

BOARD OF SELECTMEN
Minutes of September 12, 2011

MEMBERS PRESENT: Vice-Chairman Bruce Breton called the meeting to order at 7:00 PM. Selectmen Phil Lochiatto and Kathleen DiFruscia were present, as was Town Administrator David Sullivan. Selectmen Roger Hohenberger and Chairman Ross McLeod were excused. Mr. Breton read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: On behalf of Chief McPherson, Mr. Sullivan extended thanks to all who had attended the Department's 9/11 Memorial Service.

LIAISON REPORTS: Mr. Lochiatto noted that the CIP would be meeting this week to begin their evaluation of all requests received.

MINUTES: Tabled.

CORRESPONDENCE: Resignation received from Mr. Jerry Parson from the Historic District/Heritage Commission. Mr. Lochiatto moved and Mrs. DiFruscia seconded to accept with regrets. Passed 3-0. Mr. Breton requested that staff send a letter of thanks to Mr. Parsons.

DONATION/ POLICE EQUIPMENT: Chief Lewis approached to advise that Mr. George Skaperdas of Nault's Honda had approached him regarding a donation of equipment to the Department. Mr. Skaperdas approached and stated that on behalf of himself, Doreen Demone, and Dick Nault, it was his pleasure to offer for donation a portable generator/light for use at accident scenes, etc. Chief Lewis indicated the Department was very appreciative of this equipment, which goes a long way towards better investigations; noting that the Police Department generally relies on the Fire Department to light scenes.

Mr. Breton asked for the particulars regarding the equipment, and Mr. Skaperdas noted it was a EU2000 inverter, gas powered generator which provides 500+/- watts of light. Discussion ensued regarding generator sales at Nault's during the recent hurricane.

Mr. Lochiatto then moved and Mrs. DiFruscia seconded to accept the donation from Nault's of an EU2000 generator and light pack with great thanks. Passed 3-0.

Chief Lewis noted that the Windham Police Association had purchased a monitor and bracket for the training room valued at \$855. Mrs. DiFruscia moved and Mr. Lochiatto seconded to accept this donation with thanks. Passed 3-0.

PROPOSED WEAPONS SWAP: Captain Carl Wagner advised that the Department's SWAT and patrol rifles are in need of replacement and noted that the Department could do so at the following cost options: \$2,300 for two SWAT rifles plus \$4,600 for four patrol rifles, or; a total cost of \$238 to replace all six through trading in some surplus equipment. Captain Wagner detailed the ages of and issues with the current rifles, all of which are in excess of 10 years old are encountering malfunctions. He noted that the recommended replacement cycle is ten years, and that the Department's armorer, Officer Iworsky, has estimated the cost to overhaul the rifles to be in excess of \$1,000/rifle. Captain Wagner indicated that it was his recommendation that new .223 rifles be purchased from a local vendor, which would provide easy access to parts and training, at a cost of \$238 after trade-ins consisting of the current 6 patrol rifles, 2 SWAT rifles, and several items recently donated to the Department by the Cyr family.

Discussion ensued, and Mrs. DiFruscia then moved and Mr. Lochiatto seconded to support the purchase of six (6) new weapons at a cost of \$238 plus trade ins. Mr. Lochiatto sought clarification that this will provide staff with only six rifles versus eight, which Captain Wagner confirmed; indicating that two additional rifles will be purchased when funds become available. Motion passed 3-0.

NEW BUSINESS: Mr. Sullivan advised that a trenching permit request had been received from Mr. Jason Muise for Ironwood Road and, while he had not had the opportunity to speak to the Highway Agent Mr. McCartney does support directional boring as is being proposed.

Mr. Muise approached, explaining that the permit is being requested in order to get the main line from number 3 to number 4 Ironwood Road and that, rather than trenching, a boring machine would be utilized to pull the conduit under the roadway. After a brief discussion, Mrs. DiFruscia moved and Mr. Lochiatto seconded to approve the Right-of-Way activity permit from #3 to #4 Ironwood Road for directional boring subject to Highway Agent approval and provision of the appropriate bonding and insurance. Passed 3-0.

