

**BOARD OF SELECTMEN**  
**Minutes of May 22, 2006**

**MEMBERS PRESENT:** Chairman Galen Stearns called the meeting to order at 7:00 PM. Selectmen Roger Hohenberger, and Margaret Crisler were present, as was Finance Director/Assistant Town Administrator Dana Call. Selectman Dennis Senibaldi was delayed. Selectman Alan Carpenter and Town Administrator David Sullivan were excused. Following the Pledge of Allegiance, a moment of silence was observed in memory of John O'Connor, a long-time resident and volunteer of the Town of Windham. Mr. Stearns then read the agenda into the record.

**ANNOUNCEMENTS:** Mr. Hohenberger announced that the Town team had once again been defeated by the WBSL at Festi-ball, however they had put out a much better showing than last year. He then noted that the well to the multi-purpose building had apparently gone dry again, and the bathrooms had been closed half way through the day's event.

*Mrs. Crisler* stated that the Windham Garden Club's Annual Plant Sale had been a well-attended, and noted that the move to the Town Hall parking area had worked out very well and would likely be continued in the future.

*Mrs. Cheryl Haas*, Recreation Coordinator, advised the Board that the Annual Beach Clean-up had seen a good turnout on Saturday, including Mr. Stearns, four lifeguards, and members of the Recreation Committee.

Mr. Stearns stated that the delivered sand had been spread by the attendees, and noted that there was now a sandbar in the pond due to the recent rains. *Mrs. Haas* clarified that the sand spread on Saturday had been an emergency delivery approved by the Department of Environmental Services, and that the original amount approved in the permit will be arriving shortly. She then thanked all for their efforts and announced that the beach will officially open on June 10<sup>th</sup>.

*Mr. Senibaldi* arrived at 7:10 PM.

*Mrs. Call* reminded all that the Town Offices will be closing at 1:00 PM and the Transfer Station at noon on Wednesday the 24<sup>th</sup> to allow staff to attend the 2<sup>nd</sup> Annual Workforce Appreciation Day.

*Mr. Stearns* reminded all that the Annual Memorial Day Parade will begin at 9:30 AM on May 29<sup>th</sup>.

*Mr. Bruce Anderson*, School Board member, approached to clarify their request for support of a Special Town Meeting. He noted that this survey, the third of the property, is being performed by Benchmark Engineering and will encompass the entire property. Mr. Anderson stated that the survey of the access road portion had been completed with no major discrepancies noted from the previous two surveys. He then stressed that the survey of the remainder of the property, including the boundary with the Gage land has not been completed.

Mr. Anderson explained that the building cannot be twisted or shifted on the lot without a major redesign, and thus the School Board would ask at a Special Town meeting to move the lot line, if necessary. He stated the School Board had requested that Town Counsel review their correspondence relative to this matter to eliminate any potential issues if the need arose, however, he was unaware if the letter had been forwarded to Atty. Campbell.

Mr. Anderson then noted that, if it were needed, the Special Town Meeting could not be held in September as part of the Primary, as construction needs to begin in August for the project to stay on schedule. He reminded the Board that the construction management method is being utilized for the

project, rather than bid/build, and that there are four (4) companies which have been following the project from the onset.

Mr. Anderson concluded by urging the residents or Board members to contact the School Board with any questions they may have.

Mr. Hohenberger inquired whether the correspondence had been sent to Atty. Campbell as requested. Mrs. Call was unsure, but will follow-up to see that Town Counsel receives it.

*Mrs. Crisler* praised the Public Safety and Highway Department staff for their efforts during the flooding. Mr. Stearns concurred, noting that it is a testament to Windham's roads that we experienced less damage than our surrounding communities. Mrs. Crisler noted that one reason may be because Windham endeavors to preserve the wetlands, which act as sponges in heavy rains.

**MINUTES:** Mr. Hohenberger moved and Mrs. Crisler seconded to approve the minutes of May 1<sup>st</sup> as written. Passed unanimously.

**CORRESPONDENCE:** None.

**LIAISON REPORTS:** Mrs. Crisler reported that the Planning Board has been overwhelmed of late with cases, and will be holding an additional Public Hearing meeting on the May 31<sup>st</sup> in efforts to catch up.

**OLD BUSINESS:** Mrs. Haas advised the Board that she had been contacted by residents regarding the use of the Griffin Park tennis courts by the Salem High School team.

A discussion ensued regarding the Board's original intent in allowing the team use of the courts and other out-of-town uses of Griffin Park on the weekends that have not been approved by the Coordinator or Committee.

It was the consensus of the Board that staff draft a letter from the Board to be sent to the Athletic Director, Principal, and Superintendent of Salem High School advising them that effective immediately all uses must be scheduled through Mrs. Haas and that during games one (1) court will remain open for use by the general public, and during practices three (3) will remain open. Staff will follow-up.

**PUBLIC HEARING/TRANSFER STATION:** Mr. Stearns read the public hearing notice into the record.

Mrs. Crisler opened the discussion by expressing concerns relative to sofas and other items that exceed the proposed 6' limit ending up in the woods or along roadsides around town.

Mr. Poulson noted that transfer stations are not generally designed to handle bulky waste, and thus most communities charge. He stated he had proposed the length restriction to start, as these items are difficult to manipulate, and that he hopes to revisit the whole issue of bulky waste at the Station as the amount is tremendous. Mr. Poulson indicated that he understood if the Board wished to table this matter, but felt he needed to begin somewhere.

After some discussion, Mr. Hohenberger concurred with Mrs. Crisler that the length was too short; however he supported some restriction on what can be handled at the Station. He noted that the articulating loader seems to work well, and inquired if some kind of compaction size restriction would be better. Mr. Poulson agreed that the loader does well crushing the material, but reiterated that these bulky items still require special handling and take up space in the general trash trailer.

