

BOARD OF SELECTMEN
Minutes of February 22, 2016

CALL TO ORDER: 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 Town Administrator David Sullivan. Mr. Letizio opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Community Development Director Laura Scott advised there will be a free business event on 3/2 at the Searles Chapel, “Mindset Workshop and Networking Event”, hosted by the Department and Greater Salem Chamber of Commerce. She indicated that, while geared toward the business community, anyone can attend and should RSVP through the Chamber’s website.

Ms. Scott advised that the Department has extended hours to include Monday evenings until 7PM. She noted that no inspections are performed during these hours, but permits can be filled, files accessed, etc.

Police Chief Lewis approached and advised that the Department has received an award of funds from the State for “red light patrols”; adding that although already awarded, a grant application must still be submitted. He requested that the Board authorize him to do so in the amount of \$7,332; funds to be used towards overtime for officers from now until fall for red light patrols.

Mr. Hohenberger moved and Mr. Hohenberger seconded to approve the Chief’s request in the amount of \$7,332. Passed unanimously.

Chief Lewis advised that the Department will again be hosting a Citizen Police Academy; to begin on April 11 and continue for nine consecutive Mondays from 6:30P to 9:30P. He indicated anyone interested in participating should contact Sgt. Bryan Smith; adding that last year there had been a full house.

Chief Lewis announced that he had designated two officers, Dan Dawe and Allison Delano, as “Senior Service Officers”. He explained that these individuals will receive additional training in elderly/senior services (eg fraud, scams), and will be able to visit places such as the Windham Terrace and speak to the residents regarding same. Chief Lewis noted that Officers Dawe and Delano will also be able to better assist other officers who receive such cases; adding that seniors are, unfortunately, a targeted group. He noted that they will still continue to work patrols, and have volunteered to accept these additional duties. Brief discussion ensued.

Mr. Desilets advised that the Greater Salem Chamber of Commerce will host an Executive Exchange at the Atkinson Country Club on 3/30 from 5:30P to 8:30P. Speakers will include Cort Mendez, Peter Egelston, and Amy LaBelle, and more information can be found on the Chamber’s website.

PUBLIC HEARING - STOP SIGNS: Mr. Sullivan read the public hearing notice into the record, as follows: “*The Board of Selectmen will hold a public hearing at 7:00 pm on February 22, 2016 at the Community Development Department to consider the installation of Stop signs at the following locations:*

- *On Wildwood Road at its two (2) intersections with Johnson Street*
- *On Robin Hood Road at its intersection with Johnson Street*
- *On Robin Hood Road at its intersection with West Shore Road*
- *On Woodvue Road at its intersection with West Shore Road”*

Fire Chief Tom McPherson approached on behalf of the Highway Safety Committee; advising the Committee had reviewed the Wildwood Road intersections in response to resident concerns. He indicated that the request had been supported by the Committee and that, in speaking with the Police Chief, they felt it was appropriate to address the other intersections, as well. Mr. Letizio noted that, as an area resident he was familiar with each of these intersections and supported the Committee’s recommendations.

Mr. McLeod inquired whether there had been any collisions at these intersections. Chief Lewis replied there had been one at Wildwood Road the previous year, and a discussion ensued.

Mr. McLeod then moved and Mr. Desilets seconded to install Stop signs at the five (5) intersections as proposed by the Highway Safety Committee. After a brief discussion, motion passed unanimously.

PUBLIC HEARING – ADDRESS CHANGE: Mr. Sullivan read the public hearing notice into the record, as follows: *“In accordance with RSA 233:133-a, the Board of Selectmen will hold a public hearing on Monday February 22, 2016; the purpose of which is to consider changing the address of #45 Woodvue Road to #49.”*

He then reviewed with the Board a subdivision plan of the area; explaining that previously the Board had conveyed a reserved strip of land to a private owner in exchange for the whole of Woodvue Road. Mr. Sullivan indicated that owner has since subdivided their parcel accessed by the strip, and is in need of addresses for the new lots. He noted that, for 9-1-1 purposes, utilizing “a” and “b” as part of addressing is not recommended so the owners of #45 were asked to renumber their home to #49. Mr. Sullivan advised that the owners, as was their right, chose not to do so voluntarily thus this was being presented to the Board of Selectmen.

