. Discussion ensued, and it was the consensus of the Board to concur with Mr. Carpenter’s suggestions and concerns. Staff will work to schedule a joint meeting with the Planning Board.

CORRESPONDENCE: Letter received from Mr. Wayne Morris commending the efforts of the Highway Department, Fire Department, and local contractor Sean Devaney during the recent storm.

LIAISON REPORTS: Mr. McMahon indicated that the Windham Housing Authority had again submitted a grant application to the Housing Finance Authority relative to the Elderly Housing project on Fellows Road. This will be the WSA’s third grant application.

BOARD RE-ORGANIZATION: Mr. Hohenberger moved to nominate Mr. Breton as Chairman. Mr. Breton expressed appreciation for the nomination however he stated he preferred to be Vice Chairman and felt Mr. McMahon would serve well as Chairman.

Mr. Breton moved and Mr. Hohenberger seconded to nominate Mr. McMahon as Chairman. Passed unanimously.

Mr. McMahon assumed the Chairmanship with thanks.

Mr. Hohenberger then moved and Mr. Stearns seconded to nominate Mr. Breton as Vice-Chairman. Passed unanimously.

CABLE ADVISORY COMMITTEE BY-LAWS: Mr. Sullivan noted that all previous amendments have been incorporated into the draft, and noted that the WCAB has approved the document with one additional amendment changing the word “accepted” to “approved” in Section D/3/C on page three.

Mr. Hohenberger moved and Mr. Stearns seconded to approve the Cable Advisory Rules of Procedure as amended. Passed unanimously.

OLD/NEW BUSINESS: Mr. Sullivan gave an Emergency Management update to the Board relative to the storm, noting several items including: the I-93 area remains a concern, however the detention pond that previous breached is working and the State has been utilizing tankers to pump the area; Route 111 is currently down to one lane in the area of the I-93 project; only three (3) calls for assistance were received by the Fire Department relative to basements in need of pumping; Kendall Pond Road at the duck pond is near overflowing; and the Castle Hill Road bridge is working well, with plenty of capacity remaining.

Mr. Breton noted that protocols discussed the previous week amongst Emergency Management staff were working well, and that the Seavey Pond dam is also being monitored closely.

Mr. McLeod inquired whether any information had been garnered regarding the Dunkin Donuts parking lot. Mr. Sullivan indicated he had spoken to Ms. Scott, who noted she was aware the area was not up to code. He stated that Ms. Scott had added the area would be corrected as part of an upcoming renovation.

Mr. McLeod indicated he was still concerned as to how the lot had been approved as it was, and asked Mr. Sullivan to inquire further. Discussion ensued regarding the as-built versus approved plan. Mr. Sullivan will follow-up with Ms. Scott and ask her to attend an upcoming meeting to continue the discussion on this matter.

Mr. Sullivan advised the Board that the Cyr property renovations are complete, and $\frac{1}{4}$ of the warehouse facility is now being leased by the Highway Department. He then extended thanks to Mr. Cyr for working with the Town.

Mr. Sullivan requested that, as the new generator has been installed and is working at the Police Department, the performance bond be released. Mr. Hohenberger moved and Mr. Stearns seconded to release the performance bond in the amount of \$32,433 to ElecComm. Passed unanimously.

Mr. Sullivan then discussed the disposition of the old generator with the Board. It was the consensus of the Board to contact Salem High School to inquire whether it could potentially serve as a student repair project and, if they were not interested, it be placed out for sealed bids.

Mr. Sullivan advised the Board that, at the request of the seniors, he had obtained a quote for the installation of a railing along one side of the back walkway to the Center. He noted the quote was under \$5,000 and was from a vendor who had done several projects for the Town in the past. After a brief discussion, Mr. Breton moved and Mr. McLeod seconded to approve the project as presented and to fund same through the property maintenance trust fund. Passed unanimously.

Discussion ensued regarding possible removal of the screen house

between the Senior Center and the Bartley House to allow for additional parking. Mr. Sullivan will speak to the Historic District Commission.

Mr. Breton advised that he and Mr. Yennaco had spoken with the Historic District Commission the previous week regarding Mr. Yennaco's proposed landscaping adjacent to the Armstrong Building where "Martha" had been.

Mrs. Margaret Case approached to request that the Board look into drainage at the Armstrong Building, the cellar of which is once again wet. Brief discussion ensued, and Mr. Sullivan advised he would speak the Maintenance Supervisor.

Mr. Sullivan indicated the Town had received an inquiry regarding interest in allowing installation of a cell tower on Town land, and this matter will be scheduled for future discussion. Mr. McLeod indicated this would be a potential win/win for the Town, in that it was a more appropriate location for a tower and offered the potential for income for the Town.

Mr. Hohenberger indicated that several emails had been sent to the Board members regarding ZBA procedures. Mr. McLeod noted that the emails sought specific information as to whether the ZBA could expand their abutter notifications and deny a petitioners request to postpone a hearing. Discussion ensued regarding Ms. Scott's reply to these emails and whether it had been within her purview.

Mr. Mike Schultz approached to indicate he did not believe it was within Ms. Scott's purview to respond, and that he felt it was in the best interest of the Town that staff relay correct information that is within their purview. Mr. McMahan indicated he felt Ms. Scott should be present for this discussion

Mr. Sullivan clarified that Ms Scott's responses were limited to the RSA provisions and ZBA by-laws as they relate to the expansion of the abutter of notification, so Ms. Scott's response to that effect had been within her purview. This topic will be discussed with Ms. Scott at a future meeting.

Mr. McMahan extended his thanks to Mr. Stearns for his work as Chairman over the past year.

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

The meeting was adjourned at 8:12 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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