

**BOARD OF SELECTMEN**  
**Minutes of March 14, 2005**

**ROLL CALL:** Chairman Alan Carpenter called the meeting to order at 7:00 PM. Those present included Selectmen Bruce Breton, Roger Hohenberger, Galen Stearns and the recently elected, Margaret Crisler. Mr. Sullivan was also present, as was Town Clerk Joan Tuck who conducted the swearing in of Mr. Carpenter and Mrs. Crisler.

**ANNOUNCEMENTS:** Mr. Carpenter extended congratulations to the residents of Windham for a record March turn-out for the election.

*On behalf of Gail Webster, Joan Tuck extended thanks to those who had called or visited her since March 8th. Ms. Tuck reported that Ms. Webster is doing well, and remains under doctor's care.*

*Mr. Carpenter reminded all that a retirement party is planned for Police Chief Bruce Moeckel on Friday, March 18, 2005.*

**ANNUAL REORGANIZATION:** Mr. Stearns moved and Mrs. Crisler seconded to elect Mr. Hohenberger as Chairman and Mr. Breton as Vice-Chairman. Passed 4-0-1, with Mr. Hohenberger abstaining.

Mr. Hohenberger assumed the Chairmanship with thanks, and officially welcomed Mrs. Crisler to the Board.

**FIRE DEPARTMENT BIDS:** *Chief Don Messier* announced that invitations to bid for the fire equipment approved at the recent ballot vote had been placed in the Windham Independent, Eagle Tribune, on the Town, Primex, and Mainstreet NH websites, and bid packages forwarded to 16 individual vendors. He noted that two bids had been received for the engine and tanker trucks, six for the forestry cab/chassis, and four for the forestry skid. He advised the Board that the Truck Committee had reviewed all the bid packages received, and recommended that all bids be awarded to KME Fire Apparatus of Woodville, MA with the exception of the cab/chassis, which they felt should be awarded to Grappone Ford in Concord.

Mrs. Crisler inquired how the bid prices compared to the amounts approved at Town Meeting. Chief Messier noted that all were lower and that additional discounts would be available as part of a package purchase from a single vendor.

Lieutenant Scott Delaney, Chairman of the Truck Committee, approached to report that the Committee had been working on acquiring this apparatus for over two years. He stated the members had visited the KME plant and had the opportunity to test drive several of their vehicles.

Discussion moved to the benefits of pre-paying or paying the equipment in full and related discounts. Mr. Peter Husker of KME cited several areas of savings in pre-paying the equipment including a reduced number of pre-construction meetings and a reduced number of training sessions. Also a \$3,700 discount is available on the package.

Mr. Hohenberger inquired about warranties, and Mr. Husker responded each component would be covered by the individual manufacturers.

Chief Messier recommended the Board pre-pay the vehicles and require a performance bond from KME, noting that doing so would speed up the process and ensure that the tanker was completed within the 12 month time frame required as part of the grant. Mr. Delaney indicated the Truck Committee also favored pre-paying.

A discussion ensued regarding delivery deadlines included in the bid specifications, which include a \$500/day penalty for every day the vehicles are delayed; possible issues in obtaining a bond after pre-paying, of which none are known; and the possibility of the Truck Committee making use of any savings for additional equipment. After some discussion on the latter, it was determined that would not be possible.

Mr. Carpenter moved and Mr. Stearns seconded to award the following bids to KME Fire Apparatus: Engine, \$358,325; Tanker, \$248,668; Forestry Skid, \$43,889 and that discounts totaling \$16,265 from the total amount of \$650,902, and that a trade-in credit of not less than \$5,000 for an existing 1984 engine also be provided. Passed unanimously.

Mr. Stearns moved and Mrs. Crisler seconded to award the purchase of the 2006 Ford F150 cab and chassis to Grappone Ford of Concord for their bid amount of \$32,788. Passed unanimously.

Mr. Carpenter commended Chief Messier and the members of the Truck Committee for their public outreach efforts prior to the ballot vote, noting that approval by the voters of four pieces of equipment at once was outstanding.

Lt. Delaney extended his thanks to the remaining Committee members for their efforts: Scott Savard, Tim Dunn, Dave Norton, Bob Taylor, Ralph DeMarco, and Scott Zins.

**PUBLIC HEARING/DONATION:** Mr. Hohenberger read the public hearing notice into the record. Mr. Wayne Morris of the Trails Committee stated that Kevin Cyr of Cyr Lumber had generously offered to donate the materials for the previously approved trail improvement bids, which would result in a savings of approximately \$6,500 on the overall project cost.

Mr. Stearns moved and Mr. Breton seconded to accept with thanks the donation of materials valued at approximately \$6,500 to be used in the construction walkways and foot bridges from Cyr Lumber. Passed unanimously.

**REX NORMAN:** Mr. Norman presented five (5) abatement applications to the Board for consideration. Four were discussed in public session as follows, with the fifth deferred to non-public session later in the meeting:

*Gaumont Road/Miller & Mercier:* Mr. Norman explained that the tax bill had reflected an incorrect assessment. Mr. Breton moved and Mr. Stearns seconded to approve the abatement in amount of \$1,339 due to a billing error, as requested. Passed unanimously.

*Herbert Field/Devlin:* Mr. Norman explained that this was an annual abatement as part of the lease agreement between the Devlins and the Town for the field area. Mr. Breton moved and Mr. Stearns seconded to approve the abatement in the amount of \$1,295 as provided for in the lease agreement. Passed unanimously.

