

SELECTMEN'S MEETING JUNE 3, 2002

MEMBERS PRESENT: Margaret Crisler, Roger Hohenberger, Christopher Doyle, Galen Stearns and Alan Carpenter. David Sullivan, Town Administrator, was also present. Meeting commenced at 7:00 pm.

ANNOUNCEMENTS: Mr. Hohenberger noted that the Middle School Graduation will be held on June 12th at 6:30 pm.

Mrs. Crisler informed the Board that former Deputy Fire Chief Bill Wallace was struck by lightning last week and suffered burns on his feet. The Board wished him a speedy recovery.

SISTER CITY: Barbara Coish reported on her thirteenth trip to Suzdal, Windham's Sister City. Suzdal now has a new mayor and an invitation was extended to him and others to visit Windham later this year. This year marks the 10th anniversary of our Sister City relationship with Suzdal.

Mr. Sullivan read a thank you letter from the mayor for our contribution to the orphanage.

FIRE DEPARTMENT: Fire Chief Fruchtman reminded all residents that permits are required for any burning. There is no cost for these permits.

The jet ski generously donated by Nault's is now docked on Cobbett's Pond for the summer. The Chief thanked Mr. Pombrio for allowing it to be docked on his property.

Chief Fruchtman reported that the Child Safety Seat Inspection Program is being well received. It is best to call in advance for an appointment for the inspection.

Personal floatation devices are available in all sizes for loan from the Fire Department.

Chief Fruchtman reminded everyone of the danger water can be for children - pools, hot tubs, spas, toilets, pool covers with standing water, etc. Please keep a close eye when children are around these areas and if you have any questions, please call the Fire Station for assistance.

LIAISON REPORTS: Mr. Hohenberger reported that the Planning Board approved a subdivision plan on Bissell Camp Road at their last meeting and they required that improvements be made to Bissell Camp Road which is a Class VI road. Mr. Hohenberger questioned if the Selectmen needed to give approval for this work.

Mr. Sullivan stated that he had discussed this matter with Town Counsel and according to our Right of Way Ordinance, the Selectmen or their designee can approve the work, but Town Counsel recommended that the Selectmen vote to approve this work.

Mr. Hohenberger motioned to authorize Mr. Turner, Police Chief Moeckel and Fire Chief Fruchtman to design a footprint to gravel a portion of Bissell Camp Road and further that this in no way was intended as an indication that the Town was moving to reclassify the road stating that Bissell Camp Road will remain a Class VI road. Mr. Carpenter seconded. Passed unanimously.

Mr. Carpenter, member of a subcommittee of the Rockingham Planning Commission, gave the Board census and demographic information of Windham and surrounding areas for their review. He will have

further follow up information at a later meeting. He noted that the RPC annual meeting is June 12th.

COMMITTEE INTERVIEW: Lisa O'Niel was interviewed for a position on the Recreation Committee.

LOWELL ROAD BIKE PATH: This subject was continued from the Board's last meeting as the full board was not present. The Board is to decide whether they wish to ask the voters again next year to partially fund the engineering study for proposed bike paths on Lowell Road. The article was defeated by 49 votes in March. The State has agreed to hold the grant money if the Board wishes to place this item on the warrant next spring.

Mr. Carpenter stated that he thought that the bike paths could be built on a smaller scale than proposed by the State and still serve the purpose. He supported discussions with the State concerning this option.

Mr. Hohenberger stated that he could support Mr. Carpenter's idea, however there was Federal funding involved and felt the paths could not be constructed on a smaller scale. He would, however, be willing to explore this possibility with the State.

Chief Moeckel cautioned the Board to be careful about reconsideration of a previously defeated article as some may feel it is catering to a special interest group.

Mr. Carpenter moved for the Board to authorize Mr. Sullivan to ask the State to hold the funds and the article would be put on the warrant next year for consideration. Mr. Doyle seconded. Mr. Hohenberger asked Mr. Carpenter to word his motion to allow the Board to work with the State to lessen the impacts - smaller paths. Mr. Sullivan stated that he felt the State has bent as far as they are able under the grant rules. Mr. Stearns stated that he believed the grant money should be returned to the State and have the State make improvements to Lowell Road which may include a shoulder sufficient for a bike path. Other Selectmen and Mr. Sullivan noted that the State has no current plans (not in their 10 year plan) for reconstructing this road.