Mr. McLeod inquired whether the new driveway to the subdivided lots could be made a private road with house numbers 1 and 2. Discussion ensued whether this possible, and that similar situations involving subdivisions and address changes have happened in the past.

Chief Lewis approached and clarified that, both nationally and at the State level, addressing standards have been adopted that speak to avoiding fractional letters or numbers or similar names. He explained that the reason for this is because during an emergency call, 9-1-1 may receive only half the information from the caller (eg only the number 43, without knowing if it was that, 43a, or 43b). As such, efforts are made to utilize whole numbers only, however this is not absolute as Chief Lewis noted there are homes that utilize “a” and “b”, which go back many years.

Mr. Hohenberger noted that he is never in favor of changing someone’s address, as it is very costly to do so; adding that while he understands the rationale he will vote in favor of the resident. Mr. McLeod concurred, reiterating the suggestion that the access be made a public or private road thus allowing unique numbering while the existing homeowner’s stay unchanged. He indicated he would not support changing the Woodvue Road numbers.

Mr. Desilets expressed his concurrence, but added he recognizes the Chief’s concerns. He noted he would like to hear from the residents, and that it is potentially better in terms of real estate value to have consistent numbering (eg no “a” or “b”). Mr. Breton inquired whether it was beyond the Board’s purview to call the access a private road. Discussion ensued in that doing so would require going back to the Planning Board as, right now, it was only a driveway to the new lots.

Ms. Scott approached to clarify that the Planning Board has already approved this and the houses are being constructed, as such, she did not know how those homeowners could be forced to go back before the Planning Board to make the driveway a private road. She noted that all legal documents have been filed showing it as a shared driveway; adding she believed the subdivision had received variances, as well, due to lack of frontage. Ms. Scott noted there was never a conversation regarding making it a private road, and the numbering issue now was due to a bit of a gap in communication between departments that had been discovered during the permitting process.

Mr. McLeod suggested that, if the members concurred, staff contact Town Counsel regarding options (ie a minor site plan approval). Mr. Sullivan advised he can do so if the Board wishes, reiterating that the Board could also just move to number the new lots as 43a and 43b.

Mr. Breton noted that the access appears to be wider than a town road already. Mr. Sullivan concurred, but clarified it had been conveyed as a driveway only, and was never to be a Town road. Discussion ensued in that this restriction had been the reason a variance was necessary in that there was only 50’ of frontage on Woodvue.

Mr. Steven Watkins, owner of 45 Woodvue Road, approached noting that the reasons they don't wish to change their address are obvious; citing the expense and inconvenience. He also indicated that these lots are behind the tree line and, from an emergency standpoint, it would be better to have the access be a separate road. Mr. Watkins noted that he had found five properties in the Town's GIS system that currently have "a" or "b". Mr. Letizio added that he had noticed the mailboxes for these new homes are actually up the driveway rather than on Woodvue Road. Discussion ensued regarding the potential detrimental effects of both split numbering and shared driveways.

Mr. Desilets inquired what the Watkins' preference would be, and Mr. Watkins replied that a private road would be best. Chief Lewis approached noting that he would support this resolution, as well, if there was the ability to do so. He confirmed Mr. Watkins is correct regarding there being several "a" or "b" addresses already, reiterating it is not unheard of but whole numbers are preferred.

Mr. Breton inquired whether the approved plan included any notes regarding the access from Woodvue and pavement, etc. Ms. Scott replied in the negative, clarifying that there is no obligation to pave it as it is a driveway.

