

**BOARD OF SELECTMEN**  
**Minutes of March 4, 2013**

**CALL TO ORDER:** Vice Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Phil LoChiatto and Roger Hohenberger were present; as was Town Administrator David Sullivan. Selectmen Bruce Breton and Kathleen DiFruscia were excused. Mr. McLeod opened with the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mrs. Barbara Coish approached, noting that she had received a call from Chairman Breton asking that she advise everyone he would be in attendance on the 11<sup>th</sup>. She also noted that she had received a call regarding the Annual “Mayors for Meals” event; which Mr. Sullivan and Recreation Coordinator Cheryl Haas have both participated in, in the past. The program involves officials assisting in delivering meals to the elderly, and Mr. LoChiatto indicated he would be willing to participate.

*Chief McPherson* and Lt. Jay Moltenbrey approached to advise the Board of the Department’s newest undertaking; participation in the “Heart Safe Community” program. Lt. Moltenbrey indicated more information will be available via a press release in the local paper, and a discussion ensued regarding the program requirements with the State and the Town’s recent AED purchases.

*Chief Lewis* approached relative to the recently awarded bid to purchase a replacement cruiser; advising the Board that Ford of Londonderry, the successful bidder, had since indicated to him that they made a mathematical error in their bid resulting in a much higher price. He noted, however, that the other bidder, Hillsboro Ford, was still able to provide the same vehicle for their bid price of \$23,900.

Mr. Hohenberger moved and Mr. LoChiatto seconded to reconsider the bid award to Ford of Londonderry. Passed 3-0.

Mr. Hohenberger moved and Mr. LoChiatto seconded to award the bid for the replacement cruiser to Hillsboro Ford for their bid amount of \$23,900. Passed 3-0.

**CORRESPONDENCE:** Mr. Sullivan advised the Board that he had been notified that Windham Lacrosse wished to donate \$250 towards the Windham High School “Senior Safe Night”. Mr. Sullivan explained, that as these represented Town funds, it was the Board’s purview to approve or deny this donation. Mr. Hohenberger stated that, while the safe night is a wonderful program, he had concerns regarding utilization of funds for purposes other than as appropriated, and a discussion ensued.

Mr. Hohenberger then moved and Mr. LoChiatto seconded to not support the donation of Lacrosse funds towards Senior Safe Night. Passed 3-0.

**MINUTES:** Mr. Hohenberger moved and Mr. LoChiatto seconded to approve the minutes of January 14, 2013 and October 22, 2012 as written. Passed 3-0.

**RECREATION COMMITTEE:** Mr. Dennis Senibaldi, Chairman, explained to the Board that the Committee is experiencing difficulty with maintaining their membership numbers; resulting in quorum issues. It is therefore requesting that the Board reduce their regular membership requirements from seven (7) members to five (5). Mr. McLeod inquired how many Alternate members the Committee currently had, and Mr. Senibaldi replied that there are currently four (4) regular members and one (1) alternate; adding that there are two (2) additional regular members however they are resigning.

Mr. McLeod noted that when he had served as Selectmen liaison to the Committee they had often had difficulty getting a quorum. Discussion ensued regarding the past, full membership roster and the ability for the Selectmen to raise the membership back to seven (7) in the event volunteer interest in the Committee renews.

Mr. McLeod inquired whether, if the Board reduces the membership, anything needed to be done regarding the current member statuses. Mr. Sullivan suggested that the current Alternate member be moved up to a Regular; leaving the four (4) Alternate positions open.

Mr. Hohenberger moved and Mr. LoChiatto seconded to accept the recommendation and approve the requested change in membership for the Committee from seven (7) members to five (5); that Alternate Ben Fidler be appointed as a Regular member, term to be determined; and to accept with thanks and regret the resignations of Barry and Lynn Goldman. Passed 3-0.

**OLD/NEW BUSINESS:** Mr. Sullivan advised the Board that, per the previous week's discussion, he had met with Ms. Scott and Mr. Morris to review possible submissions to the State's new Ten-Year Transportation Plan. He then reviewed with the Board the attached letter detailing the proposed recommendations.

