

BOARD OF SELECTMEN
Minutes of February 27, 2006

MEMBERS PRESENT: Chairman Roger Hohenberger called the meeting to order at 6:00 PM. Selectmen Galen Stearns, Bruce Breton, Margaret Crisler, and Alan Carpenter were present. Mr. Sullivan was also present.

NON-PUBLIC SESSION: Mr. Breton moved and Mrs. Crisler seconded to enter into non-public session in accordance with the provision of RSA 93-A:3-IIa. Roll call vote – all members “yes”. The Board, Mr. Sullivan, and Mrs. Call were in attendance and the topic of discussion was personnel.

The Board conducted an interview with a candidate for the position of Fire Chief. No decisions were made.

Mr. Hohenberger called the public portion of the meeting to order at 8:05 PM. Following the Pledge of Allegiance, Mr. Hohenberger read the remainder of the agenda into the record, adding Old/New Business and Correspondence.

ANNOUNCEMENTS: None.

LIAISON REPORTS: Mrs. Crisler reported that the Planning Board had voted at their previous meeting to move the School Board’s application to the top of their agenda once it becomes available.

DEPARTMENT OF TRANSPORTATION: Mr. Bill Cass was in attendance to present an update regarding the requested crossing between Searles Road and the Searles School/Chapel. Also present was Mr. Bill Lambert, State Traffic Engineer.

Mr. Cass presented a revised plan depicting the State’s proposed solution, and gave a brief history of the project to date.

Mr. Cass explained that in exploring the Board’s request for a crossing, the State had felt that more was required in the area than a typical crossing due to safety concerns, and was thus recommending installation of a pedestrian activated signal in the form of a flashing yellow light for through traffic. Mr. Cass stated that the State did not feel a full signal was warranted, as the level of pedestrian traffic was uncertain at this point. Mr. Cass also noted that if the pedestrian activated flashing light was found to be ineffective, the area could be reviewed/revised at a future date.

A discussion ensued regarding the site distance for pedestrians/traffic when leaving the Searles Building, and the proposed placement of the crossing between the corner at St. Matthew’s Church and the Searles. Mr. Cass pointed out that the new curve as part of the by-pass project is a very gradual one, offering excellent site distance.

Mrs. Crisler inquired how safe this option was overall. Mr. Lambert pointed out that, with a full signal, the capacity of the corridor is diminished as they are designed for the slowest pedestrian traffic, which is why the State shies away from their installation. He also pointed out that a continual flashing light is often effective at first, but then vehicle traffic becomes used to its presence and no longer notices it. Mr. Lambert stated that a pedestrian activated system is much more effective than other options.

A discussion ensued regarding utilizing a flashing red light versus yellow, and Mr. Lambert pointed out that such a red light requires all vehicles to stop until deactivated.

Mr. Stearns inquired as to the brightness/type of light proposed. Mr. Lambert stated the light would be a minimum of 8”, and possibly up to 12”, solar powered LED light. Also, signage will be placed on both sides so that visibility is not impeded.

Mr. Stearns inquired whether the signs could include language that State Law requires traffic to stop for pedestrians, and a discussion ensued regarding the types of signage and placement. Mr. Lambert indicated such language could be included.

Chief Lewis felt that the median divider included as part of the 111 project is a means of calming traffic, and that there appears to be plenty of sight line for pedestrians. He noted that pedestrian activated roadway lights had been suggested for Griffin Park, and stated he had had the opportunity to see them in action and, coupled with signage, they were very effective and he would advocate use of both. Chief Lewis also supported the inclusion of language as suggested by Mr. Stearns on the signs, and pointed out that the distance between two signaled intersections in the area is not that great, and does not allow for a great build-up of speed in the area.

Mr. Hohenberger inquired whether the crossing signal could be tied into the intersection signals to allow for breaks in traffic. A discussion ensued regarding the State's intended syncing of the lights to the advantage of the 111 traffic; that the flashing light is intended to warn vehicles of pedestrians in the roadway rather than advise pedestrians when to cross; that the responsibility to stop for pedestrians exists whether the light is activated or not, and, the light does not remove the responsibility of pedestrians to look both ways prior to crossing the street.

Mr. Carpenter inquired whether a pole could be placed in the median strip with an additional button, to allow for slower pedestrians to re-activate the light if necessary. Mr. Lambert indicated none was planned, but one could be placed there if the Board wished.

A discussion ensued regarding awareness of drivers of the requirement to stop, the potential for increased pedestrian traffic due to the sidewalk installation, and the ability to revise the crossing in the future if necessary.

Representative Charles McMahon approached to point out that there are a multitude of crosswalks along Main Street in Concord, and that all work effectively and safely. He then inquired whether the proposed light will interfere with the Opti-com system, and whether or not there should be a small flashing red light installed as well to advise all to stop for emergency vehicles.