Mr. Breton indicated he would recommend the new owners consider making the access a private road, named appropriately, with house numbers assigned by 9-1-1 accordingly. Discussion ensued regarding the Board's authority and the methods by which a town road can be developed. Mr. Sullivan advised that he would strongly discourage making this a Town road, as the taxpayers will bear those costs. He suggested that the Board could move to not change the address of #45, and refer this issue back to the Planning Board with a denial and a suggestion that the access be made a private road.

Mr. McLeod moved accordingly. Discussion ensued, and Mr. Breton seconded. Ms. Scott reiterated her concerns that all Planning Board conditions were met and the plans signed and, as such, this would need to go back through a subdivision approval and related costs for the road layout. Discussion ensued in that the parcels had been recorded as 45a and 45b on an assumption that would be their address.

Mr. McLeod amended his motion, and Mr. Breton his second, to waive the related Planning Board fees. Discussion ensued as to what would happen if the owners did not wish to make the access a private road and it was clarified it could then be brought back to the Selectmen. Mr. Sullivan added that, if a private road were established, the Chiefs and Assessor would number the homes 1 and 2 and the matter will not come back to the Board. If they do not, and the parcels need to be "a" and "b", the Selectmen can rehear this matter.

Mr. Desilets indicated that he would prefer a separate motion regarding waiver of the Planning Board fees. Mr. McLeod amended his motion again, back to as originally stated, as did Mr. Breton his second.

Chief Lewis approached expressing concerns that perhaps the purchasers of the new lots were now kind of victims to this circumstance; pointing out that they had purchased the lots as 43a and 43b, and the matter had fallen through the Town's cracks. He wondered if the lots should not be left as 43a and 43b and then none would suffer impacts; reiterating there are other homes numbered as such and no tragedy has resulted. Discussion ensued, and Chief McPherson expressed his agreement with Chief Lewis.

Mr. Desilets reiterated that, from a real estate perspective, a shared driveway decreases property values whereas establishing their own road would increase same.

Mr. Breton pointed out that, moments ago, there were safety concerns; however now, because no one wished to "upset the apple cart" there weren't any. He questioned whether the Town were setting itself up for issues later on, and suggested that the Board be proactive and support with Mr. McLeod's motion. Mr. Sullivan noted that the key point the Board must remember is that it is up to the two new owners as to whether they want a private road and, if they don't, the addresses will stay 43a and b.

Discussion ensued regarding whether the properties are deeded, and Mr. Sullivan noted that the motion on the table is appropriate; that being to deny the address change and refer it back to the owners via the Planning Board.

Mr. Bob Coole, Morrison Road, approached to inquire what the length of the driveway was and it was noted as being 196'. Mr. Coole then indicated he supported Chief Lewis' position.

Mr. Desilets indicated that his understanding of the motion is the matter would come back to the Board if the new owners wish their addresses to stay 43a and 43b. Discussion ensued regarding what, statutorily, the Board could change that evening, which was #45 only, a private road versus driveway, and that in order to change all three addresses on Woodvue Road a new public hearing would have to be posted thus the Board could take up this issue again.

Motion passed unanimously.

Mr. McLeod then moved and Mr. Hohenberger seconded to waive any fees related to establishing a private road as discussed. Passed 4-1, with Mr. Desilets opposed.

PROPERTY TAX ABATEMENTS: Mr. Sullivan advised that these had been deferred as the Assessor had an emergency and could not attend.

BID AWARDS: Maintenance Co-Director David Poulson advised that, after a third bid process, one bid had been received for the Community Development Department's HVAC replacement; that being for a dual split system with a heater in the building's basement and the air conditioning unit outside. He indicated staff had worked with the Local Energy Committee to look at the efficiency of the units as proposed, and that the recommendation would be to award the bid to Mechanical Construction Services as outlined in Option #2 of their proposals at an upgraded SEER of 18, for the bid price of \$32,200. Mr. Poulson indicated it was also recommended that the Board add in wrapping of the existing ductwork at a cost of \$2,454. He then noted that the vendor recommends postponing the installation until spring.

Mr. Hohenberger inquired whether Mr. Breton was comfortable with the recommendation, and the latter replied in the affirmative; adding he would suggest the additional insulation also be done as recommended.

