

**BOARD OF SELECTMEN**  
**Minutes of June 1, 2015**

**MEMBERS PRESENT:** Chairman Al Letizio, Jr. called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Joel Desilets, Ross McLeod and Roger Hohenberger were present, as was Assistant Town Administrator Dana Call. Town Administrator David Sullivan was excused. Mr. Letizio opened with the Pledge of Allegiance, followed by a moment of silence in recognition of the passing of long-time Library employee Jena Day.

**ANNOUNCEMENTS/LIAISON REPORTS:** Mr. McLeod extended thanks to the Cemetery Trustees, American Legion, the School Bands, as well as the Fire and Police Department for a very enjoyable Memorial Day. Discussion ensued regarding Mr. Letizio once again providing one of his antique vehicles, driven by former Selectman Phil LoChiatto, to transport Post Commander Nickles and Mort Pearlman.

*Mrs. Call* advised the Board that the Forestry Committee, in keeping with the Board's motion, has scheduled an informational meeting on June 4<sup>th</sup>.

*Mr. Letizio* acknowledged receipt of annual notification from Town Clerk Nicole Bottai regarding unlicensed dogs. Mrs. Bottai advises that there are 189 that remain unlicensed, and that the following day the process of issuing civil forfeitures in accordance with State statute will begin.

**PUBLIC HEARING/OUTLOOK ROAD:** Mrs. Call read the public hearing notice into the record as follows: *"The Board of Selectmen will hold a public hearing at 7:00 pm on June 1, 2015 at the Community Development Department to consider the acceptance of the following road as public road: Outlook Road from station 0+00 to 9+00."*

Mrs. Call noted that, along with acceptance of the road, the Board would need to approve the final financial release. Ms. Scott approached and noted that completion of the legal documents had been the final outstanding item, and that those have been received and Town Counsel has signed off on same.

Mr. Hohenberger moved and Mr. Breton seconded to accept Outlook Road as stated, and to approve the full release of \$20,000 to James Jameson. Passed unanimously.

Mr. Hohenberger then moved and Mr. Breton seconded to post the road at 25mph. Discussion ensued, with Mr. McLeod noting that the minimum speed limits are set by State statute and cannot be lowered without a speed study; adding that the Planning Board also does not wish to include any other provisions in the site regulations.

Motion failed 2-3, with Mr. Desilets, Mr. McLeod and Mr. Letizio opposed.

**COMMITTEE INTERVIEWS:** Mr. McLeod requested that the Board hear from candidates for the Economic Development Committee first, as he would be recusing himself for that portion. Mr. Letizio concurred, and Mr. McLeod recused himself from the Board.

Mrs. Call advised the Board that there are four (4) positions open on the EDC, and that five (5) individuals are interested; two of whom are seeking reappointment. The remaining members heard from the following for possible appointment: Matthew Rounds, Bruce Richardson, Gary Garfield, and Bob Higgins. Mr. Higgins is a current member of the EDC, and Mr. Ed Gallagher, also a member, was unable to attend. Each candidate fielded questions from the Board members, and Mr. McLeod did approach to speak in support of Mr. Garfield's appointment.

Mr. Letizio thanked each for attending, and advised that the appointments will be considered in non-public; adding that it will be a difficult decision given the quality of applicants.

Mr. McLeod resumed his seat with the Board. Mr. Letizio then noted that Bernie Rouillard would be resigning his seat on the Conservation Commission; adding that he had served as a volunteer across various boards/commissions for 27 years. He indicated Mr. Rouillard deserves much appreciation from the community for his service, and extended thanks to him.

Mrs. Call advised that there were two (2) individuals interested in appointment to the Historic District/Heritage Commission who would be in attendance at the June 15<sup>th</sup> meeting. Discussion then ensued regarding expiring members of the HDC, Recreation, Housing, and Museum who had not responded regarding re-appointment. Mrs. Call noted there was one new individual interested in Recreation, who was not in attendance.

The Board then heard again from Mr. Matthew Rounds, who was also seeking appointment to the Local Energy Committee.

Discussion moved to the Forestry Committee and Cable Advisory; for which the only applicants were those members whose term was expiring.

**HIGHWAY SAFETY COMMITTEE:** Police Chief Lewis, representing the HSC, approached relative to a resident request for “No Parking” signs on Mallard Road. He advised that he had met with the resident and had also had the area monitored by officers; and the latter had revealed no trash or parking issues in the area. Chief Lewis indicated that the requestor had since acknowledged that the issues had occurred last year and, as such, the Committee sees no need to install signs in the area.