A discussion ensued regarding signing the button to advise pedestrians to look before crossing. Acting Fire Chief Tom McPherson pointed out that emergency vehicles do not automatically have the right-of-way, even when approaching intersections with full lights and sirens, and felt pedestrians will have ample notice of their approach. He also stated he had never known the Opti-com system to be synced with a crosswalk.

Mr. Hohenberger inquired what the width of the crosswalk would be, and Mr. Lambert replied a standard 6'.

Discussion then moved to other matters, and Mrs. Crisler extended her thanks, which Mr. Hohenberger echoed, for addressing the 93/111 interchange.

Mr. Carpenter inquired whether the State could look at the new intersection at 111 and Wall Street, which included an additional westbound lane. He inquired whether the secondary lane could be made a "right turn only" lane, to avoid issues of merging traffic on the westerly side of the intersection. The other Board members concurred. Mr. Cass indicated that the traffic analysis had likely shown that the signal required an additional lane due to limited green light time. A discussion ensued regarding future changes to the intersection as part of the by-pass project, and evaluating the intersection as necessary. Mr. Cass will follow-up.

Mr. Hohenberger indicated he would also like to meet with the State in the future to discuss ownership of the old Route 111 upon completion of the Bypass, as well as the cul-de-sac portion by Castleton. Mr. Cass pointed out that Lamson Road should also be discussed. The Board concurred, and Mr. Sullivan will follow-up to schedule a workshop accordingly.

Mr. Hohenberger inquired as to the status of the eminent domain proceeding relative to Industrial Drive. Mr. Sullivan replied that an official offer should be received within 40-45 days, and the Board will then have 45 days to evaluate.

NEW BUSINESS: Chief Lewis approached to advise the Board that he had been contacted by the Department of Safety regarding the Town's selection as one of a very few communities for receipt of new dispatch equipment valued at \$95,000. This grant encompasses all equipment and installation. Chief Lewis noted that the Town would be responsible for any related equipment/buildings, which we already have, plus licensing/permitting and coordinating with the necessary vendors. He noted that the electrical work will be the largest expense, as everything else required is already available, and he did not believe that would be an excessive amount of money. Chief Lewis advised the Board that acceptance of this grant, along with the pending grant for digital equipment, would bring the Town to full digital status.

A discussion ensued regarding maintenance contracts, digital versus analog, and the need to raise the antenna. Chief Lewis stated that the antenna can be raised to a maximum of 150', and doing so is included within the other grant funds.

Mr. Breton then moved and Mr. Stearns seconded to approve acceptance of the grant as requested by Chief Lewis. Passed unanimously.

SCHOOL BOARD: Mr. Stearns recused himself from the Board to join the School Board. Present were School Board members Barbara Coish, Beverly Donovan, and Bruce Anderson. School Administrator Brian Gallagher was also present.

Mr. Gallagher introduced Mr. Dan Bison of Team Design, Mr. Greg Mikilitis of Appledore Engineering, and Mr. Colin Robinson as Owner Representative for the School District. He then advised the Board that the High School access road is currently of utmost importance, and that the School Board had requested this meeting in order to clarify the Board's position.

Mr. Anderson gave a brief timeline of events leading up to the current situation. He explained that, even before the bond had passed, the School Board had gleaned input from the Police and Fire Departments, Conservation Commission, and others regarding Londonbridge Road. He stated that, though the school had wanted a driveway, the Fire and Police Departments had clearly wanted a road constructed. Mr. Anderson stated that the School Board had evaluated their funding and determined that they could construct a roadway to NH Department of Transportation standards within their budget. Mr. Anderson then stated that, after conducting site walks and designing the roadway to DOT standards, the School Board had gone before the Planning Board and, after many questions and input from the Planning staff, it now appears that the School District is being asked to build the road to Town standards which it cannot afford.

Mr. Hohenberger clarified for those watching that this was not a public hearing on the road layout, but simply an informational meeting.

A discussion ensued regarding the purview of the Board of Selectmen versus the Planning Board on layout/design of the roadway and respective posting requirements, the apparent future intent of the roadway as a Town road, and the effects on the School District's design parameters.

Mr. Hohenberger requested that the Board address the critical parameters individually. The Board concurred.

Sidewalks: The School Board indicated they supported a 4' wide shoulder with striping only, from the intersection of Route 111 up to the High School driveway. A discussion ensued, in which Chief Lewis voiced his preference for sidewalks with curbing in the interest of increased safety for children walking along the roadway.

After further discussion, it was the consensus of the Board to support a 4' shoulder with no curbing.

Drainage: After a brief discussion, it was the consensus of the Board to support sheet drainage wherever possible, and closed drainage where indicated by staff.

Utilities: A discussion ensued regarding the recent outages caused to overhead utilities as a result of high winds, future use of the School as a shelter facility, and the reliability of power off of Route 111.

Chief Lewis pointed out that should live wires go down in the road way, no access/egress will be available with only one means into the High School. He felt underground utilities were a must. A discussion ensued regarding combining underground with overhead.