Mr. Pat Manzo, LEC, approached and gave an overview of the mechanics of a dual split system and its efficiency; noting it is compatible with either natural gas or propane. He also indicated that the system will pay for itself within a couple of years, and he would highly recommend the Board go with same. Discussion ensued, and Mr. Sullivan clarified for the record that option 2 as recommended will represent a total of cost of \$33,960, plus the additional \$2,454 for the ductwork insulation.

Mr. Breton moved and Mr. Desilets seconded to award the bid as recommended to include insulation of the ductwork.

Mr. Desilets then noted, as to staff recommendations on related projects (*see attached*), he would suggest holding off on the water heater and fire rated drywall, but would ask that the Board consider repairing, insulating, waterproofing and pest control on that portion having rot. Discussion ensued, and Mr. Breton expressed his support of fire rated sheetrock for the safety of the building.

Mr. Letizio requested the member wrap up the motion on the floor before discussing the balance of the recommendations.

Motion passed unanimously.

Mr. Sullivan requested that the Board address each of the balance of the related items/recommendations individually; noting all would come from the Property Maintenance Trust if approved.

Project #1: tankless hot water heater – not recommended. Mr. Breton indicated he did not believe this would be an \$8,000 project, suggesting an electric one could be purchased from Home Depot. Discussion ensued regarding the various options. Mr. Poulson gave a brief explanation of the pricing received, and further discussion ensued in that the tank is not in failure and a plumber has determined it is not necessarily inefficient given the usage and minimal recovery.

Mr. Desilets moved and Mr. Breton seconded to proceed with option #3 and replace the water heater with a new point of use, tankless system at a cost \$689 plus electrical connection. After brief discussion, motion passed 3-2 with Mr. McLeod and Mr. Hohenberger opposed.

Project #2: removal/reinstallation of existing ductwork and installation of new fireproof sheetrock – not recommended. After brief discussion regarding the recommendation, and the need for a plan to utilize the space, Mr. Hohenberger moved and Mr. Desilets seconded to not proceed with this project. Passed 4-1, with Mr. Breton opposed. Mr. Breton questioned whether the area could be used as it is not up to code, and Mr. Sullivan clarified that it can be used such as it is today.

Project #3: repair and upgrade eastside lower level of the Community Development Building due to severe wood rot caused by age, moisture, and carpenter ants – recommended at a total cost of \$3,325. Mr. Desilets moved and Mr. McLeod seconded to approve proceeding with this project. Passed unanimously.

Project #4: upgrade the dehumidifier system at the Armstrong Memorial Building – recommended at a cost of \$1,800. Mr. Hohenberger moved and Mr. Desilets seconded to approve proceeding with this project. Passed unanimously.

Project #5: reduce or eliminate water seepage in the Armstrong Memorial Building basement – recommended at a cost of \$1,550. Mr. Desilets moved and Mr. Hohenberger seconded to approve proceeding with this project. Passed unanimously.

Cracksealing: Mr. Sullivan advised that the bids had been received the previous September, however, the Board did not act then due to the uncertainty of the weather; adding that all vendors are willing to hold these prices for this year and work will begin as soon as the weather permits. The Highway Agent's recommendation is to award the bid to Superior Sealcoat.

Vendor	Cost per Sq Ft	Estimated Linear Ft Coverage per pallet
HW Dow - Concord, NH	\$.40	11,000
AnnSeal Inc Johnson city NY	\$.35	12,500
Axtell Pennsylvania	\$.63	10,000
Sealcoating Inc Braintree, MA	\$.36	10,325
Sealcoating Inc Braintree, MA	\$.28	15,190
Nashua Sealcoat Nashua, NH	\$.30 - .40	10-13,000
Superior Sealcoat Wilmington, MA	\$.338	15-18,000

Mr. Breton sought clarification as to how many feet of roadway would be sealed, and Mr. McCartney replied approximately 90,000. Discussion then ensued as to why the recommendation was to go with Superior, and Mr. McCartney clarified that, if one were to break down the cost, Superior covered more feet for less money. Discussion ensued regarding the bid specification and linear foot versus square foot and per pallet costs.

