

BOARD OF SELECTMEN
Minutes of April 2, 2007

MEMBERS PRESENT: Chairman Alan Carpenter called the meeting to order at 7:05 PM. Selectmen Bruce Breton, Dennis Senibaldi, and Margaret Crisler were present, as was Town Administrator David Sullivan. Selectman Roger Hohenberger was excused. Following the Pledge of Allegiance, Mr. Carpenter read the agenda into the record.

ANNOUNCEMENTS: Mr. Senibaldi reported that the Annual Easter Egg Hunt the previous Saturday had been a tremendous success, and extended thanks to the following: Troop 266, Beth Lippold, Michele Langlois, Victoria and Xavier Noel, Bruce Breton, Cheryl Haas, and Al Barlow.

Chief Lewis updated the Board on the recent incident involving a 15-year old runaway from Windham. He noted that the girl is safely home with her parents, and the suspected online predator is in custody in Florida. Chief Lewis extended thanks to his staff for their tireless work and diligence on this case, and expressed pride at their successful efforts.

Mr. Carpenter extended congratulations to the Fire Department on another successful Firefighter's Ball.

MINUTES: None.

LIAISON REPORTS: None, however Mr. Senibaldi requested that the Board discuss the member's liaison assignments. A brief discussion ensued, in which the Chairman felt the matter could be discussed later, however, no decisions would be made without benefit of a full board.

Mr. Carpenter reported that the Planning Board the previous week had worked on reviewing the subdivision regulations for amendment.

CORRESPONDENCE: Letter received from Chief Lewis regarding the Department's application last fall for a Video Surveillance System grant, which has recently been awarded to the Town. Chief Lewis noted that the grant will supply the Department with stand-alone surveillance equipment for use in various locations. There is no cost to the Town, however, one officer will need to travel to Arizona for training on the equipment.

After a brief discussion, Mr. Senibaldi moved and Mr. Breton seconded to authorize Chief Lewis to move forward to accept the grant. Passed 4-0.

Letter received from Peter Stamnas of the NH DOT expressing the I-93 Team's interest in meeting with the Windham I-93 workgroup to garner input on the advancing design work. Mrs. Crisler will follow up with Mr. Stamnas as the Board's representative to the workgroup.

Copy of letter received from Jennifer Czysz of the NH Office of Energy and Planning to George Bald, Commissioner of the NH Department of Resources and Economic Development advising that the Council on Resources and Development (CORD) has voted to recommend approval of a 25-year lease between the Town and State relative to the Depot.

Letter received from Mr. Sullivan confirming that the Town will net a savings of \$13,940 due to the Boston CPI-U cost of living allowance being set at 3.1% versus the budgeted amount of 3.5%.

Letter received from the Rockingham Planning Commission relative to a resolution to endorse changes to RPC/MPO. After a brief explanation by Mr. Sullivan, it was the consensus of the Board to postpone discussion of this matter until the next meeting.

Notice of Government Relation Franchise Fees received from Comcast totaling \$172,088.66. Mr. Sullivan indicated that this amount exceeds that received in 2006.

Memo received from Al Turner, clarifying that the chart questioned by Mr. Senibaldi as presented during the Public Hearing to increase the Planning Department fees had been titled wrong, and the proposed fees were *not* depicted in the comparative chart of surrounding communities.

NERD PRESENTATION: Joshua Heinzl, Jonathan Heinzl, Kathleen Felch, Paul Maravelias, Steven Hammar, Clayton Grandstaff, and Steve Goulis, members of the New England Robotics Designers (NERD) were present. NERD were the recent winners of a regional competition in Long Island, NY, and will now be headed to Atlanta for the National Competition. The members performed a portion of their presentation on respirocytes, which are nanorobots that act as artificial red blood cells. More information on this group can be found at nhnerds.org, and there will be a live web cast of the competition from Atlanta.

NON-PUBLIC SESSION: Mr. Senibaldi moved and Mr. Breton seconded to enter into a non-public session in accordance with RSA 91-A:3-IIc. Roll call vote – all members “yes”. The topic of discussion was reputations, and the Board, Mr. Sullivan, and Ms. Devlin were in attendance.

The Board discussed a property tax abatement issue. No decisions were made, and Mr. Sullivan will follow-up with all parties.

Mr. Breton moved and Mr. Senibaldi seconded to exit the non-public session. Passed 4-0.

OLD BUSINESS: Mr. Carpenter inquired of Chief Lewis what the status of the School Resource Office position was. Chief Lewis indicated that the recruitment for a new officer to fill a staffing vacancy was now in the final testing phase, and a conditional offer of employment has been made pending a background/polygraph test. Chief Lewis indicated he hopes to have someone on staff by May 1st. A discussion ensued regarding the availability of funding to rotate current officers through the schools for the remainder of the school year.

Chief Lewis advised the Board that he spoken with the NH DOT regarding the Contraros memorial on Route 111. Concerns continue to be received regarding the safety hazard posed by the display, and the Chief indicated that the State concurs that it be removed.

BOARD OF HEALTH: Mr. Breton moved and Mrs. Crisler seconded to enter into the Board of Health. Passed 5-0.

23 Abbot Road: Mr. Carpenter read the public hearing notice into the record. He then indicated that this hearing, which pertains to his property, would need to be postponed.

Mrs. Crisler moved Mr. Breton seconded to continue the public hearing until April 16th at 8:00 PM. Passed 4-0-1, with Mr. Carpenter abstaining.

