

**BOARD OF SELECTMEN**  
**Minutes of March 2, 2009**

**MEMBERS PRESENT:** Selectman Galen Stearns called the meeting to order at 7:05 PM. Selectmen Charles McMahon and Roger Hohenberger were present; as were Town Administrator David Sullivan and Town Counsel Bernard Campbell. Selectman Bruce Breton was delayed and arrived at 7:10 PM, and Chairman Dennis Senibaldi was delayed and arrived at 7:25 PM. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

**PUBLIC HEARING:** Mr. Stearns noted that the Board of Selectmen had opened the meeting at 4:30 PM at the High School access road for the site walk portion of the public hearing. Those present included: the Board of Selectmen, Town Administrator Sullivan, Fire Chief McPherson, Assistant Fire Chief Leuci, and Deputy Fire Chief Morgan.

Mr. Sullivan opened the discussion by noting that this public hearing pertained to the laying out of a Class V roadway beginning at the High School entrance and traversing southerly to connect to the existing Londonbridge Road. Mr. Sullivan indicated that this hearing was similar to that held in 2008, at which the Board of Selectmen approved the need for the road subject to Special Town Meeting funding. He advised that, as the funding article at the Special Town Meeting did not pass, that layout process was nullified. A new layout petition had been received in January of 2009, which the Board was now acting upon.

Mr. Peter Zohdi, Herbert Associates, made presentation to the Board, noting there were no changes between this design and that discussed in 2008. Mr. Zohdi advised that the plan calls for the upgrading of 400' of gravel roadway, then construction of 3900' of road to the existing Londonbridge Road at Castle Hill Road. Mr. Zohdi noted he is working at this time to submit the required documentation to the Department of Environmental Services for the Alteration of Terrain Permit, and that the plans have been forwarded to the School Board.

Mr. McMahon sought clarification that the plan as presented consisted of no differences in the cuts and fills from the 2008 plan. Mr. Zohdi replied in the affirmative.

Mr. Hohenberger sought clarification of the length of roadway depicted in the plan, which appeared to be greater than previously discussed. Mr. Zohdi indicated that the distance shown included the existing portion of Londonbridge Road out to Castle Hill Road, however, that was not planned for upgrade as part of this project. Mr. Sullivan clarified that the current Class V portion of Londonbridge Road does not require a layout hearing, as upgrading it would constitute an "improvement". Discussion ensued regarding the need to tie in the two roads and the possible impact to one driveway on Londonbridge Road.

Mr. McMahon inquired whether the project was fully ready for DES review, and Mr. Zohdi replied he would be prepared to submit all necessary applications by next week. He further noted he already met with representatives of the DES to discuss the project, and no concerns had been raised. In addition, the documentation had already been forward to the NH Heritage Commission as required.

Mr. McMahon suggested a letter be drafted from the Town to the DES requesting the project be expedited so as not to effect the opening of the High School.

Mr. Hohenberger requested that Mr. Zohdi detail the highlights of the proposed roadway. Mr. Zohdi noted the plan calls for a 26' gravel base with a 24' travel way; cape cod curbing along both sides; underground drainage for the full length; installation of underground utility conduits; a detention pond at the Castle Hill end; and a tie-in to the High School drainage. Mr. Zohdi noted that the roadway will adhere to all drainage and State requirements.

Mr. Ross McLeod, 4 Nottingham Road, approached to inquire whether the project had been coordinated with the School District to allow access over the School's portion of the roadway. Mr. Sullivan noted that the portion in question is already Town-owned, and discussion ensued regarding the need for representatives of Appledore, the School District's engineer, and Herbert Associates to confer regarding the ability of this portion to withstand heavy equipment traffic.

Mr. Zohdi noted that he intends to meet with staff and the Highway Agent to coordinate the traffic to ensure there is no resulting damage. Further discussion ensued regarding the lack of a final pavement coat on the portion in question.

Mr. Senibaldi assumed the Chairmanship.

After further, brief discussion, Mr. McMahon moved and Mr. Breton seconded to approve the request to layout a Class V road over portions of the previously discontinued Londonbridge Road from the end of the new access road to the Windham High School to the point where it meets the existing Class V portion of Londonbridge Road, subject to the following conditions: the road layout shall generally conform in line and location as specifically proposed by the Town consulting engineer, Herbert Associates; the road is to be built with a 24' wide travel way; drainage will be installed as closed drainage; underground utility conduits will be installed for future use; and funding shall be in accordance with the agreement executed between the Town, School District, and abutters dated January 12, 2009. Passed 4-1, with Mr. Hohenberger opposed.

Mr. Hohenberger clarified that if Mr. Breton's motion had not included the funding mechanism for the project, his motion would have been in the affirmative, as he fully supports the roadway but feels the funding should be presented to the voters.

