

BOARD OF SELECTMEN
Minutes of August 16, 2010

MEMBERS PRESENT: Chairman Charles McMahon called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Ross McLeod and Roger Hohenberger were present, as was Town Administrator David Sullivan. Selectman Galen Stearns was delayed and arrived at 8:25 PM. Mr. McMahon opened with the Pledge of Allegiance then read the agenda into the record.

CHIEF LEWIS: Police Chief Lewis presented newly promoted Sargeant, Dan Clark, to the Board. The Chief noted that Sgt. Clark has been with the Department for seven years, serving most recently as Detective, and had finished first in the Sargeant's exam with a score of 92%. Sgt. Clark's wife, Sarah, performed the pinning ceremony, after which Sgt. Clark thanked the Board, the Chief, fellow Department staff, his parents and family, and his wife Sarah.

ANNOUNCEMENTS: Mr. Sullivan extended thanks to the employees who had assisted in hosting the Annual Senior Picnic, which he noted was a great success. He noted over 280 seniors had attended, and the High School location had worked out well.

LIAISON REPORTS: None.

MINUTES: Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of June 21, June 28, July 12, July 19, and August 2 as written. Passed 4-0.

CORRESPONDENCE: None.

HIGHWAY SAFETY COMMITTEE: Chief McPherson presented several recommendations to the Board for consideration, as follows:

- Resident request for Streetlight, Stop sign, and No Outlet sign at Leni Road: Mr. Hohenberger and Mr. McLeod seconded to approve the recommendation of the HSC to install a Stop sign and No Outlet sign at Leni Road; and to not install the requested street light. Passed 4-0.
- Results of 6/10 Speed Survey – Londonbridge Road, High School drive to Route 111: Mr. McLeod moved and Mr. McMahon seconded to adopt the recommendation of the HSC and post Londonbridge Road as 40 MPH.

Lengthy discussion ensued regarding the inexperienced drivers, terrain in the area, statutory limits, and uses of the road by students. Motion failed 2-2, with Mr. Breton and Mr. Hohenberger opposed. Chief Lewis pointed out that the speed on the roadway will, statutorily, be 35MPH until set otherwise.

Mr. Breton moved and Mr. Hohenberger seconded to post this area of the roadway as 35 MHP. Discussion ensued as to whether it was prudent to wait for Mr. Stearns to arrive. Motion and second were then withdrawn.

- Results of 7/27 Speed Survey – Londonbridge Road, High School access to old portion: Mr. McLeod moved and Mr. Hohenberger seconded to approve the recommendation of the HSC to post this area at 30 MPH per speed survey. Passed 4-0.
- Request from resident for Stop sign – Blueberry Road: Mr. McLeod moved and Mr. Hohenberger seconded to approve the HSC recommendation to install a Stop sign at Blueberry Road. Passed 4-0.

Discussion ensued amongst the Board relative to the landscaping along the by-pass and the responsibility to maintain this area. It was clarified that, although the Town had cut this area this year, it is the State's responsibility to maintain this area for two growing seasons, which ends in July of 2010.

NHDOT UPDATE: Mr. Peter Stannus of the Department of Transportation and Mr. Jay Levine of the Department of Environmental Services presented an update to the Board of the ongoing I-93 projects. Highlights included:

Exit 3:

- Southbound bridge over Route 111 and 111A are red listed and traffic will need to be shifted
- Southbound off ramp will be reconfigured to reduce bottlenecks and increase safety; signals will be added to the 111 intersection
- An acceleration ramp will be created for the Southbound on ramp
- \$55M in projects are ongoing and are 65% complete to date. It is expected all will be completed and operational by year-end 2011.

Interchange – Spring 2012 start/completion:

- Brookdale Bridge work will begin next week, south of Windham
- Mainline work at Exit 1 including rest area to south
- Work at Exit 5 will begin to complete interchange

Mr. Stannus noted that the record of decision is pending within the next month or so relative to the revised environmental impact statements, which will allow work to fully begin from Exit 1 to 5.