Mr. Carpenter amended his motion to add authorization for Mr. Sullivan to work with the State to use this year to continue dialogue with them to lessen the impacts of the proposed paths. Mr. Doyle seconded. Passed 3-2 with Mr. Hohenberger and Mr. Stearns opposed.

ATV CLUB: Chris Oliverio, a member of the Board of Directors for the NH ATV Club, spoke with the Board on various items regarding the use of the Rockingham Recreation Trail which goes from Depot Road to Fremont. This trail is owned by the State, however the Depot building and parking lot is owned by the Town.

Items discussed by Mr. Oliverio included preservation of the historic area, painting of the building, town donating the paint, noise, parking, dust control, installation of an informational board, posting of signs, trash pick up, trail maintenance, trail patrol and business and neighbor concerns. He also informed the Board that a new law provides for monies for the police to buy ATVs to patrol the trails. He stated that police patrols in other towns have been very successful.

The Club has recently begun cleaning the trails and do some patrolling. They have members waiting to be trained to patrol. They are working with some landowners to obtain agreements to ride on their property. Forms are available for this arrangement.

Mr. Sullivan suggested that the Club work with the Heritage Commission regarding the building at the depot.

Paul McCallum, member of the NH ATV Club, stated that volunteers have swept the parking area and requested a jersey barrier be moved to allow access especially for emergency equipment. He stated they want to work with abutters and also educate the riders.

The following residents voiced their concerns Wallace Ramsden, John Mangan, Wayne Morris, Bob Devlin, Karl Dubay, Mary Fay, Ross McLeod, Mark Samsel, Sandra Mangan and Michael Esposito. Mr. Ramsden presented letters from abutters which stated their experiences and concerns. He read a letter from Tom and Anne Wilson which explained their concerns and made the following recommendations: limit parking to a designated area, limit hours of operation on the trails to daylight hours, repair and paint the Depot building as a courtesy to the neighborhood and erect suitable fencing to screen the areas as a courtesy to the neighborhood.

Residents spoke to the following issues: no police presence, reduction of property values, quality of life reduced, excessive noise, accidents, graffiti, dust, proposed use of chemicals to control dust, disrobing, night riding, riding on private property, trash, destroying wetlands, openly relieving themselves, destruction of trails, drinking and discharge of firearms. The residents did note that it is not all riders who abuse the area, but many do.

Kathy Galvin, also a member of the Board of Directors for the NH ATV Club, responded to the residents' concerns. She stated that the Club is new at trying to maintain and patrol. She stated that they need to hear the abutters complaints and want to help them. They want to work with the Town, residents and the Fish and Game to improve the situation. She also noted that it is the law that riding is only allowed a half hour before sunrise and a half hour after sunset. Education of the riders is needed and also enforcement.

Mr. Oliverio stated that a portion of their ATV registration fee is a land use fee. He also noted that dirt bikes create more noise and many are illegally modified causing this excessive noise.

Mrs. Crisler summarized the concerns as follows: maintenance of Depot area, future meetings, parking, police patrols and funding, underage riders without supervision, drinking, night riders and who has what jurisdiction of the trails. Also to be considered is permit parking for riders.

The Board agreed to hold another meeting on June 24th at 7:00 pm at the Town Hall devoted solely to ATV trails throughout the whole town. Everyone is encouraged to attend to voice their concerns and work with the Selectmen and NH ATV Club to find solutions. The Board will also visit the area to view the problems. Fish and Game and DRED representatives will be invited to attend.

Chief Moeckel asked any resident who called the Police over the last two years to leave their name so he can research the calls.

4 HIDDEN VALLEY ROAD: Mr. Sullivan stated that this item was continued from the Board's last meeting to allow the Selectmen to view the site and the problems. Three members of the Board visited the site. Mr. Sullivan stated that the culvert was previously tested and is properly functioning. The remaining issue is whether the Town or the property owner should pay for installation of a berm to divert the water from the driveway.

