

**BOARD OF SELECTMEN**  
**Minutes of July 26, 2004**

**ROLL CALL:** Vice-Chairman Christopher Doyle called the meeting to order at 7:10 pm. Those present included Selectmen Bruce Breton, Roger Hohenberger, and Galen Stearns. Mr. Sullivan was also present. Chairman Carpenter was excused. Mr. Doyle read the agenda into the record.

**ANNOUNCEMENTS:** Mr. Breton announced that Mr. McMahon will be attending the upcoming workshop regarding the proposed Griffin Park regulations. He also noted that the basketball courts at the Park are ready, the tennis courts are nearly complete, the remaining skateboard park materials will arrive in approximately three weeks, and the picnic tables are in place.

**LIAISON REPORTS:** None.

**TRANSFER TRAILER BIDS:** Mr. Poulson advised the Board that three bids had been received for the purchase of a new trash trailer for the Transfer Station as follows:

<i>Manac Trailers USA, Inc. : Canada</i>	\$45,386
<i>Steco : Dorchester, MA</i>	43,965
<i>DeVito Trucking, Inc. : Salem, NH</i>	42,460

Mr. Poulson recommended that the bid be award to DeVito Trucking for their bid amount.

After a brief discussion, Mr. Hohenberger moved and Mr. Stearns seconded to approve the purchase of the trailer from DeVito Trucking of Salem for a price not to exceed \$42,460. Passed unanimously.

Mr. Poulson expects delivery of the new trailer to be within 90 days, and noted that DeVito will also remove old box trailer.

*Mr. Poulson* informed the Board that he had received a proposal from Windham Industrial Repair to repair the stainless steel plates upon the retaining wall in the tipping area. He asked that he be allowed to sole source the project rather than go out to bid, as it is a very complex repair and he is confident that Windham Industrial has the means and ability to perform it correctly.

Mr. Hohenberger was concerned that, should the Board want to go out to bid, information was now available that should not have been.

After a brief discussion, Mr. Stearns moved and Mr. Breton seconded to waive the bid process. Passed 3-1, with Mr. Hohenberger opposed.

Mr. Stearns then moved and Mr. Breton seconded to award the bid for the reconstruction of the tipping area wall at the Transfer Station to Windham Industrial Repair for their proposed amount of \$5,855.60. Passed 3-1, with Mr. Hohenberger opposed.

Mr. Hohenberger explained that he was not opposed to the award of the project to Windham Industrial Repair, but rather to the waiver process.

**ZBA INTERVIEWS:** Mr. Hersch was in attendance for a second interview with the Board regarding his possible appointment to the Zoning Board of Adjustment.

**OLD BUSINESS:** Mr. Sullivan advised the Board that, although not previously scheduled to, the Board would need to meet on August 2nd, as Bill Cass of the NH Department of Transportation has scheduled a meeting that evening to discuss Verizon's placement of a utility building in the area near the Searles facility within the State's right-of-way.

Additionally, Mr. Sullivan stated that he had forwarded the Conservation Commission's recommendations regarding Hopkins Road to Mr. Vachon, the developer, and he was also available on the 2nd to review them with the Board. Mr. Sullivan planned to notify the Conservation Commission, Mr. Turner, and Trails Committee of the meeting, and request that they attend. Mr. Hohenberger asked that an invitation also be extended to the Planning Board for this discussion.

**CORRESPONDENCE:** The Board reviewed a bond acceptance application from Samuel Nassar relative to Governor Dinsmore Road. Mr. Sullivan noted that, to his recollection, the Board of Selectmen does not officially accept bonds any more, handling only the releases.

After a brief discussion, Mr. Hohenberger moved and Mr. Breton seconded to re-affirm that the Board of Selectmen deals only with bond releases, and not acceptances. Passed unanimously.

After a brief discussion, four (4) bond releases pertaining to the Lamplighter Village area were tabled until input could be obtained from the Conservation Commission, who were believed to be reviewing a concern in the area.

Mr. Sullivan will contact the Commission for their comments before the next meeting.

*Carbon copy letter received* from Al Turner to Bill Cass of the DOT regarding the Verizon building and requesting that he arrange with Mr. Sullivan to be placed on the Selectmen's agenda.

*Letter received* from Adelphia announcing that they are sponsoring a visit by the C-SPAN School Bus on July 30th, 2004 and inviting Mr. Sullivan to attend.

*Letter received* from Hiram Morrill of the DOT regarding the request of Mr. Bradley Shaw to conduct a memorial walk over state roadways on August 7, 2004. The DOT has no objection to the walk provided that: traffic is not interfered with; authorization is received from appropriate local officials assuring adequate safety measures are provided to protect participants and the motoring public; and, no banners over State highways.

