

**BOARD OF SELECTMEN**  
**Minutes of March 10, 2008**

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

**ANNOUNCEMENTS:** Mr. Carpenter urged all to remember to vote, noting the polls will be open from 7 AM to 8 PM at Golden Brook School.

*Mrs. Crisler* announced that, the previous Saturday, a celebration had been held honoring Mrs. Patricia Skinner for her many years of service as a Library Trustees. Mrs. Crisler noted that commendations had been presented to Mrs. Skinner from the Senate, the House, and the Governor, and she had offered congratulations to Mrs. Skinner on behalf of the Board of Selectmen.

*Mr. Senibaldi* reminded all that the athletic fields are still closed and should not be utilized. He noted that the Recreation Coordinator Cheryl Haas and staff are working to establish an opening date. Mr. Carpenter suggested that the fields be posted so that residents are aware they should stay off of them. Mrs. Haas indicated she would follow up to do so.

*Mrs. Haas* announced that Friday's Daddy/Daughter Dance had been a great success and very well attended. She extended thanks to the following for their assistance: Promises to Keep, Selectmen Breton, Selectman Senibaldi, and Recreation Committee member Ralph Valentine.

*Mrs. Haas* reminded all that the Annual Easter Egg Hunt would take place the following Saturday, rain or shine, at the Town Hall at 11 AM. She noted that Troop 298 is simultaneously conducting a food drive.

*Mrs. Haas* noted that tickets are available for the Town Staff vs. Court Jesters game scheduled for Friday, March 21<sup>st</sup> at 7:00 PM at Windham Middle School. There is no charge to attend and residents should contact the Recreation office for more information.

*Mr. Hohenberger* extended his thanks to Mr. Carpenter and Mrs. Crisler for their many years of service to the residents as members of the Board of the Selectmen. Mr. Senibaldi echoed Mr. Hohenberger's appreciation.

*Police Chief Lewis* approached advising he had been notified by the State of NH that, effective immediately, OHRV use on the Rail Trail is prohibited. This refers to ATV use, even in the winter, and the area has been posted as such and enforcement will begin immediately. Snowmobiles are still permitted. The Chief noted this change was made by the State based upon parts of the trail being funded by Federal Funds, and pertained only to the paved area.

Discussion ensued regarding the laying of the pavement by the Rail Trail Alliance through donations and whether or not the change should apply to the entire trail as it was purchased by the State with Federal funds. It was the consensus of the Board that Chief Lewis and Mr. Sullivan clarify with the State which portions of the trail are impacted.

*Fire Chief McPherson* approached noting that the Town had again fared well during the weekend flooding, with only one homeowner requesting assistance. The Chief noted that Seavey pond dam had been monitored on Saturday, as requested by the State, with no issues.

*Chief McPherson* then advised that the Department had been awarded a grant for one (1) digital radio and all accessories for the Emergency Operations Center. Total value of the package is approximately \$6,600, and there is no initial cost to the Town.

**LIAISON REPORTS:** Mrs. Crisler noted that the Historic District Commission had entertained a proposal from Nick Letizio regarding an Eagle Scout project involving the Londonbridge causeway. Mr. Letizio will make the same presentation to the Board of Selectmen in the near future, as well as to the Conservation Commission.

*Mrs. Crisler* then reported that the Planning Board had resolved an ongoing easement issue and had authorized Mr. Turner to follow up in writing to the owner. In addition, the Planning Board had completed the lot line adjustment from the School District to the abutting owner.

**MINUTES:** Mrs. Crisler moved and Mr. Hohenberger seconded to approve the morning minutes of March 3<sup>rd</sup> as written. Passed unanimously.

**CORRESPONDENCE:** Site bond release/Windham Meadows I. Mrs. Crisler moved and Mr. Senibaldi seconded to approve the site bond release in the amount of \$40,906, retaining \$5,000, to Eighty Mammoth Road, LLC. Passed unanimously.

*Letter received* from Planning Director Al Turner advising that the stop order for all work relative to the Meadowcroft Ledge Rd site with the exception of blasting had been lifted as the site erosion has been controlled in compliance with the SWPP Plan approved by the EPA. Discussion ensued regarding the update on this matter scheduled for the next agenda. Mr. Sullivan indicated staff will follow up to notify the owners in writing.

*Letter received* from Tennessee Gas Pipeline relative to the construction of a compressor station in Pelham. Mr. Sullivan explained that he, Mr. Turner, Chief McPherson, and Chief Lewis had met with representatives of TGP, and that the compressor was being constructed in order to boost the line capacity. Mr. Sullivan noted that he had received calls from concerned residents, and advised that any abutter to the project can file an opposition. Documents related to the project are available at the Town Hall and the Nesmith Library.

*Letter received* from the Department of Transportation announcing two upcoming public information meetings relative to the I-93 project: March 18<sup>th</sup> at the Londonderry Town Office and March 19<sup>th</sup> at Salem High School. Both meetings will begin at 7:00 PM.

Mr. Sullivan advised that the DOT will be meeting with staff in the near future to discuss landscaping and other items, and will then come before the Board regarding same.