The Board, Jack McCartney, Mr. Sullivan and Mrs. Querol discussed the matter. Mr. Hohenberger motioned to authorize Mr. McCartney and Mr. Turner to provide technical advice to the Querols on the construction of the berm, however the owners would be responsible for all construction costs. The Town will keep the swale cleaned. Mr. Doyle seconded. Passed unanimously.

CONSERVATION COMMISSION: Lisa Linowes, Planning Board and Conservation Commission

member, discussed with the Board proposed changes to the I-93 Mitigation Proposal which will be sent to the Department of Transportation.

It was agreed that the document would no longer have a confidential status; that it would be signed by the Chairs of the Selectmen, Planning Board and Conservation Commission and to reaffirm the Town's requirements for emergency access on certain parcels. This document will be forwarded to the Planning Board for review and signature at their meeting this Wednesday. The document will then be sent to the DOT this week.

MISSION STATEMENT: Mr. Sullivan presented the Board with a Mission Statement and goals for the Town as proposed by the Department Heads and representatives from the fire and municipal unions and non-union employees. The Police Union chose not to participate. Mr. Sullivan stated that employees have already been working towards these goals, but this will codify the philosophy. Mr. Sullivan read the following:

***TOWN OF WINDHAM, NEW HAMPSHIRE
MISSION STATEMENT***

**"TO PROVIDE THE HIGHEST QUALITY PUBLIC SERVICE THROUGH PROFESSIONALISM
DEDICATED TO EXCELLENCE."**

With the philosophy of teamwork as its foundation, the Town will uphold the following goals in fulfilling its Mission:

Translate the myriad of community and municipal needs into a fiscally stable government;

Embrace and implement advances in technology and modern business practices and strive, always, to expand our municipal knowledge base;

Acknowledge and respect the varied opinions and suggestions of citizens, employees, business community, and visitors, and exhibit fairness and equity in all our dealings;

Maintain a desirable quality of life through all appropriate and available means, and by fostering the natural, cultural, historical, and recreational aspects of our community;

Work to recruit, train, develop, and retain staff capable of adapting to an ever-changing society while providing courteous and professional service;

Openly encourage volunteerism in our community, not only by our actions, but also by our support of and gratitude for volunteer endeavors;

Recognize that the trust and support of our endeavors by our community must be continuously earned, through leadership, integrity, innovation, and communication; and

Keep paramount, above all else, the health, safety, and welfare of our citizens and employees.

Mr. Sullivan asked the Board to support this statement. This statement will be displayed in all departments as a constant reminder for all employees. The Board stated that they felt it was an excellent statement and ideal. Mr. Doyle motioned to accept and adopt the Mission Statement and goals as presented. Mr. Stearns seconded. Passed unanimously.

MINUTES: Mr. Doyle motioned to accept the minutes of May 20, 2002 as presented. Mr. Hohenberger seconded. Passed 4-0 with Mr. Carpenter abstaining.

OLD/NEW BUSINESS: Mr. Sullivan told the Board that through an error, Senator Klemm's name was dropped from the distribution list for some letters regarding the I-93 mitigation process. This has been corrected and Senator Klemm now has the complete file. Mr. Hohenberger noted that on Memorial Day, Rep. Griffin asked if there was anything additional she could do regarding this issue. Mr. Sullivan suggested that the representatives talk to the DOT and endorse the Board's position.

Mr. Carpenter congratulated FLOW for the very successful Strawberry Festival held last Saturday.

Mr. Carpenter told the Board that he had three residents call him in the past three days regarding the sign at Griffin Park stating that they were not to use the ballfields. Mr. Sullivan stated that the sign is intended to have games scheduled through the Recreation Committee, however pick up games or family and friends playing is certainly allowed when scheduled games are not in progress. Mr. Sullivan will speak to Mr. Farmer, Recreation Chair, regarding this confusion.

Mr. Carpenter also inquired as to when the signal at the Village Green and new Post Office would be corrected so that the traffic is not backing up as it currently is in the evening. Mr. Sullivan stated that the State reported that the permanent light will be installed in about three months. The Board asked Mr. Sullivan to call the State to see if the light can be installed any earlier.