OLD BUSINESS: Mr. Sullivan reviewed with the Board a previously approved request for disability exemption for which the paperwork had been misplaced. Mr. Lochiatto moved to allow the exemption for 9 Indian Rock Road and waive the statutory deadline. Mrs. DiFruscia disclosed for the record that she had previously done work for the Travis family, who are the owners in question. Mr. Breton then seconded the motion, which passed 2-0-1, with Mrs. DiFruscia abstaining.

GRIFFIN PARK PARKING LOT/PUBLIC INPUT: Mr. Charlie McMahon approached and opened the discussion with an overview of the Park's parking issues, attempts to resolve those issues, and proposed parking lot project to date. He clarified that the proposed plan includes the following:

- One way entry into the park, located near Johnsons, with a one way exit by Squire Armour Road.
- Gating of the current middle entry with an anodized white metal gate as supported by the Planning Board.
- Three columns of parking.
- Removal of the existing drainage swale.
- Relocating of the current post and rail fence to the edge of the walking path. Mr. Lochiatto queried whether the walking path will remain, and Mr. McMahon replied in the affirmative.
- The addition of 113 parking spaces, bringing the total available to 235.

Mr. McMahon then clarified that the intent was always for the stone wall to remain and be repaired as needed. He noted, however, that the cost to repair the wall was estimated at \$48K and that it had been suggested by the Planning Board to utilize those stones to create entrance pillars. Mrs. DiFruscia noted that she had raised the issue regarding the stone wall as the previous plan had not shown the wall or the trees as remaining. She also noted that she had been contacted by Mr. Johnson who had concerns regarding maintenance of a 100' buffer from his stone wall to the edge of the proposed parking area, as well as issues he's having now with flooding from the park.

Mr. Peter Zohdi approached to note he could not comment on the 100' buffer, however it is not a WWPD issue. He noted he had met with Mr. Johnson several times and that the proposed drainage plan had been reviewed by the CPIA and approved by the DES. Mr. Zohdi indicated he had also met with the DOT regarding the stone wall and they had expressed no issue with the Town moving it closer to Range Road. He clarified that, post-development, no more water would be sent towards Johnson's Farm than pre-development and Mr. Johnson had not advised him of any concerns. Discussion ensued regarding Range Road and culvert/crowning issues. Mrs. DiFruscia clarified that Mr. Johnson had indicated to her that he is very supportive of the Park and the expanded parking, and that he is happy the additional parking will not be located across Range Road. Further discussion ensued.

Mr. McMahon reiterated that the intent was not to remove the wall. He then noted that, as it pertained to the trees, three of those to the Squire Armour Road side were dead/dying and it was suggested that they be replaced. Mr. McMahon also suggested that the Griffin Monument be relocated adjacent to the center walkway. Mrs. DiFruscia inquired whether the funds available could accommodate replacement of the trees, and Mr. McMahon reminded the Board that there is a \$10K/year donation available from Delahunty's for the next ten years. He went on to note that new trees could be placed at 40' spacings; perhaps new maples or white oaks.

Mr. McMahon then noted that, on the Johnson's Farm side there is one maple which is healthy and located outside the stone wall which should be kept, as well another large oak and the willow tree. Discussion ensued as to the timing of the project and the need to obtain bids, as well as whether the trees could be removed without further damaging the wall and the safety hazard they pose.

Mr. Lochiatto indicated he understood the desire to preserve the natural beauty of the Park, however, the project had gone to the voters and the Planning Board and was already approved and he was thus uncertain of the purpose of this meeting. Discussion ensued.

Mrs. Mary Griffin approached noting that parking on the road or side roads is dangerous and inconvenient. She noted that there is a need for increased parking, and stressed that her late husband, Andy, had loved the land. She noted that the Park was a gift to the Town, and expressed the wish that all parties could work together to resolve this issue.

Mr. Gary Bennett, Castle Hill Road, approached indicating that he understood if the trees had to be removed, however they should be replaced. He then suggested the stone wall should either be rebuilt or removed completely and the area graded/landscaped.