*Indian Rock Road/Aquadelo:* Mr. Norman advised the Board that the property in question was .25 acres, and was rendered unusable by the previous widening of Route 111. He further noted that it had been taxed at a nominal amount for the last 10 years, but this year had been calculated as a buildable lot. Mr. Norman advised the Board that the property owner and he had agreed that \$11,000 was a reasonable assessment. Mr. Carpenter moved and Mr. Stearns seconded to approve the abatement of \$1,776 as requested. Passed unanimously.

*Golden Brook Road/Gebo:* Mr. Norman explained that this property has a 20' drainage easement for which the land value had been previously been adjusted to 95%, however this adjustment was mistakenly eliminated as part of the data transfer. It also has topographical issues in the rear, having a sharp drop into the wetlands.

A discussion ensued regarding the Board's previous opinion that granting of abatements due to topographical conditions such as these opens the door to unlimited, similar abatements. It was the consensus of the Board, however, that the previous land adjustment should be returned.

After reviewing tax maps of the area, as well as previous tax cards and abatements, the Board discussed awarding the abatement for the easement only and the similarity of the property in question to the adjoining properties. Mr. Norman noted that, without the previous adjustment on the land, the Gebo property was assessed several thousand dollars higher than similar properties on either side.

Mr. Carpenter moved and Mr. Breton seconded that the land value be adjusted to the same amount as the adjoining properties and the abatement granted accordingly. Passed unanimously.

**ROAD PERMIT/LAKEVIEW FARM:** Mr. Joseph Maynard of Benchmark Engineering was present on behalf of the owners of Lakeview Farm. Mr. Maynard explained that, as part of the planned subdivision to be constructed at the Lakeview Farm site, a curb cut permit was required. As the State owns Armstrong Road, Benchmark had applied to them for the permit, however the State had advised them that because the Town conducts maintenance on Armstrong Road, the Board must complete the application.

Mr. Carpenter inquired whether the Planning Board had submitted any comment on this request. Mr. Hohenberger read the Planning Board memo into the record. Mr. Breton noted that legal correspondence from 2004, related to this issue, should be reviewed by the Board prior to making a decision.

Mr. Stearns stated that, to his recollection, permission had been granted the owner to cross Town property in 2004, provided that the parcel remained undeveloped. The Board concurred, and a brief discussion ensued regarding that prior Town Meeting decision.

Mr. Maynard noted that all other permits for this project had been successfully obtained, except this curb cut permit. Mr. Hohenberger pointed out that, as shown on the plan provided by Mr. Maynard, the second leg of the proposed roadway crossed the property voted on in 2004 and, if the plan were contingent on including that second leg he would not support overturning the Town Meeting vote. Mr. Carpenter inquired of Mr. Maynard whether the second egress was required. Mr. Maynard replied it was not, as the roadway would not be over 2400', however the Planning Board had asked it be included. Mr. Carpenter noted he would like to review the previous correspondence and hear further from the Planning Board.

A brief discussion took place regarding the proposed relocation of Walkey Road and the effects on the property owners. Mr. Maynard reported he had met with several of them, and the response to the relocation/availability of paved access had been well-received.

Mrs. Crisler indicated she would like to conduct a site walk of the area before making a decision. Mr. Hohenberger felt Town Counsel should be consulted regarding any possible implications if the Board were to agree to submit the application.

After further, brief discussion it was the consensus of the Board that Mr. Sullivan will contact Town Counsel for opinion and re-schedule this discussion to the April 25th meeting. Mr. Maynard noted that the proposed roadway is staked out for anyone who wants to walk the area.

**CORRESPONDENCE/MINUTES:** Tabled due to lateness of the hour.

**OLD BUSINESS:** None.

**NEW BUSINESS:** Mr. Sullivan advised the Board that the Recreation Committee had received a request to conduct a wedding at the Town Beach. He noted that the couple had been advised that they must provide a certificate of insurance and that exclusive use of the beach cannot be guaranteed, as it is public property. The wedding party would conduct a rehearsal for approximately 1 hour on May 13th, and the wedding/reception would last approximately 4 hours on the 14th.

Mr. Carpenter moved and Mrs. Crisler seconded to allow the May 14th wedding at the Town Beach, as requested. Passed unanimously.

*The Board* briefly discussed their liaison appointments. Mr. Stearns noted that it is difficult for him to attend the 4:00 PM meetings of the Historic District/Heritage Commission, and Mrs. Crisler agreed to assume that liaison position for the upcoming meeting. For the remainder, no decisions were made and Mr. Sullivan will forward to the Board a current list of liaison appointments for discussion at an upcoming meeting.

**NON-PUBLIC SESSION:** Mr. Carpenter moved and Mr. Stearns seconded to enter into non-public session in accordance with RSA 93-A:3 IIa, c. Roll call vote, all members "yes". The topics of discussion were personnel and reputations.

*Reputations:* The Board, Mr. Sullivan, Mr. Norman, and Ms. Devlin were in attendance. Mr. Norman presented an application for a disabled exemption to the Board, as well as an application for abatement for the same property owner. After a brief discussion, Mr. Carpenter moved and Mr. Stearns seconded to approve the abatement as requested by Mr. Norman. Passed unanimously.

*Personnel:* The Board and Mr. Sullivan were in attendance to review the video-taped portion of the Police Chief Assessment Center in preparation for the upcoming candidate interviews. No decisions were made.

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

The meeting was adjourned at 10:25 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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