Mrs. Crisler stated that the Recreation Committee would like two Selectmen to work with them in planning the dedication of Griffin Park. Mrs. Crisler and Mr. Doyle volunteered.

The Board and Mr. Sullivan discussed the irrigation system at Griffin Park. Mr. Sullivan reported that the broken pipe was repaired and the system was working on Saturday. Mr. Sullivan also told the Board that he and Sam Maranto of the Recreation Committee will be meeting with representatives from the Soccer Association later this week to discuss the soccer fields.

Mr. Sullivan told the Board that he had a call from Mr. Johnson regarding five ash trees on Griffin Park which border his property. He is worried about them and Mr. Sullivan reported that one is split and the others are marginal and recommended they be removed. Mr. Stearns noted that there are two large pine trees on the Town Beach and suggested they be removed also.

Mr. Stearns motioned to remove the five ash trees at Griffin Park. Mr. Doyle seconded. Passed 4-1 with Mr. Carpenter opposed.

Mr. Stearns motioned to remove the two large pine trees on the Town Beach. Mr. Doyle seconded. Passed 3-2 with Mrs. Crisler and Mr. Hohenberger opposed.

Mr. Sullivan told the Board that he had a call from a resident on Moulton Road regarding two large pines which he fears could damage his property. He is willing to pay for their removal if the Town agrees as they are on town property. The Board will visit the site to assess the matter.

Mr. Sullivan told the Board that last Friday he had the pleasure of working with the Fire Department for about six hours. He was educated in some of their daily duties - i.e equipment checks, water rescue and demonstration of auto extrication using the jaws of life.

Mr. Sullivan announced that pending final medical approval, the Town's first Finance Director will begin work on July 15th.

Mr. Sullivan told the Board that Town Counsel had reviewed and made changes to the Easement Deed for the trails on Ledge Road and the landowner is also agreeable with two minor edits from his attorney. The deed will be in for signature later this week with the Board's approval. Mr. Carpenter motioned to accept the easement as edited by Town Counsel and the landowner's counsel. Mr. Stearns seconded. Passed unanimously.

NON-PUBLIC SESSIONS: Mr. Doyle motioned and Mr. Hohenberger seconded to go into non-public sessions in accordance with RSA 91-A:3, IIa, c and e. Roll Call Vote - all members - yes. The Board and Mr. Sullivan were in attendance in all sessions. Subjects were personnel, reputations and legal.

Mr. Hohenberger motioned and Mr. Stearns seconded to file the appropriate paperwork to the Board of Adjustment for an appeal on their decision regarding the Lakeview Farm case. Passed unanimously.

Mr. Hohenberger motioned and Mr. Stearns seconded to appoint Annette Stoller and Peter Griffin to serve as Windham's representatives on the Rockingham Planning Commission. Passed unanimously.

Mr. Hohenberger motioned and Mr. Stearns seconded to appoint Mary Griffin as a regular members of the Cable Advisory Board. Passed unanimously.

Mr. Hohenberger motioned and Mr. Carpenter seconded to appoint Patrick Schena and Carol Pynn as regular member of the Historic Committee/Heritage Commission. Passed unanimously.

Mr. Doyle motioned and Mr. Carpenter seconded to appoint Dennis Root as a Museum Trustee. Passed unanimously.

Mr. Stearns motioned and Mr. Doyle seconded to accept the Police Chief's recommendation to terminate the services of a part time dispatcher in training. Passed unanimously.

Mr. Doyle motioned and Mr. Stearns seconded to have the Board execute a letter to Adelphia Cable regarding a legal matter. Passed unanimously.

Mr. Doyle motioned and Mr. Hohenberger seconded to submit a letter to the Tax Collector indicating that the Board would not accept tax deeds on certain parcels due to unknown liability issues which may be imposed on the Town with their acceptance. The Board will review this position in 45 days. Passed 4-1 with Mr. Stearns opposed.

Mr. Hohenberger motioned and Mr. Stearns seconded to approve salary increases for the beach lifeguards as planned for in the 2002 budget. Passed unanimously.

Mr. Stearns motioned and Mr. Doyle seconded to adjourn. Meeting adjourned at approximately 12:30 am.

Respectfully submitted,

Kathleen Davis
Administrative Assistant

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