Mr. Desilets noted that if one were to work it out at the high estimate of 18,000 sft of coverage per pallet, it works out to nearly the same cost.

He then moved and Mr. Hohenberger seconded to award the bid as recommended to Superior. After brief discussion regarding the number of pallets, estimated coverage and issues related to materials in previous sealings, the motion passed 4-0-1 with Mr. Breton abstaining.

COMMUNITY DEVELOPMENT DIRECTOR: Ms. Scott requested a waiver of the fee to utilize the Searles School and Chapel for two business events on 3/2 and 9/13.

Mr. Desilets moved and Mr. Hohenberger seconded to waive Sections R and C of the Searles Use Regulations accordingly. Brief discussion ensued regarding the events, and Mr. Desilets clarified his motion encapsulated both dates. Passed unanimously.

BEAUTIFICATION SUB-COMMITTEES: Mr. Letizio, on behalf of the Route 111 Corridor Sub-committee, and Mr. Sullivan on behalf of the Town Center Sub-committee provided updates to the Board on their respective efforts towards Town Beautification projects. Mr. Letizio noted the Route 111 group continues to work towards improvements to median areas/signage at key entry points into Town; while Mr. Sullivan advised that the Town Center group is working with the DOT on a possible cross walk. In addition, Mr. Karl Dubay and Mr. Steve Keach are donating their services to develop an as-built for the Center. Both advised their groups will be bringing proposals to the Board in the near future.

TAX ABATEMENTS: Although deferred earlier in the meeting, Mr. Sullivan advised the Board did need to address supplemental tax warrants for the PILOT for McCauley Commons, as well as for 5 North Lowell Road. He explained that the former totals \$10,676, and that the latter property was billed improperly as it no longer serves as the Presbyterian Church parsonage.

Mr. McLeod moved and Mr. Desilets seconded to approve the supplemental tax warrant for 5 North Lowell Road in the amount of \$7,927.80. Passed unanimously.

Mr. Hohenberger then rescued himself, as he serves on the Board of Directors for McCauley Commons.

Mr. McLeod moved and Mr. Breton seconded to approve the supplemental tax warrant for McCauley Commons in the amount of \$10,676.00.

Mr. Breton expressed concerns that these items had not been properly posted so the public was made aware of them; citing concerns regarding the PILOT for McCauley. Discussion ensued regarding McCauley Commons versus the Searles Castle/Sisters of Mercy.

Mr. Breton felt a warrant should have been posted, as quite a bit of education tax money was being abated, and a discussion ensued regarding the PILOT program which is calculated each year by the Assessing Department.

Mr. Sullivan sought clarification as to whether, going forward, the Board wished PILOT programs, etc., to be posted on the agenda in detail. Discussion ensued, with no clear consensus being offered.

Motion passed 4-0.

Mr. Sullivan asked that the Board address the granting of an Administrative abatement in the amount of \$16,646.82 for the property located at 141 Londonderry Road; explaining this was due to the timing of the ownership being assumed by the Town. Mr. McLeod moved and Mr. Hohenberger seconded to grant the Administrative abatement as recommended. Passed unanimously.

OLD/NEW BUSINESS: Mr. Sullivan advised that the SNHPC energy consortium had met, and there was a potential to lock in a very low rate for the next three (3) years. He advised that Mr. Matt Rounds would go out to bid on behalf of the SNHPC, and sought the Board's support to continue with the consortium and, further, to authorize him to execute any necessary documents. Mr. Desilets added that the Board's authorization is necessary in order for the broker to go out to bid on Town's behalf, and that it was his understanding the contract will be equal to, or less than, the current amount of \$0.7/kw hour.

Mr. Desilets then moved to proceed with the consortium for a period of three (3) years beginning in November. Mr. McLeod seconded.