Mr. Levine approached to update on the Middlesex and Cairns details as follows:

Middlesex:

- Working on the Southbound ramps and bridge and are expected to be completed by the end of September – bridges are essentially complete
- Portion of the Southbound ramp will be paved
- Basin will be 85% completed
- Route 111 will be re-paved/straightened

Cairns:

- About to begin paving in several areas including from the weigh station south to the old cross over. Goal is to have all paving completed by Thanksgiving
- Earth moving is ongoing south of 111A
- Blasting for the remainder of the year will be sporadic; crushing operations will be ongoing
- Residents should expect night time lane shifts in the fall to allow for striping operations

Mr. McLeod sought clarification that the State's drainage plan was equipped to handle run-off from the increase in paved/impervious surfaces. Mr. Levine reiterated that the goal to have all areas paved and planted will result in cleaner run-off. He added that the systems are designed with slow release weirs and stop gates to control run off. Discussion ensued regarding the design, location, and emergency shutoffs as it pertained to the systems.

Mr. McMahan inquired whether the drainage plan for Canobie Lake had been resolved, and Mr. Levine replied that the second basin has been excavated and lined. Mr. Stamnus added that the basins are front-loaded and equipped to manage and treat run-off. Mr. McMahan inquired whether the State believed, then, that any issues with Canobie Lake/Cobbetts Pond are a thing of the past, and Mr. Stamnus indicated he believed so.

Discussion ensued regarding installation of a right turn/slip ramp onto Route 111, graffiti control measures, and future use of flocculent.

WORKSHOP – SUPERVISORS OF THE CHECKLIST: The Board met with Mr. Robert Skinner, Ms. Joan Tuck, and Ms. Candy Johnson relative to over-expenditure of the Election budget and impending changes in the election law.

Mr. Breton opened the discussion by requesting that the Moderator adhere to the 6' statutory requirement as it pertained to poll watchers/observers. Moderator Peter Griffin noted that he has, in the past, allowed observers in the polling area as is authorized. Discussion ensued, and Mr. Griffin advised that he will compare the State Statutes and evaluate future requests consistently. Further, lengthy discussion ensued relative to the rights of poll watchers versus convenience/comfort of the voters.

Mr. Robert Coole, resident, suggested that a corral area be established that will allow poll watching while voters pass through unimpeded. Discussion ensued.

Town Clerk Nicole Merrill advised of online training courses available relative to new election procedures, which the Board members may participate in. Ms. Merrill noted that it is not mandatory for Selectmen, but encouraged the members to take a few hours to complete them.

Ms. Candy Johnson advised that the Supervisors had undertaken the task of verifying all the registration cards with the existing checklist, which involved much research and time, and that the checklist was now as complete and accurate as possible. *Ms. Johnson* noted that, in 2011, the Supervisors will be required to undertake a 10-year purge of the checklist, as well. Discussion ensued regarding the requirements of the purge. *Mr. Sullivan* clarified that, at this time, the Election budget was not over-expended, however, it will be at year-end given the remaining elections and the extensive time spent to date by the Supervisors in their review.

Lengthy discussion ensued as to why the Supervisors had undertaken this task now, and it was noted that these were changes that should have been completed after each election. *Mr. Sullivan* sought clarification that, to date, the Supervisors had expended 282 hours to bring the cards and checklist to completion. *Ms. Johnson* replied in the affirmative. *Mr. Sullivan* then noted that it can be expected that the Election budget will be exceeded by 300 hours or approximately \$2100 by year end.

Lengthy discussion ensued regarding the status of the Supervisors as elected officials and their budgetary expectations for next year.

Mr. McLeod then moved and *Mr. Hohenberger* seconded to authorize the over-expenditure of the Election budget by approximately \$2100 or 300 hours at \$7/hour. Passed unanimously.

OLD/NEW BUSINESS: *Mr. McMahon* requested that the Board agree to draft and that he execute letters of support relative to application for Tiger and Sustainability grants being applied for by the Rockingham Planning Commission. Discussion ensued.