Mrs. Diane Carpenter, Glenwood Road, approached suggesting that the Board reach out to the resident expert who had repaired Mr. Ryan's stone wall on Castle Hill Road to obtain a bid for repair of the wall. She also noted there are several arborists that reside in town, and she would like to be sure the trees need to be removed. Discussion ensued regarding the plan which had been available at Town Meeting, which it was clarified was the same save for the drainage, and the availability of people in Town to evaluate the issues and assist the Board. Mr. McMahon stated that nothing had been hidden from the voters, and all these matters had been discussed. Discussion ensued, and Mrs. DiFruscia noted for the record those suggestions/recommendation made by the Planning Board in their review as follows:

1. An Arborist should be used to evaluate the existing trees along Range Road, as well as provide recommendations for any proposed trees to be planted
2. There should be added trees along the existing walkways
3. Attempts should be made to save the following trees: Willow trees, 24' ash, 36' triple maple, 24' oak, and 18' oak, along/within the stone wall
4. Plan changes
 - a. Show the location of the relocated lights
 - b. Show the location of the proposed trees along Range Road
5. Stone wall is to be saved; bumper blocks are to be placed along the wall and parking area when they are in close proximity; and rocks that have fallen should be placed back in position on the stone wall
6. The Board favored the white gate (picture attached) to be used to block the center access from Range Road into the parking lot

Mr. Adam Bennett approached to confirm that, as the stone wall contractor approached by Mr. McMahon, the price of \$48K to repair the wall was accurate and reflected 20-30% less than retail costs. He explained that the wall requires a lot of work, and that trees do inflict damage. He indicated he did not know how the trees could be removed from the wall without damaging it, other than perhaps stumping them at the wall level. He also noted that the wall cannot easily be moved, such as by pushing it with a bulldozer; rather it must be torn down, proper footing installed, and then be rebuilt. Mrs. DiFruscia inquired whether it would be less expensive to rebuild it in its current location, and Mr. Bennett replied in the negative, noting it would need to be rebuilt from scratch. Discussion ensued.

Ms. Carol Pynn approached noting she did not believe the wall as it was to be a mess, as stone walls in this area are very informal. She then expressed concerns that the plan under review was not the same as was presented to the Technical Review Committee, the latter of which depicted the trees and the walls as being removed. Lengthy discussion ensued regarding the proposed condition plans versus the existing condition plans, and the ability to stockpile the stone wall for future rebuilding.

Mrs. DiFruscia indicated she would like to make it clear that she was not attempting to cast dispersions on anyone, but rather she felt it was important to get input from the public and to clarify the plans. Mr. Sullivan noted that he had available the application as submitted to the TRC and, within the accompanying write-up, it clearly stated the lights and stone wall would be relocated and that the project may require removal of some trees. Mr. Lochiatto felt that all questions had been answered, and indicated he would like to move forward. Ms. Pynn then expressed additional concerns regarding impacts to the historic nature of Range Road.

Mr. Peter Griffin, West Shore Road, approached indicating his support for the plan. He then queried whether or not completion of this project will address all the issues at the Park, and Mr. McMahon replied in the affirmative. Mr. Griffin then sought clarification that there will be no further expansion of activities at the Park if that were the case, and Mr. McMahon noted that the only other approved item remaining was the future construction of a performance stage to the right of the pond. Discussion ensued.

Mr. Breton then noted that two letters had been received in response to the posting notice for this discussion as follows:

- Catherine Robertson-Souter: expressing hopes that the proposal can both increase parking and save the trees and stone wall. Also, suggesting inclusion of visible signage asking buses from neighboring towns to park elsewhere as opposed to across four or five spaces.
- Kathy Gostanian: in opposition to the proposal and suggesting better coordination of league schedules to alleviate parking issues.

Mr. Lochiatto then moved and Mrs. DiFruscia seconded to move the project forward subject to items 1, 4b, 5 and 6 as recommended by the Planning Board. Passed 3-0.

Mr. Breton called for a five minute recess.

NON-PUBLIC SESSION: Mr. Lochiatto moved and Mrs. DiFruscia seconded to enter into a nonpublic session in accordance with RSA 91-A:3 II e. Roll call vote – all members “yes”. The Board, Mr. Sullivan, and Ms. Devlin were in attendance and the topic of discussion was legal.

Mr. Sullivan discussed a police union grievance relative to step raise compensation. Mr. Lochiatto moved and Mrs. DiFruscia seconded to support the Chief’s denial. Passed 3-0.

Mr. Lochiatto moved and Mrs. DiFruscia seconded to adjourn. Passed 3-0.

The meeting was adjourned at 9:05 PM.

Respectfully submitted,
Wendi Devlin, Administrative Assistant

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