13 Fish Road: Mr. Carpenter read the public hearing notice into the record.

Prior to discussing the request for waiver, Mr. Turner advised the Board that procedural changes were in place in regards to local approval of projects impacted by the Shoreland Protection Act. Mr. Turner indicated the Shoreland Protection Bureau and the NH Department of Environmental Services had worked to develop a procedure which now requires that local plans, when necessary, be stamped “conditional approval” and that any conditions/violations be noted directly on the plan. A brief discussion ensued.

Mr. Turner then moved the discussion to the request for waiver at 13 Fish Road. He presented and reviewed a plan depicting the area and surrounding radiuses, and advised the Board that this property is currently year-round. Mr. Turner noted that no plans are available for the existing, drilled well, and that a waiver is being requested to allow installation of a new septic system 41' away from the well where 75' is required. Mr. Turner then advised the Board that the second request for waiver as posted, relative to the depth of fill beneath the septic system, would not need discussion as the applicant can meet the required 4'.

Mr. Ben Osgood, NE Engineering Design, approached on behalf of the property owner. He indicated that, though the applicant could meet the 75' requirement by installing the septic system in the rear of the property, it was being proposed in the front due to ledge/shalowness concerns in the back. Mr. Osgood also indicated that the soil in the proposed area is sufficient, and by installing it as proposed the system imposed on only the applicant's well.

A discussion ensued regarding testing of the well prior to and subsequent to installation of the system and the necessity to blast and perform other site work to install the system in the rear. Mr. Carpenter inquired why the system was being replaced, and Mr. Osgood indicated the current one is in failure.

Further discussion took place regarding the possible suitability of test pit 3, as shown on the submitted plan, as an alternative installation site. It was the consensus of the Board that the applicant test the well and explore the possibility of moving the proposed septic, which would eliminate the need for a waiver.

Mrs. Crisler then moved and Mr. Senibaldi seconded to continue the public hearing until April 16th at 7:30 PM. Passed 5-0.

Mr. Breton moved and Mr. Senibaldi seconded to exit the Board of Health. Passed 5-0.

Mrs. Crisler exited the meeting at 8:20 PM.

OLD BUSINESS, CONTINUED: Mr. Sullivan reviewed the media relations policy with the Board, and advised them that all changes made by the members had been incorporated as requested. A discussion ensued in which several other amendments were requested and agreed upon by the members, including: the addition of "employee" to the title; revisions to the amendment section; and the addition of "contracted employees" to the policy scope.

Mr. Breton then moved and Mr. Senibaldi seconded to approve the Employee Media Relations Spokesperson Policy as amended. Passed. 3-0.

NEW BUSINESS: Mr. Sullivan advised the Board that staff had undertaken a review of all existing policies to ensure that the current versions were consistently available in hard copy and on the website. He then presented a list of those documents needing immediate amendment due to procedural and other changes over the years. Mr. Sullivan requested the Board review these items for discussion at a future meeting.

A discussion then ensued regarding the Board of Selectmen procedures and, specifically, the agenda deadline/outline. Mr. Breton indicated he would like to see a block of time reserved for residents to approach the Board with non-scheduled items, and it was pointed out that "Announcements" and "Old/New Business" are available, if necessary. Mr. Breton then indicated that he would like future agendas to contain the topics of discussion planned under old and new business.

This matter will be placed on the April 16th agenda for further discussion.

Mr. Sullivan then inquired how the Board wished to address the current Highway Safety Committee and its Rules of Procedure. He noted that, until 1999, the HSC had been a citizen-based group, however at that time the duties had been re-directed to staff. Mr. Sullivan indicated the Board could: 1) leave the duties with staff and rescind the Rules of Procedure; 2) amend the Rules of Procedure to allow staff to act as a Committee, or; 3) give the duties back to citizen volunteers.

A discussion ensued, and it was the consensus of the Board that the Highway Safety Committee be comprised of the following: three (3) citizen appointees, and the Planning Director, Highway Agent, Fire Chief, and Police Chief or his/her designee. Mr. Sullivan will follow-up to advertise for volunteers.

Chief Lewis sought the Board's support on his phasing in black and white cruisers for the Department. Chief Lewis noted several reasons for his request including: departments across the country are establishing black and white as a standard for security reasons; it allows for the differentiation between private security and police vehicles; improved safety during the winter season; and black and white is traditionally used for police vehicles. After a brief discussion, it was the consensus of the Board to allow the Chief to proceed with phasing in the new color scheme.

Mr. Breton then raised concerns with the placement of the out-of-service ambulance at the Police Department. He did not feel it was appropriate that the vehicle be parked near the building where it's visible from the roadway and may be mistaken by a distressed person as an in-service ambulance. The Chief indicated that the vehicle is parked there as it must be plugged in to an electrical source to preserve the battery. A discussion ensued regarding lack of funding available to remove the decals and related safety concerns.

Mr. Senibaldi raised the subject of liaison to the Planning Board. He indicated he wished to discuss the matter, and reiterated his concerns from the previous meeting relative to Mrs. Crisler's time as liaison and Mr. Carpenter's responsibilities as Chairman, and stated he would like to see Mr. Breton as the liaison with himself as the Alternate. Mr. Carpenter expressed that he felt it was inappropriate and disrespectful to the remaining members to discuss this liaison assignment at this time.

After a further, brief exchange between the members, Mr. Carpenter adjourned the meeting at 9:10 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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