Mr. Sullivan suggested that, as the meeting was ahead of schedule, the Board address the Highway Safety issues on the agenda.

**HIGHWAY SAFETY:** Mr. Sullivan presented the following for consideration:

***Bedros Street:*** Request received to install three-way stop signs at the intersection of Kent Street. After review, the Highway Safety Committee unanimously voted to deny this request due to lack of sufficient, supporting historic data.

Mr. Stearns moved and Mr. Breton seconded to support the recommendation of the Highway Safety Committee to deny installation

of three-way stop signs at the intersection of Bedros and Kent streets. Passed unanimously.

Mr. Sullivan paused to ask that, as this discussion was ahead of its scheduled time, should any interested parties arrive later in the meeting that the Board be willing to reconsider any of their decisions. The Board members concurred.

**Osgood Street:** Request received to improve the line of sight at the intersection of Osgood Street and Marblehead Road. After review, the Highway Safety Committee voted to recommend pavement striping be added on Osgood Street for 50' +/- from the intersection with Marblehead Road, and to increase the break in the striping on Marblehead at this intersection. Also, to request that the Highway Agent perform brush work in this area.

Mr. Hohenberger moved and Mr. Stearns seconded to approve the striping on Osgood Street and Marblehead Roads. Passed unanimously.

Mr. Sullivan will advise Mr. McCartney to perform recommended brush work, as well.

**Hancock Road:** Two requests were received: to install an additional speed limit sign on Marblehead Road at its end with Hancock, and to install a stop sign at the intersection of Hancock and Morrison roads. The latter was scheduled for a public hearing later in the meeting, so only the speed limit sign was addressed at the time.

After review of the speed limit sign request, the Highway Safety Committee voted unanimously to recommend installation of an additional speed limit sign on Morrison Road at its end near Hancock Road.

Bob Coole, resident, approached the Board to state he believes a speed limit sign is already in place in that particular area.

Mr. Stearns moved and Mr. Breton seconded to authorize the installation of an additional speed limit sign as recommended by the Highway Safety Committee, provided signs are not already there. Passed unanimously.

**Tarbell Road:** Request received to install "Slow Children" sign. After review, the Highway Safety Committee voted unanimously to deny this request, as this type of signage is unenforceable and may present a false sense of security to residents in the area.

Mr. Stearns moved and Mr. Hohenberger seconded to deny the request to install a "Slow Children" sign on Tarbell Road. Passed 3 – 1, with Mr. Breton opposed stating he felt residents must have had a valid reason to make such a request.

**OLD BUSINESS, CONTINUED:** Tax Assessor, Rex Norman, updated the Board on his conversations with Data Transitions regarding contracting to correct the Assessing and Collecting databases. Per the Board's request, Mr. Norman had inquired as to the Company's guarantee of accuracy, if any, and the Town's recourse in the event of error.

Mr. Norman advised the Board that Data Transitions will guarantee accuracy within 1%, and he is confident that they will meet his needs in correcting the system. He also stated that, in the event Data Transitions' results are not within 1% accuracy, the contract will allow them two weeks to correct their data. If, after the two week period, Data Transition is unable to successfully resolve their errors, the Board may cancel the contract with no cost to the Town.

After a brief discussion, Mr. Stearns moved and Mr. Breton seconded to waive the bid process for the Assessor's and Tax Collector's software interface. Passed unanimously.

Mr. Hohenberger moved and Mr. Stearns seconded to approve the expenditure of \$4,500 to purchase software from Data Transitions for the Tax Assessor and Collector databases.

*Mr. Sullivan* advised the Board that the award of the bid to perform digital orthophotography and parcel mapping has been pushed back until the August 16th meeting, due to realigning the meeting agendas to allow the Department of Transportation attendance at the August 2<sup>nd</sup> meeting.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. Stearns seconded to enter into a non-public session in accordance with RSA 93-A:3b,c. Roll call vote – all members “yes”. The subjects were personnel, and reputations. The Board and Mr. Sullivan were in attendance in both sessions.

*Personnel:* The Board discussed a hiring issue at the Police Department. No decisions were made.

*Reputations:* The Board discussed various Board appointments.

**PUBLIC SESSION, CONTINUED:** Mr. Breton moved and Mr. Stearns seconded to make the following appointments to the Recreation Committee: Dennis Senibaldi to a 3 year term; Barry Goldman to a 3 year term; Ralph Valentine to a 2 year term; Lynn Goldman as an Alternate to a 3 year term; and Sam Maranto to a 1 year term. Passed unanimously.

**ZBA INTERVIEWS, CONTINUED:** Mr. Keller was present for a second interview with the Board regarding his possible appointment to the Zoning Board of Adjustment.