*Letter received* from Mr. Raymond Rees regarding ongoing questions related to his property assessment. Mr. Sullivan advised that Mr. Rees' BTLA case has been concluded, however, Mr. Rees' is seeking further answers not provided in court. Tax Assessor Rex Norman is drafting a response.

**TAX ABATEMENTS:** Mr. Norman presented two abatements to the Board for consideration, both of which have settlement agreements in place.

*7 Marblehead Road:* Mr. Norman advised that, after an interior inspection, adjustments had been made to unfinished areas and the building description, resulting an adjustment from \$429,200 to \$389,200.

After a brief discussion, Mrs. Crisler moved and Mr. Senibaldi seconded to grant the abatement in the amount of \$644.00 to Ann M. Kusch Rev. Trust at 7 Marblehead Road. Passed unanimously.

*8 Collins Brook Road:* Mr. Norman explained that the owners had submitted an independent appraisal and documentation related to their recent purchase of the property indicating a lower value. After a full inspection, at which errors in the gross living area and building description were noted, and a review of the appraisal and additional sales the assessment was revised from \$620,100 to \$568,800.

Discussion ensued regarding the timing of Mr. Norman's review and the precedent this abatement might be setting.

Mr. Senibaldi then moved and Mrs. Crisler seconded to grant the abatement to the Peters in the amount of \$825.93 for 8 Collins Brook Road. Passed 3-2, with Mr. Carpenter and Mr. Hohenberger opposed.

Mr. Norman then presented to the Board for signature a supplemental tax bill for McCauley Commons, issued as part of pilot program omitting the local school tax, and a current use billing warrant. The Board executed the documents accordingly, with Mr. Hohenberger noting for the record his abstention from executing the McCauley billing based upon his membership on their Board of Directors.

Mr. Senibaldi then requested that Mr. Norman forward monthly to the Conservation Commission secretary an update of impending current use billing/monies expected. Mr. Norman will work with other staff and submit the requested information.

**OLD/NEW BUSINESS:** Mr. Sullivan indicated that the Cemetery Trustees would like to continue with their current maintenance vendor via their 3<sup>rd</sup> year bid option, as they continue to be very pleased with their service. Overall bid price to continue is \$29,000, which represents a 2% increase.

Mr. Hohenberger moved and Mr. Breton seconded to approve continuing with Rock of Ages of Methuen, MA for the amount of \$29,000. Passed unanimously.

*Mr. Sullivan* advised that the Cable Studio had received a donated laptop from Mitre Corporation, which was of negligible value.

Mr. Senibaldi moved and Mr. Hohenberger seconded to accept the donation of a laptop from Mitre Corporation with thanks. Passed unanimously.

*Mr. Sullivan* advised that he and Transfer Station Dave Poulson had met with Mr. Craig Mussleman and Jim Pierser to discuss an opportunity to join a regional cooperative of 28 communities as an associate member to participate in their development of a “single stream” recycling MRF (Material Recycling Facility) to be built. Mr. Sullivan inquired whether or not the Board would consider sending a non-binding letter of interest. After a brief discussion, it was the consensus of the Board to discuss this further in April.

*Ms. Lee Maloney*, Rail Trail Alliance, approached seeking the Board’s support of a “Fast and Flat 5K Road Race” along the rail trail to raise funds for the final coat of pavement and to request that the race be covered under the Town’s liability insurance.

After a brief discussion, it was the consensus of the Board that the WRTA work to coordinate the race with the Recreation Coordinator as a joint activity, which would afford the WRTA umbrella coverage for the event.

*Mr. Sullivan* updated the Board on the status of the Annual Town Reports, which are expected to be delivered Tuesday morning and available to residents at the polls.

**PUBLIC HEARING/DONATION:** Chief Lewis approached requesting the Board approve the acceptance of a donation of 6 modular office units for the Department from AMA Office Solutions valued at approximately \$3,675. Chief Lewis advised that the furniture would subsequently be assembled by AMA at an estimated cost of \$1,200.

Discussion ensued regarding the quality of the items and available funding for the assembly.

Mr. Senibaldi moved and Mr. Hohenberger seconded to accept the donation from AMA Office Solutions valued in the amount of \$3,675 with gratitude and appreciation. Passed unanimously.

**LONDONBRIDGE ROAD LAYOUT:** After a brief discussion regarding Town Counsel’s confidential correspondence regarding this matter, no decisions were made.

**OLD/NEW BUSINESS CONTINUED:** Mr. Sullivan advised the Board that a third protest petition had been received, this one relating to Petition #5 regarding lot 9A-500.

**NON-PUBLIC SESSION:** Mr. Senibaldi moved and Mr. Hohenberger seconded to enter into a non-public session in accordance with RSA 91A:3 IIa. The topic of discussion was personnel, and the Board and Mr. Sullivan were in attendance.

After a brief discussion, Mr. Senibaldi moved and Mr. Breton seconded to extend Building Inspector Preble’s leave of absence to April 17<sup>th</sup>, as requested. Passed 3-2, with Mr. Hohenberger and Mrs. Crisler opposed.

*The Board* completed their review of the Town Administrator's annual evaluation.

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

The meeting was adjourned at 8:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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