Mr. Mikilitis pointed out he had met with PSNH regarding the cost, and that underground would be approximately \$395,000 plus any additional blasting costs, versus \$97,000 for overhead utilities.

Further discussion ensued regarding a combination of underground and overhead, possible betterment assessments on future development in the area, and placement of completion of the rear access on the CIP for future years.

The Board could not reach a unanimous consensus, with Mr. Hohenberger and Mr. Carpenter supporting a mixture of overhead and underground if possible, and all underground if not, and Mrs. Crisler and Mr. Breton supporting all overhead utilities.

The School Board will follow up to explore the feasibility of placing the utilities underground within the roadway as it's excavated for future report to the Board.

A brief discussion ensued regarding the road and right-of-way widths, which the School Board indicated were 28' and 50', respectively.

Mr. Robinson then approached to introduce himself to the Board, noting that he has, over the last 15 years or so, served as Clerk of the Works for several school projects and, overall, has 30 years of experience. Mr. Anderson noted that Mr. Robinson has degrees in Civil Engineering and Mechanical Engineering, as well.

Mrs. Donovan advised the Board that Mr. Richard Roache, of the Army Corps of Engineers, had suggested that the Board of Selectmen be asked to take a position on the Londonbridge Causeway. After a brief discussion, it was the consensus of the Board to not take a position at this time.

Mrs. Crisler sought clarification on the ability of the Army Corps of Engineers to sign off on any wetland crossings on the site. Mrs. Donovan confirmed that they could, in fact, do so.

CORRESPONDENCE: Letter of resignation received from Carl Luhrmann, Cemetery Trustee. Mr. Carpenter moved and Mrs. Crisler seconded to accept with regret. Passed unanimously.

Mr. Hohenberger presented a letter of support for Article #13, which he had drafted on behalf of the Board. Mr. Carpenter moved and Mrs. Crisler seconded to endorse Mr. Hohenberger's letter wholeheartedly. Mrs. Crisler then suggested that each member's name be included and the letter submitted to the Eagle Tribune, Salem Observer, and Windham Independent. Passed unanimously.

OLD BUSINESS: Mr. Sullivan inquired whether the Board had any comments on the proposal from Lewis Engineering regarding Pennichuck's community well for Lakeview Farms. He noted staff had had no comments. The Board had no comments to submit.

Mr. Sullivan presented a letter drafted on behalf of the Cable Advisory Board regarding cable franchising. It was the consensus of the Board that Mr. Sullivan execute and send the letter as written.

Mr. Sullivan inquired whether the Board wished him to post the proposed Sewage amendments he had forwarded to them the previous week. The Board advised Mr. Sullivan to proceed.

Mr. Sullivan advised the Board that Herbert Associates was seeking to finalize the transfer of land to three (3) abutters as part of the Nottingham Road cul-de-sac approved in 2001 by Town Meeting. After a brief discussion, Mr. Carpenter moved and Mr. Stearns seconded that the Chairman execute the plans on behalf of the Board as per the wishes of the voters at the Town Meeting of 2001. Passed unanimously.

NON-PUBLIC SESSION: Mrs. Crisler moved and Mr. Breton seconded to enter into non-public session in accordance with the provision of RSA 93-A:3-Iia, b, d, and e. Roll call vote – all members "yes". The topics of discussion were land acquisition, hiring, legal, and personnel.

Land Acquisition: The Board, Mr. Sullivan, Mr. Jim Finn, Mr. Dennis Senibaldi, and Ms. Devlin were in attendance.

Mr. Carpenter moved and Mr. Breton seconded to seal this portion of the minutes. Passed unanimously.

The Board, Mr. Sullivan, and Ms. Devlin were in attendance in each of the remaining sessions.

Personnel: The Board reviewed the top two candidates for the Assistant Town Clerk position. Following a brief discussion, Mr. Breton moved and Mrs. Crisler seconded to extend an offer of employment to the candidate recommended by Mrs. Tuck pending successful background and medical checks. Passed 4-1, with Mr. Carpenter opposed.

Personnel: Mr. Sullivan presented a request from a volunteer to establish a data entry position. After some discussion, it was the consensus of the Board that Mr. Sullivan advise the individual in question to re-submit their request for the 2007 budget.

Personnel: The Board reviewed a union grievance. Mr. Carpenter moved and Mrs. Crisler seconded to support the denial by the Police Chief at Step One of the grievance process. Passed 4-1, with Mr. Breton opposed.

Personnel: The Board reviewed a union grievance. Mr. Stearns moved and Mr. Carpenter seconded to support the denial by the Police Chief at Step One of the grievance process. Passed 4-0-1, with Mr. Breton abstaining.

Legal: Mr. Sullivan presented a proposed settlement agreement to the Board for review. After some discussion, it was the consensus of the Board to postpone their decision until after the individual in question comes into compliance with the Town's requests.

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

The meeting was adjourned at 11:00 P.M.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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