Chief Lewis went on to note, however, that he would suggest that “No Parking in Area of Cistern” signs be posted in order to keep that clear for fire access. Discussion ensued as to whether this posed an issue town-wide and if all should be posted as such. Mr. Desilets inquired as to the feasibility of the latter.

Chief McPherson approached and noted he would concur with posting all the cisterns. He indicated that although all are designed as cut outs/bump outs, there have been issues with parking in the past and posting of them is good practice. Discussion ensued regarding the existing cistern and new ones going forward, that hydrants are covered by State statute, the number of cisterns in town which is 110, and the location of Mallard Road.

Mr. McLeod suggested that the cost to post the existing cisterns be explored and doing so be scheduled as a separate agenda item. Mr. Breton suggested that Deputy Chief Morgan be tasked with looking into starting the process of posting with those cisterns located near the trails, followed by adopting an ordinance prohibiting parking in the area of cisterns. Discussion ensued, and it was the consensus of the Board that costs be obtained to place signs at all the cisterns, and Chief McPherson advised he will work with the Highway Agent to do so. Mr. Breton suggested that, going forward, the Chief should require developers to install such signs, and the remainder of the Board concurred.

Chief Lewis then noted he would encourage the Board to make a motion specific to the cistern on Mallard Road, as its proximity to the Rail Trail encourages parking there. Mr. Desilets sought clarification as to whether there had been an actual problem related to parking by the cisterns, and Chief McPherson replied in the affirmative. Discussion ensued, and both Chiefs reiterated they believed this sign was a priority.

Mr. McLeod noted that he had been at Mallard Road the previous weekend and seen no cars/trash; whereas the Depot lot was overflowing. Discussion ensued, and it was noted that some residents in the Mallard area believe that trail access is a private one for them, which it is not.

Mr. McLeod moved and Mr. Breton seconded to post a “No Parking in Front of Cistern” sign as recommended by the Chiefs. Passed unanimously.

**OLD/NEW BUSINESS:** After a brief discussion regarding the inclusion of traffic control duties, Mr. Hohenberger moved and Mr. McLeod seconded to approve the Community Service Officer job description. Passed unanimously.

*Chief McPherson* approached and updated the Board relative to Engine-1; which was sent out for repairs when a coolant issue arose. He indicated that it had been expected to be an easy fix, however, it turned out to be a head gasket in addition to other issues. Chief McPherson noted he had met with the mechanics where the engine was sent, and that he believed they are over their heads as far as the necessary repairs. He indicated he'd instructed them to do nothing, and advised the Board that he would like to move the engine to Bulldog Apparatus for repairs.

Chief McPherson went on to explain that this is a 2005 vehicle with approximately 5100 hours on the engine; which needs to be rebuilt. He advised that Bulldog had quoted a price of no more than \$25,051 to rebuild our engine, whereas the others had priced the repairs in excess of \$35,000 for a refurbished replacement engine. Discussion ensued regarding turnaround time, which the Chief anticipates will be approximately two (2) weeks, and the type of engine. Firefighter/Mechanic Scott Zins concurred with the Chief's time estimates, and clarified that this is a CAT C-13. He indicated that Bulldog will do a complete overhaul on the engine; adding that this is usually done at 7500 hours anyway.

Further discussion ensued, and Mr. Letizio suggested that the Department look to incorporate a fluid tracking program offered by CAT into the regular maintenance program.

Chief McPherson advised that, with the Board's support, he will have the engine delivered to Bulldog in the morning; adding they will not begin working on the engine until they speak to him.

Mr. Hohenberger moved and Mr. Desilets seconded to allow the Chief to authorize Bulldog to make repairs to Engine-1 at a cost not to exceed \$25,051.

Discussion ensued regarding the return of Engine-3 the following day, as well as the successful collaboration between Windham and Londonderry as it pertained to the use of the latter's engine. Chief McPherson extended thanks to the Londonderry Town Manager, Council, and Fire Department for their assistance in making it happen.

Mr. Desilets inquired what the costs to the first shop might be, and the Chief noted there would likely be some labor costs and the tow fees; adding that he will watch the invoicing closely.

Motion passed unanimously.

Brief discussion resumed regarding the CAT monitoring program, and it was the consensus of the remaining members that Mr. Letizio work with Firefighter/Mechanic Zins and Deputy Chief Morgan regarding the Department's implementation of same.

The recent fire on Blossom Road was then mentioned, and the Chief explained that the ignition source had been chemical soaked rags which were sealed in a plastic bag and left by the home, in the sun. He stressed the importance of proper disposal of such items, away from the structure; adding that when in doubt, such rags and similar items should be disposed of in a metal container.