Mr. Breton expressed concerns both that the Board was considering giving a no bid contract to a broker and that this item had not been posted on the agenda. Discussion ensued.

Mr. McLeod withdrew his second, and further discussion ensued regarding the public versus narrative agenda provided to the Board.

Mr. Desilets further clarified the process undertaken by the SNHPC, and indicated they are awaiting Town approval to proceed. Mr. Breton raised further concerns regarding Mr. Rounds being both the broker and a member of the Local Energy Committee.

Mr. Sullivan stated that Mr. Rounds' company was selected by the SNHPC as their broker, thus there was no conflict with the LEC or the Town. As to the agenda, Mr. Sullivan suggested that the Board authorize him to submit the paperwork to the consortium while scheduling this for further discussion at the next meeting. Mr. Desilets concurred, adding he would expect at that time a contract would be available for review.

Discussion then ensued regarding the current percentage (100%) of green energy utilized, whether a lower amount should be considered, and the public agenda versus the narrative prepared for the Board.

Mr. Sullivan clarified that he is only seeking the Board's approval to send a letter of exclusivity to the SNHPC, which allows the latter to gather the Town's information in regards to pricing.

Mr. Desilets amended his motion to reflect Mr. Sullivan's clarification, it now being to approve Mr. Sullivan sending a letter of exclusivity to the SNHPC. He indicated he feels it prudent to allow Mr. Sullivan to sign said letter of intent which authorizes the broker to gather our use information to be put out for pricing.

Mr. McLeod seconded for discussion, seeking clarification that the intent is to allow staff to get the process moving with it coming back to the Board for final approval. Mr. Sullivan replied that was correct.

Mr. Hohenberger inquired what would happen if the Town said no; and Mr. Sullivan confirmed that we would no longer be part of the consortium and would have to go out to bid ourselves.

Discussion ensued, and Mr. Hohenberger requested that the School District's costs be available for the next meeting. Mr. Sullivan indicated he would obtain same.

Motion passed 3-1-1, with Mr. Hohenberger opposed and Mr. Breton abstaining. Mr. Breton explained his abstention by noting he felt it was disrespectful to ask the Town to enter into a contract which was not on the agenda. Mr. Letizio and Mr. Sullivan reiterated for the record that no contract is being entered into, rather data is being gathered.

Brief further discussion ensued regarding agenda items.

Off-Road Vehicle Policy: Mr. McLeod advised that he had drafted several proposed amendments to the Town's Off-Road Vehicle policy, which had come to light primarily due to the Landry property. He indicated that the Town has no jurisdiction of that easement, as it is under Conservation, however Town land can be controlled.

He then went on to highlight several of the proposed changes, including the need to remove Section A, 1 C relative to the Landry property itself. Discussion ensued in that Mr. McLeod's intent is to clarify and cleanup the regulations, and that this must be posted for public hearing. Mr. McLeod indicated that the amended ordinance would not be any more restrictive than the existing.

Mr. Coole approached seeking clarification as to whether the original had been approved by Town meeting. Mr. Sullivan replied in the negative; rather it was adopted in 2002 by the Selectmen.

Mr. Hohenberger moved and Mr. Desilets seconded to post the proposed amendments for Public Hearing two meetings from now. Passed unanimously.

CORRESPONDENCE: None.

MINUTES: Mr. Desilets moved and Mr. McLeod seconded to approve the minutes of February 8 as written. Passed 4-0-1, with Mr. Breton abstaining due to absence.

NON-PUBLIC SESSION: Mr. Desilets moved and Mr. McLeod seconded to enter into nonpublic session in accordance with RSA 91-A:3 II a, c and e. Roll call vote - all "yes". The topics of discussion were personnel, reputations and legal.

Personnel – The Board discussed a pending personnel issue with no decisions made.

Reputations – The Board discussed a pending matter with no decisions made.

Legal – The Board discussed a possible legal issue with a vendor. It was agreed to allow the vendor two weeks to come into compliance with their contract with the Town.

Meeting was adjourned at 10:00 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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