

SELECTMEN'S MEETING MAY 20, 2002

MEMBERS PRESENT: Margaret Crisler, Roger Hohenberger, Christopher Doyle and Galen Stearns. Alan Carpenter was excused. David Sullivan, Town Administrator, was also present. Meeting commenced at 8:30 pm.

ANNOUNCEMENTS: Margaret Case, Chairman of the Cable Advisory Board, presented the Cable Volunteer Award to Greg Truhlar who is doing a great job with the bulletin board. The Board congratulated Greg on his work and wished him well in college.

Mrs. Crisler thanked everyone for their assistance and support of the annual Garden Club Plant sale this past Saturday and Sunday (due to the snow on Saturday). She noted that the Club had plants valued at approximately \$1,000 stolen on Sunday morning and it was reported to the police. If you have any information, please notify the Windham Police Department.

LIAISON REPORTS: Mr. Hohenberger noted that the proposed golf course by Ronald Abindoor was approved by the Planning Board at their last meeting. Mr. Turner noted that there is an administrative appeal before the Board of Adjustment on this project which will be heard later this month.

Mrs. Crisler reported that Recreation will be holding their annual beach cleanup on June 1st. Residents volunteering for the cleanup will have the opportunity to register first for swimming lessons.

Mrs. Crisler noted that the Memorial Day parade and festivities will be held on May 27th.

PROPOSED BIKE PATHS - LOWELL ROAD: Mr. Sullivan stated that residents had voted in March of this year to deny funding 20% for the engineering costs associated with the construction of bike paths along Lowell Road. The Town has been approved to receive a grant to pay for 80% of the project cost pending approval from the Town for the remaining 20%. This article was defeated by only 49 votes. The State has offered to allow the Town to propose this project to the residents again next March. Mr. Sullivan noted that the article was not recommended by the Selectmen on the ballot due to a 2-2 vote by the Board. If Windham does not approve the funding, the money will go to a TIP project in another community.

Mr. Wayne Morris, who has spear headed the grant, thanked the Board for waiting for him to give his input before making a decision. He stated he felt there were more things that could be done to obtain the necessary voter approval - i.e. more education, more state involvement, recommendation by the Board on the ballot, etc. He told the Board that he felt the State was becoming more sensitive to the abutters concerns. He said that he would do whatever the Board wished.

Mr. Hohenberger stated that at first he was in favor of the paths, however he now feels that the residents of the road would have too drastic an impact to their property. He said he would vote to allow the vote again next year, however he is leaning toward abstaining on whether to recommend it.

Mr. Stearns stated that although he applauded Mr. Morris's efforts on this project, he feels that the impact to the abutters is too great and believes that the costs would be much higher than originally estimated. He is in favor of returning the grant monies to the state for other TIP projects.

Mr. Doyle and Mrs. Crisler were in favor of giving the voters a second chance but also felt that it was important to do that only if the Board could agree to recommend it. Mr. Case also spoke in favor of the

paths.

The Board decided to table this decision until a full Board was present to vote. This item will be reconsidered on June 3rd.

MINUTES: Mr. Stearns motioned to approve the minutes of May 6, 2002 as presented. Mr. Hohenberger seconded. Passed unanimously.

CORRESPONDENCE: SITE BONDS - Mr. Hohenberger motioned to totally release the site bond for St. Matthew's, project engineer - SFC Engineering, in the amount of \$60,000.00 to St. Matthew's. Mr. Doyle seconded. Passed unanimously.

Mr. Doyle motioned to totally release the site bond for St. Matthew's , project engineer - Kelly Construction, in the amount of \$20,000.00 to St. Matthew's. Mr. Hohenberger seconded. Passed unanimously.

Letter received from Canobie Lake Park informing the Board that they have recently opened their new StarBlaster ride, an 80 foot tall tower ride which has a yag laser light on top. This light will emit a very thin, bright green beam for fractions of a second, and the actual visible distance will be affected by atmospheric conditions after dark. The light will cycle a few of these short pulses over a time of about 10 to 15 seconds, then stop for a bit and repeat the cycle.

The Board was all very concerned over this "light pollution" and agreed to send a letter to the Salem Selectmen and Planning Board (cc Windham Planning Board) asking why they were not consulted as they feel this definitely has regional impact.

Letter received from the Department of Environmental Services informing the Board that Aquatic Control Technology, Inc. of Sutton, MA will be applying the herbicide called REWARD to the waters of Cobbetts Pond on May 21st to control milfoil. The treatment areas will be posted with signs warning the public of any water restrictions.

Letter received from Girl Scout Troop 1007 stating that they are working on their Senior Girl Scout Challenges, one being to contribute to their community. They want to clean up trash along some of our roads and have worked with our Highway Agent, Jack McCartney, and have made the following schedule which began last Saturday.

May 18, 2002	8:00 am - 11:00 or 11:30 am Anderson, Castle Hill Roads
May 19, 2002	8:00 am - 11:00 or 11:30 am Fordway, East Nashua, Londonderry Roads
June 1, 2002	8:00 am - 11:00 or 11:30 am Marblehead and surrounding roads
June 2, 2002	8:00 am - 11:00 or 11:30 am Jones and surrounding roads

The Board members noted that the Scouts had done a wonderful job this past weekend and thanked them for their continuing efforts.

Letter received from White Mountain Cable who has been contracted by Adelpia Cable Communications to rebuild the CATV system in Windham. They are requesting that the Town waive all required permit fees noting that they have filed a current Certificate of Insurance, as well as

Performance Bond for \$20,000.00 with the Planning Department.