Discussion ensued regarding the Greenway connection, and Mr. Sullivan clarified that this project is already in the State's plan, and this would simply be a continuation of support for its completion. Mr. Hohenberger requested that the Board separate the recommendations as it pertained to any motions, as he was not in favor of certain items; particularly relating to the Corridor. Discussion ensued.

Mr. LoChiatto sought clarification as to Mr. Hohenberger's concerns, and the latter noted he was not supportive of the bike lanes as they would be discontinuous; sidewalks given the maintenance requirements; landscaped medians, citing their failure on the by-pass; roundabouts, and; the need to make a u-turn to change direction as proposed. Mr. LoChiatto noted he understood Mr. Hohenberger's concerns, but he felt that without the engineering the Town would be unable to even get to the point of digging deeper into those various aspects; adding he also had concerns regarding the proposed, divided highway aspect.

Mr. McLeod noted that the bike lanes were necessary for safe passage of bicycles through Town; and that the proposal tries to accommodate growth in Town and a functional, commercial use of the Village Center District; adding that he supports roundabouts as effective traffic control measures. Discussion ensued regarding public safety needs.

Mr. McLeod noted he agreed with Mr. LoChiatto in that the engineering is necessary to move this forward. Mr. Hohenberger expressed concern that, by including it in the ten-year plan, it is an indication that the Board supports the plan as stated. Further discussion ensued.

Mr. Sullivan suggested that the defined, preferred alternative be stricken from the request; adding that the Study stands on its own and that its inclusion may be more likely to be approved by the full board without the bulleted items. Discussion ensued, and Mr. Sullivan advised that Mr. Cliff Sinnott had also suggested the addition of language to the request regarding obtaining of easements wherever possible along the Wall Street corridor; which is in keeping with the Study Committee's recommendation.

After further discussion, Mr. LoChiatto moved and Mr. McLeod seconded to support submission of the Corridor Engineering Study to the Ten-Year Plan; inclusive of the additional language noted by Mr. Sullivan. Passed 2-1, with Mr. Hohenberger opposed.

Discussion then moved to Mr. Morris' suggestion from the previous week regarding the inclusion of a trail connection, and it was clarified that this pertained to the Greenway.

Mr. Hohenberger moved and Mr. LoChiatto seconded to endorse the other proposed items, as follows:

- Bridge/Culvert Replacement: Castle Hill Road over Beaver Brook
- Bridge Replacement: Rock Pond Road over Golden Brook
- Bridge Replacement: Moeckel Road over Rock Pond
- Bridge Replacement: Golden Brook Road over Golden Brook
- Bridge Replacement: Golden Brook Road over Golden Brook

Motion passed 3-0.

Mr. Morris approached regarding the Greenway connection, noting a letter received from the DOT Commissioner regarding a current tunnel installed under Route 93 for the purposes of ATV travel, and suggesting that the Board include language regarding same as part of their submission.

Lengthy discussion ensued regarding connectivity and previous work on the trail. Mr. Sullivan noted that the Town's proposals need to be submitted the following day, and inquired whether Mr. Morris had language drafted for inclusion. Further discussion ensued, and Mr. Sullivan suggested that the following be added: *"to support the connection being via a tunnel or...."* The Board concurred, and Mr. Sullivan indicated he would amend the letter accordingly.

**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 e. Roll call vote all "yes". The topics of discussion were personnel and legal.

The Board, Mr. Sullivan, and Chief Lewis were in attendance in the first session. The Chief updated the Board on a personnel matter. No decisions were made.

*The Board*, Mr. Sullivan, and Tax Assessor Rex Norman were in attendance in the second session. Mr. Norman updated the Board on a legal matter relative to a tax abatement. Mr. Hohenberger moved and Mr. LoChiatto seconded to approve the use of the recommended firm as alternate counsel for this matter. Passed 3-0.

Mr. Norman discussed with the Board a pending case before the Board of Tax and Land Appeals. Mr. Hohenberger moved and Mr. McLeod seconded to support the position of the Assessor. Passed 2-1, with Mr. LoChiatto opposed. Mr. LoChiatto clarified for the record that his opposition was not based upon his questioning Mr. Norman's assessment; but rather it was because he felt this matter should simply proceed to the BTLA for deliberation.

Mr. Norman updated the Board on a pending abatement case. No decisions were made.

Meeting was adjourned at 8:30 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.*