Mr. Hohenberger pointed out that residents in Windham do not receive services such as town water or sewer, but do pay for the Transfer Station in the taxes. He was unsure if he would be willing to support charging a fee,

and suggested tabling the matter and discussing it further at a workshop session.

Mrs. Crisler noted that the volume is increasing in line with the population, and that she understood the principal of charging a fee. She expressed concerns regarding the cost to the town to utilize staff to collect the fees and cleanup any resultant roadside dumping. She suggested increased equipment at the Station or separating the bulky waste out as alternatives.

Mr. Charles Jaynes, resident, approached in opposition. He noted that this is not the first time that restrictions had been tried at the station, and that it is very easy to dump materials illegally around Town. He questioned who would be responsible to clean up such items. Mr. Jaynes felt that this would only be the beginning of restrictions on the residents.

Mr. Senibaldi stated he understood the costs Mr. Poulson was battling with, as he had seen increases in his own disposal business. He felt a workshop session was definitely needed.

Mrs. Crisler then moved and Mr. Hohenberger seconded to table this matter pending a workshop session. Passed 4-0.

**BID AWARDS:** Chief McPherson advised the members that the Ambulance Committee had spoken to Greenwood as requested regarding the warranty offerings on the Horton ambulance as bid, and that Horton indicated the warranty would stay as presented in the bid specifications with no extensions offered.

After some discussion, Mr. Senibaldi moved and Mrs. Crisler seconded to award the bid to Horton for an amount not to exceed \$138,607. It was noted by the Committee that other required equipment that was budgeted for in the warrant article would be purchased separately. Passed 4-0.

A brief discussion ensued regarding the old ambulance, which will be allocated to the Police Department for use as an incident command vehicle.

**PUBLIC HEARING/PINE HILL RECLASSIFICATION:** Mr. Stearns read the public hearing notice into the record, noting the petitioner had requested this be continued until June 12, 2006 at 8:15 PM.

Mrs. Crisler moved and Mr. Senibaldi seconded to open the public hearing to reclassify Pine Hill Road from a class VI to class V roadway and continue it until June 12<sup>th</sup> at 8:15 PM. Passed 4-0.

**OLD BUSINESS, CONTINUED:** Mr. Hohenberger stated he had spoken to Mr. McMahon regarding the bathrooms at Griffin Park, and the well had in fact gone dry. He noted that no leaks were evident, however, it was obvious the well would not suffice.

A discussion ensued regarding finding a solution before the paving project begins, and possible options such as tying into the irrigation wells in the rear. Mr. Stearns indicated he would like to see information for all options and costs. It was the consensus of the Board that three vendors be consulted regarding possible solutions for discussion again on the 5<sup>th</sup>. Staff will follow-up.

Mrs. Call advised the Board that she had confirmed with Mr. Sullivan that the paving project will not commence until the well issue is resolved.

**BID AWARDS, CONTINUED:** Chief Lewis advised the Board that three bids had been received for the speed enforcement/traffic monitoring trailer as follows:

Decatur Electronics, Decatur, IL:	\$ 8,975
MPH Industries, Owensboro, KY:	10,694
Kustom Signals, Lenexa, KS:	7,709

Chief Lewis then noted that all bids met the specifications, all are low profile trailers, and will allow the Department to do traffic surveys, including counts and speed. He then recommended the bid be awarded to Kustom Signals.

After a brief discussion, in which the Chief noted he may be able to obtain a \$2,500 reimbursement from the State toward this purchase, Mr. Hohenberger moved and Mr. Senibaldi seconded to award the bid for the speed enforcement trailer to Kustom Signals for an amount not to exceed \$7,709. Passed 4-0.

*Chief Lewis* then advised the Board that he had researched the purchase of the second Department vehicle as requested, and found that the 2005 Ford Explorer ranges from \$19,000 to \$24,000 in the NADA and Kelly Blue Book. He stated he had gone to Grappone Ford that afternoon, and a 2005 Explorer with 17K miles and 18 months left on the warranty had come in over the weekend and was available at a cost of \$18,571.

Mr. Hohenberger moved and Mrs. Crisler seconded to authorize the Chief to purchase the 2005 Ford Explorer for \$18,571. Passed 4-0.

**BUILDING PERMIT ON PRIVATE ROAD:** Mr. Stearns announced that this matter had been postponed at the applicant's request.

**NEW BUSINESS:** Mrs. Haas requested permission from the Board to apply for a 50/50 matching grant from the Rockingham Planning Commission to develop a Recreation Master Plan. She noted the Recreation Committee had voted to apply for \$6,000, a \$3,000 cost to the Town, and that the Plan would encompass the school and town fields to mirror the Town's Master Plan. The RPC will assist in writing the grant, and this matter is scheduled on an upcoming School Board agenda to discuss their possible contribution.

A lengthy discussion ensued regarding needs and expectations, requirements, and where the matching funds would come from.

Mr. Senibaldi then moved and Mrs. Crisler seconded to allow Mrs. Haas to apply for a \$6,000 grant, with up to \$3,000 to come from the Recreation budget, for development of Recreation Master Plan. Passed 3-1, with Mr. Hohenberger opposed. Mr. Hohenberger explained his opposition by noting that this item had not been budgeted and several similar items had been eliminated during the budget development. He felt this project could be done in-house.

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

After review of the performance evaluation prepared by Mr. Sullivan, Mr. Hohenberger moved and Mr. Senibaldi seconded to approve Chief Lewis' evaluation and remove him from probation. Passed 4-0.

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

The meeting was adjourned at 9:00 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.*