

**SELECTMEN'S MEETING  
JANUARY 27, 2003**

**MEMBERS PRESENT:** Roger Hohenberger, Galen Stearns, Christopher Doyle and Alan Carpenter. Margaret Crisler and David Sullivan were excused. Meeting commenced at 7:00 pm.

**LIAISON REPORTS:** Mr. Hohenberger reported that during a discussion of the proposed Butterfield Subdivision at the Planning Board, lack of water in the Sheffield Road area was discussed. He further noted that the Planning Board last year gave approval for a pump house to be built, however some residents are still not hooked up. The Selectmen, meeting as the Board of Health, agreed to discuss the proposed well ordinance at their next meeting and hopefully adopt it.

**CORRESPONDENCE:** Letter received from some residents of Depot Road regarding proposed legislation, HB 152 sponsored by Rep. Charles Royce which proposes to remove local control over ATV and Trail Bike use within cities and towns. Testimony will be heard on January 28<sup>th</sup> in the Legislative Office Building. Mr. Doyle stated he was planning to attend. Mr. Stearns motioned and Mr. Doyle seconded to send a letter conveying the Selectmen's position of not favoring this bill to the representatives. Passed unanimously.

Letter received from Adelphia stating that during a recent audit it was discovered that they were not collecting the full franchise fees from Windham customers. The matter has been rectified. Barbara Coish told the Board that the Cable Board is studying this matter.

**MINUTES:** Mr. Doyle motioned and Mr. Stearns seconded to approve the minutes of January 6, 2003 as presented. Passed unanimously.

Mr. Doyle motioned and Mr. Carpenter seconded to table the minutes of January 16, 2003 until February 10<sup>th</sup> pending review. Passed unanimously.

**PUBLIC HEARING:** Mr. Doyle read the following notice: "In accordance with RSA 31:95-b, the Board of Selectmen will hold a public hearing on January 27<sup>th</sup> at 7:15 pm for the purpose of considering a donation of an Automatic External Defibrillator. Said equipment has a value of \$500-600." Mr. Carpenter motioned and Mr. Stearns to open and continue the public hearing until February 10<sup>th</sup> when Mr. McPherson could attend. Passed unanimously.

**WORKSHOP:** The Board agreed to hold a workshop on February 3<sup>rd</sup> at 7:00 pm at the Planning Department regarding storm water.

**OTHER BUSINESS:** Barbara Coish announced that the rebuild of the Town's cable system was completed last Wednesday.

Barbara Coish updated the Board on our Building Inspector, Bruce Flanders condition. Mr. Flanders was injured on December 18<sup>th</sup>. She told the Board that he is improving daily but still has a long way to go.

**NEW BUSINESS:** The Board completed a survey from the Coalition Committee of Donor Towns regarding education funding.

**MICHAEL SWIDER – WARRANT ARTICLE 32:** Mr. Swider met with the Board to discuss Article 32 which is as follows: By petition of Ethel Murphy and others “To see if the Town will vote to authorize the Selectmen to convey the premises known as Lot 16-P-350, 0 Fourth Street, to Michael and Gerri Swider, for the sum of \$4,600; said transaction subject to the approval of the Board of Selectmen after receiving comments from the Planning Board and Conservation Commission; and furthermore said conveyance to contain a restriction that this lot not be allowed to be separately developed, except for the installation of a septic system for Lot 16-P-197, known as 9 Fourth Street, and upon other terms and conditions as the Board of Selectmen may determine”. This article was not recommended by the Board and the Board stated they could not recommend it without further information.

Mr. Swider, who resides at 11 Fourth Street, explained to the Board that when he purchased 9 Fourth Street (a three season property), he was told it had a septic system which turned out to be simply an oil tank buried less that one below the surface. He further stated that there is no place to put a system on the property. Thus the article to purchase the adjoining lot from the town for a septic system was submitted. He told the Board that the Building Inspector had told him the tank could not be replaced with a holding tank.

The Board asked Mr. Swider how the proposed purchase price of \$4,600 was figured. Mr. Swider stated that the assessment was \$4,000 plus back taxes of \$600.

After much discussion, the Board agreed to check with Mr. Turner to be certain that a new holding tank was not an option, to determine Town’s legal fees if sold and to contact Town Counsel and Mr. Turner to determine if the Town could grant an easement for a septic system to Mr. Swider and others if necessary in the future.

**OLD BUSINESS:** Mr. Carpenter motioned and Mr. Doyle seconded to appoint Kevin Waterhouse as Windham’s temporary liaison, until Town Meeting, to the committee representing the towns regarding the possible purchase of Pennachuck. Passed unanimously.

Mr. Doyle motioned to adjourn. Mr. Stearns seconded. Meeting adjourned at approximately 8:15 pm.

Respectfully submitted,

Kathleen Davis  
Administrative Assistant

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