Mr. Breton moved and *Mr. Hohenberger* seconded to authorize *Mr. McMahon* to submit a letter of support relative to application for a Tiger grant. Passed unanimously.

Mr. Hohenberger moved and *Mr. McLeod* seconded to authorize *Mr. McMahon* to submit a letter of support relative to application for a Sustainability grant. Passed unanimously.

Mr. McMahon inquired whether the Board would support a change to the lighting plan at Griffin Park relative to the location of the transformer, as well as installation of a single meter and possible relocation of the parking lot lights. Lengthy discussion ensued relative to the location and the monitoring of the lighting, and the proposed reconstruction of the parking lot.

Mr. McLeod recused himself from the Board to speak as a member of the Windham Soccer Association. *Mr. McLeod* indicated that both Baseball and Soccer were aware of the potential costs to move the lights in the event the parking lot passed. *Mr. Hohenberger* inquired whether both organizations were comfortable with the cost to relocate the lights, if necessary, and *Mr. McLeod* replied in the affirmative. Further discussion ensued.

Mr. McMahon then inquired whether the Board would support him having the transformer placed in the junction box location with two meters. After a brief discussion, the Board concurred.

Mr. McLeod resumed his seat and the Board then re-addressed the Highway Safety recommendation relative to posting of the lower portion of Londonbridge Road. After advising Mr. Stearns of the previous discussion, Mr. Hohenberger moved and Mr. Breton seconded to post this portion of the roadway at 35 MPH. Further discussion ensued, and the motion failed 2-3, with Mr. Stearns, Mr. McMahon and Mr. McLeod opposed.

Mr. Stearns moved and Mr. McLeod seconded to post this portion of the roadway at 40 MPH. Passed 3-2, with Mr. Hohenberger and Mr. Breton opposed.

Mr. Sullivan inquired what CIP requests the Board wished to submit for the ensuing budget. After a brief discussion, it was a 3-2 consensus to submit only the Griffin Park parking lot project at an estimated cost of \$200K; Mr. Breton and Mr. McMahon being opposed to leaving out the Town Hall project.

Mr. Sullivan advised that Ms. Scott had reviewed last week's correspondence from Lewis Engineering requesting comment on the proposed water conservation plan for Brown Hill on North Lowell Road. After a brief discussion, it was the consensus of the Board that a letter be forwarded advising that the Board of Selectmen will reserve comment until a formal plan is submitted to the Town.

Brief further discussion ensued relative to the CIP requests for submission. No changes were made.

Mr. Breton stepped out of the meeting.

NON-PUBLIC: Mr. Hohenberger moved and Mr. Stearns seconded to enter into non-public session in accordance with RSA 91-A:3 II a, c, and e. Roll call vote all "yes". The topics of discussion were personnel, reputations and legal.

Mr. Breton returned to the meeting.

The Board, Mr. Sullivan, Ms. Scott, Ms. Wood, and Ms. Devlin were in attendance in the first session.

Ms. Scott reviewed with the Board a legal matter relative to code enforcement. It was the consensus of the Board that she proceed as requested.

Ms. Wood reviewed with the Board an enforcement matter relative to damage to Town property. It was the consensus of the Board that she proceed with Town counsel to attach the property.

Ms. Wood discussed with the Board an enforcement matter relative to town property. It was the consensus of the Board that Marine Patrol be contacted to conduct a further investigation.

The Board, Mr. Sullivan, and Ms. Devlin were in attendance in the remaining sessions.

Mr. McLeod moved and Mr. Breton seconded to appoint Ms. Scott as representative to the RPC Technical Advisory Committee. Passed unanimously.

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

Mr. Sullivan updated the Board on a union negotiation matter. No decisions were made.

Mr. Breton moved and Mr. Hohenberger seconded to remove Ms. Scott from probation. Passed 4-0-1, with Mr. Stearns abstaining.

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

The meeting was adjourned at 11:15 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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