

BOARD OF SELECTMEN
Minutes of January 7, 2013

CALL TO ORDER: Chairman Bruce Breton called the meeting to order at 7:10 PM. Selectmen Phil LoChiatto and Roger Hohenberger were present; as was Assistant Town Administrator Dana Call. Selectmen Ross McLeod and Kathleen DiFruscia were excused, as was Town Administrator David Sullivan. Mr. Breton opened with the Pledge of Allegiance.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. LoChiatto seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a and d. Roll call vote all "yes". The topics of discussion were personnel and land acquisition.

The Board, Mrs. Call, Chief Lewis and Ms. Devlin were in attendance in the first session to discuss a personnel matter related to compensation. Mr. Hohenberger moved and Mr. LoChiatto seconded to approve the Chief's recommendation as discussed. Passed 3-0.

The Board, Mrs. Call, Conservation Commission member Wayne Morris, and Ms. Devlin were in attendance in the second session. Mr. Morris discussed with the Board a potential land purchase, and it was the consensus of the Board that Mr. Morris follow up as discussed to gather more information and return to a future meeting with same.

The public portion of the meeting resumed at 7:30 PM.

ANNOUNCEMENTS: Chief McPherson advised that for the next two evenings, between the hours of 9 PM and 5 AM, the steel beams for the new overpass will be erected over Route 111; resulting in lane and/or full closures of the roadway. He added that arrangements have been made with the Town of Salem to ensure that there is no delay in response to emergency needs during these times.

Chief McPherson then reminded all that the Fire Department does not test for ice depth on the ponds; urging all to use caution on the ice.

Mr. Breton advised that on the previous Friday, the Town had met in arbitration with the Police union; however an agreement had not been reached and there remains no contract. Also, the Fire Department has not responded to the Town's requests to return to the negotiating table. Discussion ensued regarding the length of time it has been since either had a contract; that being two years.

LIAISON REPORTS: None.

CORRESPONDENCE: None.

CONSERVATION COMMISSION: Mrs. Call explained that the Commission was requesting a Town warrant article on the upcoming ballot to reduce their membership requirements from seven (7) regular members to five (5). Mr. Morris approached explaining that the Commission struggles to maintain a quorum for meetings, and that currently there are no Alternate members. Discussion ensued regarding Commission duties/deadlines.

Mr. LoChiatto moved and Mr. Hohenberger seconded to approve inclusion of the warrant article as requested. Passed 3-0.

OLD/NEW BUSINESS: Mrs. Call reviewed with the Board the proposed language for Article #19, relative to the sale of 14B-2101 as requested by Mr. Karl Dubay/Mrs. Bev Donovan on behalf of the Goodnoughs; explaining that Mr. Sullivan had drafted the language and Town Counsel had then reviewed same. Mrs. Call noted that the preference was for the Board to submit the article to the Warrant, as opposed to a citizen petition being submitted, and that the proposed language reads as follows: "*To see if the Town will vote to authorize the Board of Selectmen to sell (in any fashion they deem appropriate) a parcel of Town owned land, designated as parcel #14-B-2101, containing .09 acres (4,094 sq ft) located at the intersection of Route 111 and Londonbridge Road; and to discontinue completely (subject to reserved*

easements noted below) and then authorize the sale of .68 acres (29,744 sq ft) of the existing right of way of Londonbridge Road adjacent to/in front of Lots 14-B-2100 and 14-B-2101; reserving to the Town existing utility, drainage, and other easements; and further to authorize the Board of Selectmen to negotiate the sale price and other terms and conditions of the sale.”

Mrs. Call explained that the article would give the Board the authorization to negotiate with the particular buyer, subsequent to the discontinuation. Mr. LoChiatto indicated he believed, based upon the Board’s previous discussion, that an appraisal was to have been obtained on this property. Mr. Dubay approached and replied in the affirmative, noting it was to be arranged through the Tax Assessor. Discussion ensued regarding the warrant language, sale process, and the proposed project.

Mr. Breton expressed concerns that the article removes the voters’ authority to sell the property; and Mr. Hohenberger indicated he had thought a sale price was to be included in the article language. Discussion ensued regarding time left to amend the article versus the time to complete an appraisal. Mr. LoChiatto sought clarification as to how such sales are typically handled, and it noted they are generally put before the voters via citizen petition. Discussion ensued as to why this was not the case, and Mr. Dubay indicated that the intent in going this route was to have an open process with the Board. Further discussion ensued.

Mrs. Donovan approached noting that they had begun this process back in August, and that the project would have to wait another year if this article was not on the ballot. She indicated that they are very small parcels and would be utilized for drainage, etc. Discussion ensued.

Mrs. Call clarified that the quotes received for the appraisal range from \$1,450 to \$4,500; and Mr. Hohenberger inquired whether the Goodnoughs would be willing to pay the former. Mrs. Donovan replied that, although they were not present to confirm, she believed they would be amenable to that in order to move the project forward. Further discussion ensued regarding moving the article to the Deliberative session, and whether to do so with or without a price included.

Mr. Hohenberger moved and Mr. LoChiatto seconded to move the article to the Deliberative session conditional upon the completion of an appraisal to be paid for by the potential buyer for inclusion in the article. Discussion ensued regarding the inability to remove the article from the warrant at the Deliberative session, and that next Monday would be the last opportunity to do so. Motion passed 3-0.

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

Meeting was adjourned at 8:00 pm.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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