**PUBLIC HEARING/F.A.R. DONATION:** Mr. Doyle read the public hearing notice into the record. Margaret Case, representing the Friends of Arts and Recreation (F.A.R.) explained that the proffered donation of \$5,500 has been in the Friends account for approximately 10 years, and were received as the result of fundraisers held by the group primarily for the Nashua Road tennis courts. When Griffin Park came in to existence, the Friends felt the funds could be better utilized there. Mrs. Case stated there were no strings attached to the donation, excepting that they must be utilized for tennis only.

Mr. Stearns moved and Mr. Hohenberger seconded to accept with gratitude the donation of \$5,500 for use at the Griffin Park tennis courts from the Friends of Arts and Recreation. Passed unanimously.

**OLD BUSINESS CONTINUED:** *Oriole Road:* Mr. Sullivan gave a brief history of the residents ongoing safety concerns in the Oriole/Cardinal Road area. He stated that the residents were requesting that the Town authorize the

expenditure of funds to conduct a traffic study in the area as part of a possible redesign of the intersection. Mr. Sullivan noted the traffic study would cost approximately \$3,000, with Phase 2 being to compile a design plan at a cost of approximately \$5,000.

Mr. Hohenberger commented on the uniqueness of Oriole Road as it is utilized as a cut-through for two major roadways. Mr. Sullivan indicated that the Town had conducted a traffic study on Oriole that showed, on average, 670 cars pass through the neighborhood per day.

Mr. Stearns moved and Mr. Breton seconded to instruct staff to put out targeted requests for proposals to conduct a traffic study on Oriole Road and Cardinal Road. Passed unanimously.

Mr. Sullivan explained that the residents were also requesting that the speed limit in the area be reduced to 25MPH, and that "Slow Children" signs be installed. He advised the Board that there did not appear to be a need to lower the speed limit, as the traffic study had shown the average speed on Oriole Road to be 33MPH.

A lengthy discussion ensued, with the following residents of Oriole Road urging the Selectmen to approve the requests, citing personal experiences with safety hazards: Beth Lippold, Glenn Milner, Benjamin Doe, and Chris Rivelco.

Mr. Hohenberger moved and Mr. Breton seconded to lower the speed limit on Oriole and Cardinal Roads to 25MPH based upon their heavy use as a cut-through. Passed 3-1, with Mr. Stearns opposed.

**PUBLIC HEARING/HANCOCK ROAD:** Mr. Doyle read the public hearing notice into the record. This is the second part of the request submitted to the Highway Safety Committee regarding Morrison and Hancock Road. Mr. Sullivan advised the Board that, after careful review, the Highway Safety Committee voted unanimously to recommend that the Selectmen approve the installation of a stop sign on Hancock Road as it intersects with Morrison Road.

Mr. Tony Escobar, the requestor, approached the Board to explain the reasons for his request. He noted that his driveway is just beyond the intersection, and he has already experienced 3 or 4 near misses as vehicles round the curve at a high rate of speed. He noted that commercial traffic is heavy in the area, and that the trucks also travel at high speeds.

Mrs. Margaret Case approached the Board with concerns that Hancock Road is a new road, and that this possibility should have been addressed in the planning stages.

After a discussion regarding the pros and cons of such an installation, Mr. Stearns moved and Mr. Breton seconded to continue this matter until the August 2nd meeting. Passed unanimously.

**HIGHWAY SAFETY CONTINUED:** Mr. Sullivan requested that the Board allow Mr. Bruce Anderson and Mr. Ken Perrotta, both of Osgood Road, to offer their input and clarify the Board's decision on the striping and brush clearing at the intersection of Marblehead and Osgood roads.

Input was heard from Mr. Perrotta and Mr. Anderson relative to need to improve the line of sight, and the belief that striping will not likely help the

situation. Mr. Anderson noted that a stop sign may be necessary on Marblehead Road to resolve the safety issues. Mr. Doyle then asked that the Highway Department be allowed to proceed with the Board's decision to see if it offers any improvement. If it does not, the Board will revisit this issue at a future date.

Margaret Case approached the Board to reiterate her previous concerns that safety issues such as these should have been addressed during the planning stages, prior to construction of Osgood Road.

**NEW BUSINESS:** Mrs. Case asked that the Board address Esty Road, which leads to the Playground, stating it is in deplorable condition. Mr. Sullivan stated that the Town would have to address the road as an abutter, and that Tate Bros. was asked to develop a proposal address the problem areas.

Motion by Mr. Hohenberger and second by Mr. Breton to adjourn. Passed unanimously.

The meeting was adjourned at 8:55 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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