The Board, Mr. Sullivan, Mr. Turner and Mrs. Case discussed inspection costs, road damage costs and the present bond posted plus the bond Adelphia has provided for the rebuild. After said discussion, Mr. Stearns motioned to deny waiver of the fees. Mr. Doyle seconded. Passed unanimously.

OLD BUSINESS: CARDINAL AND ORIOLE ROAD INTERSECTION - Mr. Turner explained the following recommendations by the Highway Safety Committee for improvements to the intersection of Cardinal and Oriole Roads.

1. The intersection be reconfigured by lessening the width of pavement in the area of the end of Cardinal Road as it passes Oriole Road, thereby creating more of a "T" with the curved area.
2. Installing a "Stop" sign on Cardinal Road with a "Curve" sign on the reverse side.
3. Painting a double yellow line around the curve of Cardinal into Oriole Road.
4. Installing a "Curve" sign on Oriole Road in the area of the intersection.

These adjustments would provide more of a defined delineation of the intersection and require those vehicles traveling from the end of Cardinal Road to stop prior to proceeding either down Cardinal or Oriole Roads.

Following discussion and assurance that abutters would be notified in advance of the work commencing, Mr. Stearns motioned to approve the improvements to the Cardinal and Oriole Roads intersection as described above. Mr. Doyle seconded. Passed unanimously.

COUNTY ROAD SPEED LIMIT - Mr. Sullivan explained that the residents of County Road have appealed the installation of a 30 MPH speed sign and have requested that the sign either be removed or the limit lowered to 25 MPH or less. The residents stated that motorists have increased their speed since the 30 MPH sign was installed. The Highway Safety Committee recommends that the Board have the 30 MPH sign removed. Mr. Doyle so moved. Mr. Stearns seconded. Passed unanimously.

BASEBALL FIELDS DEDICATION - Sunday, May 26th will be the dedication of the baseball fields at Griffin Park. The activities will run from 9 am until 2pm with the actual dedication at 11:00 am.

GRIFFIN PARK UPDATE - Mr. Sullivan stated that the contractor has not yet finished the punch list and the deadline has been extended to this Friday due to weather delays. If it is not completed by Friday, the Town will retain all funds.

Mrs. Case stated that there were some areas on the walking path that appear to have a drainage problem. Mr. Sullivan stated that he had been at the park earlier today and saw the areas of concern.

Mr. Hohenberger asked if the soccer fields were being hydro-seeded. Mr. Sullivan stated that the Soccer Association will be discussing this issue and it hopefully will be resolved before the Board's next meeting.

TRANSFER OF WATER FROM ARLINGTON POND TO CANOBIE LAKE - Mrs. Crisler asked if we had received the water test results from Arlington Pond before water was transferred to Canobie Lake. She also noted that we were not notified by DES before the transfer. Mr. Sullivan stated that DES has apologized for their omission in not notifying Windham and the Salem Town Manager has assured Mr. Sullivan that he will send us all testing results.

The Board asked Mr. Sullivan to draft a letter to DES with a copy to Salem, expressing our displeasure

that we were not notified in advance and to request notification prior to any more transfers of water. Mr. Stearns moved to send the letter as described above. Mr. Hohenberger seconded. Passed unanimously.

NEW BUSINESS: 4 HIDDEN VALLEY ROAD - Mr. Sullivan explained the history of the drainage problem at 4 Hidden Valley Road which is owned by Joseph and Lisa Querol. The owner's concerns are the wet area around the back of the lot and specifically the lack of drainage going through the drainage pipe under Hidden Valley Road.

Mr. Sullivan stated the following in his response letter:

1. Given that the wet area in question was on the Querol's private property, the Town was restricted from doing any work in the area.
2. Suggested they contact DES to inquire about a possible Dredge and Fill Permit which would allow them to work in the area.
3. Consult with a hydrologist to review the property for the purpose of developing a plan of action to alleviate some of the stagnant water and assist with the Dredge and Fill permit process.
4. The Town agreed to test the drainage pipe - which was subsequently done and it tested well at various water pressures.
5. The Town would obtain an estimate to have an approximate 2" lip constructed at the end of the Querol's driveway to deflect the water away from the residence and off the left side of the drain into the lawn area behind the mailbox. This would be an unanticipated expenditure therefore, approval of the Selectmen would be required. Also this work would be done only upon execution of a waiver, holding the Town harmless in the event of any resultant damage to their property, vehicles, etc.

Mr. Sullivan informed the Board that the estimated cost for the work described in #5 above is \$1,100. The Board and Mrs. Querol had a lengthy discussion of her concerns and the necessity of wetlands. The Board agreed to look at the site before their next meeting on June 3rd. They also asked Mr. Sullivan to have Town Counsel draft a waiver for the Querol's signature and to research any old records pertaining to this matter.

I-93 INFORMATIONAL MEETING - Mr. Sullivan informed the Board that the DOT will be holding an informational meeting on the I-93 expansion on July 1st at Center School at 7 pm.

NON-PUBLIC SESSIONS: Mr. Hohenberger motioned and Mr. Stearns seconded to go into non-public session in accordance with RSA 91-A:3, Iib and c. Roll Call Vote - all members - yes. The Board and Mr. Sullivan were in attendance. Subjects were hiring and reputations.

Mr. Hohenberger motioned and Mr. Stearns seconded to approve the hiring of the recommended candidate for Finance Director, pending background and medical checks. Passed unanimously.

Mr. Stearns motioned and Mr. Doyle seconded to approve the hiring of the recommended candidate for fulltime firefighter/EMT. Passed unanimously.

Mr. Stearns motioned and Mr. Doyle seconded to appoint Steven Fruchtmann as Emergency Management Director and James Robinton as Deputy Emergency Management Director. Passed unanimously.

Respectfully submitted,

Kathleen Davis

Administrative Assistant

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