Mr. Breton then moved and Mr. Stearns seconded to authorize Mr. Zohdi to proceed to submit the Alteration of Terrain permit, to be signed by the Town Administrator. Passed unanimously.

Mr. Sullivan inquired whether the Board wished to established a due date for the abutter contributions toward the project. After a brief discussion, Mr. Stearns moved and Mr. Stearns seconded to request that all contributions be made available to the Town by April 1, 2009 for the road construction. Passed unanimously.

Attorney Campbell advised the Board that any waivers of damage from abutting private land owners would need to be in hand prior to the start of construction. After a brief discussion, it was the consensus of the Board that Atty. Campbell and Mr. Sullivan work to prepare these documents for execution as soon as possible.

Mr. Breton moved and Mr. McMahon seconded to authorize Mr. Sullivan and/or Highway Jack McCartney to execute the contract with American Excavating as bid for the construction of Londonbridge Road. Passed unanimously.

Discussion resumed regarding the final coat of pavement on the School constructed portion of the roadway, and it was the consensus of the Board that Mr. Sullivan contact the District to request they hold off on the final coat of pavement until, at minimum, late summer.

**OLD/NEW BUSINESS:** Chief Lewis approached, advising that he had received a donation of twelve (12) LED wands for the Department, that retail for \$38/each. He noted the donor, who had not identified him/herself, had indicated the donation stemmed from concern for officer visibility/safety while directing traffic at incidents. Chief Lewis expressed appreciation for the items; indicating he was thrilled to have them.

Mr. Stearns moved and Mr. Breton seconded to accept the donated LED wands with deep gratitude. Passed unanimously.

*Mr. Breton* advised that several business owners, including Mr. Al Letizio and Mr. Zohdi, had offered to fund design changes to Deputy Chief Morgan's vehicle to match those driven by Chief McPherson and Assistant Chief Leuci. The value of these paint/decals changes is approximately \$1000.

After a brief discussion, Mr. Breton moved and Mr. McMahon seconded to accept the donation with gratitude. Passed unanimously.

**ANNOUNCEMENTS:** Mr. Sullivan advised that the Annual Town Reports have arrived, and extended thanks to all for their submissions; and to Ms. Devlin and Mrs. Call for their efforts.

Mr. Sullivan announced that the reports had been dedicated to Maria Webber and Iola Zins, both of whom had celebrated their 100<sup>th</sup> birthday in 2008.

*Mr. McMahon* reminded all of the State's budget discussion planned for the following Monday at 6 PM at the Salem High media center.

*Mr. Senibaldi* reminded all that voting will take place on March 10<sup>th</sup> at Golden Brook School. Polls will be open from 7AM to 8PM.

**OLD/NEW BUSINESS CONTINUED:** Chief McPherson approached to request authorization to apply for grant funding for knock boxes. Chief McPherson noted that, through the CARES program, funding is available to provide knock boxes to elderly and disabled residents that will ensure public safety personnel can reach them without damage to their home. Chief McPherson noted the program also provides for smoke detectors, and is a 95/5% matching program. The approximate cost to the Town for 50 +/- knock boxes and 50 smoke detectors would be \$616, which includes all related training, hardware, software, and an additional box/cable for installation in one police cruiser. Chief McPherson then extended his thanks to Chiefs Morgan and Leuci for their efforts in preparing the grant application.

Mr. McMahon moved and Mr. Stearns seconded to approve the grant application as requested. Passed unanimously.

**MINUTES:** Tabled.

**ANNOUNCEMENTS CONTINUED:** Mr. Sullivan advised that the new Town Planner will begin employment on March 9<sup>th</sup>, and a press release will be forthcoming.

**LIAISON REPORTS:** None.

**OLD/NEW BUSINESS CONTINUED:** Mr. Sullivan advised that the final COLA increase had been established as 3.5%, which was less than the 3.75% budgeted; representing a savings of approximately \$15K.

**NON-PUBLIC SESSION:** Mr. Stearns moved and Mr. Hohenberger seconded to enter into a non-public session in accordance with RSA 91-A:3-II b. Roll call vote – all members “yes”.

Mr. Sullivan advised that the Board would meet with Town Counsel prior to commencing the non-public session.

*The Board* and Mr. Sullivan were in attendance for the non-public session to discuss the Director of Community Development position. Mr. McMahon moved and Mr. Hohenberger seconded to extend an offer employment to the alternate candidate subject the requirements of the Employment Policy. Passed 4-1, with Mr. Stearns opposed.

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

The meeting was adjourned at 9:30 PM.

Respectfully submitted, Wendi Devlin, Administrative Assistant

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