*Mr. Letizio* noted that at the previous meeting the Board had determined their final goals for 2015 with no particular ranking as he would like to see all addressed. Mr. Desilets noted that he would like some clarification as to the Old Police Station and related negotiations, and a discussion ensued regarding same as well as the Social Media/Web goal. Mr. Letizio noted that his intent was to build each of these goals into future agendas.

Mr. Desilets sought clarification as to the former skate park area, as he was unaware that the design was completed. Discussion ensued regarding the proposal presented by Recreation at budget time, and Mr. Desilets noted the project is being discussed at the Recreation Committee and that he has some ideas regarding same. Discussion ensued as to whether this goal should be the first addressed by the Board.

*Mr. Letizio* noted that Senator Birdsell had made contact regarding providing a legislative update and whether there was anything specific the Board wished to hear about. Mr. Breton suggested that the Board wait for such an update until after the legislative session is over; citing pending legislation relative to School funding. Mr. Hohenberger noted there is also something pending regarding State retirement, and a discussion ensued. It was the consensus of the Board to wait, and to request the update include those two legislative matters.

**CORRESPONDENCE:** *Trenching permit received* from Comcast for work on Tully Street; which Mrs. Call advised had been approved by the Highway Agent. She also noted that Comcast has a standing bond in place. Mr. McLeod moved and several seconded to approve the permit as requested. Passed unanimously.

**MINUTES:** Mr. McLeod moved and Mr. Breton seconded to approve the minutes of May 4<sup>th</sup> as written. Mr. Desilets noted he believed there was an error in one of the motion counts. After a brief discussion, the motion was withdrawn and the minutes deferred to the next meeting.

**OLD/NEW BUSINESS CONTINUED:** Mrs. Call advised that we are moving forward with KRT to complete the re-valuation; and that the contract is currently being reviewed by the Department of Revenue Administration.

*Mrs. Call* advised that, the previous week in non-public session, the Board had contemplated whether or not to undertake legal action relative to a breach of contract by Integrated Paper. She noted that the Board had voted to approve a payment plan with IP and to freeze the costs for the balance of the year; adding the existing contract language will now need adjustment. Discussion ensued regarding the non-payment and the Board's recourse in response to same.

Mr. McLeod moved and Mr. Breton seconded to authorize staff to work with Attorney Campbell to draft a contract amendment with IP and bring same to the Board for review.

Discussion ensued regarding the recycling market, and Mr. Desilets questioned whether staff has done their own market research. Mr. Letizio replied in the affirmative, noting there is only one other company available and the net outcome would be the same. Further discussion ensued and Mrs. Call noted that the Town cannot go out to the market for this service, as they are under contract with IP, but that Transfer Station Manager Dave Poulson would provide additional input.

Further discussion ensued regarding the other available vendor, who also would not pay for the materials, and looking into what other towns are doing. Mrs. Call clarified that the contract is being amended to \$0.00 through the end of 2015 and the Town can exit same at any time.

Motion passed unanimously.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McLeod seconded to enter into nonpublic session in accordance with RSA 91-A:3 II c and e. Roll call vote all "yes". The topics of discussion were reputations and legal and the Board, Mrs. Call and Ms. Devlin were in attendance in all sessions.

Mrs. Call reviewed with the Board a list of parcels potentially subject to tax deeding. Mr. McLeod moved and Mr. Desilets seconded to instruct the Tax Collector to not deed those parcels shown as being under active forbearance agreements or posing liability issues. Passed unanimously.

Mr. Desilets moved and Mr. McLeod seconded to deed one parcel located on Londonderry Road for failure to pay taxes. Passed 4-1, with Mr. Hohenberger opposed.

Mrs. Call updated the Board on a matter relative to potential legal expenses. No decisions were made.

Mr. McLeod rescued himself from the meeting.

Mr. Hohenberger moved and Mr. Breton seconded to appoint Mr. Gallagher, Mr. Garfield, Mr. Higgins, and Mr. Richardson to the EDC; with Mr. Gallagher's being a two year appointment and the balance three years. Passed 4-0.

Mr. McLeod returned to the meeting.

Mr. Hohenberger moved and Mr. McLeod seconded to appoint Mr. Rounds to the LEC for a term of three years. Passed unanimously.

Mr. Hohenberger moved and Mr. McLeod seconded to appoint Mr. Babineau to the Forestry Committee for a term of three years. Passed unanimously.

Mr. Breton moved and Mr. McLeod seconded to appoint Mrs. Case and Mr. Shoemaker to the Cable Advisory Board for terms of three years. Passed unanimously.

Mr. Desilets moved and Mr. McLeod seconded to appoint Mr. Rosa to the Recreation Committee for a term of three years. Passed unanimously.

Mr. Hohenberger moved and several seconded to adjourn. Passed unanimously. Meeting was adjourned at 8:50 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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