

BOARD OF SELECTMEN
Minutes of March 20, 2006

MEMBERS PRESENT: Chairman Roger Hohenberger called the meeting to order at 7:00 PM. Selectmen Galen Stearns, Margaret Crisler and Alan Carpenter were present. Mr. Sullivan was also present. Mr. Hohenberger welcomed newly elected member, Dennis Senibaldi, to the Board. Following the Pledge of Allegiance, Mr. Hohenberger read the agenda into the record.

ANNOUNCEMENTS: Mrs. Crisler announced that the Joint Loss Management Committee had met that afternoon with Mr. John Stevens and Ms. Mary Ann Cooney of the NH Department of Health. Mr. Stevens and Ms. Cooney had presented information to the Committee on the Avian Flu, and noted that residents can find further information on the State's website at www.dhhs.state.nh.us.

Mr. Sullivan noted that staff, the Health Officer, and Emergency Management continue to work on a strategic plan. Mr. Carpenter inquired whether the State had any pre-recorded programs available regarding this issue to air on WCTV, or if they would be willing to come to Windham to do a presentation. Mrs. Crisler replied that the State had indicated they would be happy to have Mr. Jason Stall, the State Veterinarian, visit communities to offer more information. Mr. Sullivan stated he believed a video previously submitted by Representative McMahon was currently running on cable.

A brief discussion ensued regarding the pandemic plan, and Mr. Sullivan noted that the State advocates a regional approach, and Windham is part of the Derry region which encompasses Hampstead, Sandown, Chester, and Plaistow, as well.

Mr. Stearns reported that the CTAP Committee, which is charged with determining how the \$35M in mitigation funds related to the I-93 project is disbursed throughout the corridor committees, had met the previous week. He noted that the suggested re-organization of the Committee had been well-received by all, and that he had been appointed to the Steering Committee.

Mr. Carpenter reminded all that the Annual Firefighter's Ball would be the following Saturday, and that tickets are still available at the Fire Station. Also the Daddy/Daughter Dance is upcoming on April 8th, and tickets are available at the Administrative Offices.

Mr. Carpenter then noted that Scout Pack 262 had recently walked the Deer Leap area and collected twelve bags of trash. He also advised Mr. Sullivan that a large coal stove had been dumped in the parking area. Mr. Sullivan will have the Maintenance Department look into its removal.

Mr. Senibaldi reminded all that the Annual Easter Egg Hunt will take place the morning of April 8th, rain or shine.

Town Clerk, Joan Tuck conducted the swearing in of Mr. Hohenberger and Mr. Senibaldi, as well as Treasurer Robert Skinner and Library Trustee Mark Branoff.

Mr. Hohenberger extended his thanks to the voters for their support.

BOARD REORGANIZATION: Mrs. Crisler nominated Mr. Stearns as Chairman and Mr. Carpenter as Vice-Chairman. Mr. Senibaldi seconded. Passed unanimously.

Mr. Stearns then assumed the Chairmanship.

Mr. Sullivan presented the Board with a list of current liaison appointments for review. He asked that the Board submit their liaison requests to him for discussion the following Monday.

Mr. Carpenter moved and Mr. Hohenberger seconded that a letter be sent to former Selectman Bruce Breton, thanking him for his years of service and encouraging him to continue volunteering for the Town. Passed unanimously.

TAX ASSESSOR: Mr. Norman discussed several items with the Board, including the following:

- ◆ Memo received from the Department of Revenue Administration, reporting that the Town's assessment ratio for 2005 has been established at 70%.
- ◆ Presented a Supplemental Tax Warrant for approval by the Board pertaining to three (3) properties: McCauley Commons and two (2) residential properties that received an exemption which should have been removed for the tax year. Total warrant amount: \$16,507. Mr. Hohenberger recused himself from executing the warrant, as he is on the Board of Directors for McCauley Commons.
- ◆ Several abatement requests were reviewed:

1. *11 Oak Street:* Mr. Norman explained that three lots that had been combined as one were erroneously taxed individually. The combined, total assessment resulted in an abatement amount of \$505.96

Mr. Hohenberger moved and Mr. Carpenter seconded to approve the abatement as recommended by the Assessor. Passed unanimously.

2. *79 Brookview Road:* Mr. Norman explained that correction of listing errors had reduced the assessment by \$13,000, resulting in an abatement of \$252.98.

Mrs. Crisler moved and Mr. Senibaldi seconded to approve the abatement as recommended by the Assessor. Passed unanimously.

3. *69 Pleasant Street:* Mr. Norman explained that a coding error had occurred relative to the wood deck, correction of which resulted in \$3,000 reduction in the assessment and an abatement of \$58.38

Mr. Carpenter moved and Mr. Hohenberger seconded to approve the abatement as recommended by the Assessor. Passed unanimously.

4. *6 Hillside Road:* Mr. Norman explained that correction of the property grade had resulted in a \$6,000 reduction in the assessment to \$281,300, and an abatement amount of \$166.76.

Mrs. Crisler moved and Mr. Senibaldi seconded to approve the abatement as read by the Assessor. Passed unanimously.

5. *51 Cobbetts Pond Road:* Mr. Norman explained that a listing error relative to unfinished areas of the home had resulted in a \$6,000 reduction in the assessment to \$344,800 and an abatement amount of \$116.76.

Mrs. Crisler moved and Mr. Hohenberger seconded to approve the abatement as read by the Assessor. Passed unanimously

6. *4 Eastwood Road:* Mr. Norman explained that a listing error in the number of stories in a portion of the home had resulted in a \$9,000 reduction in the assessment to \$302,000 and an abatement amount of \$175.14.

Mr. Hohenberger moved and Mr. Senibaldi seconded to approve the abatement as read by the Assessor. Passed unanimously.

7. *18 Tarbell Road*: Mr. Norman explained this property also showed a listing error relative to the story height, as well as living area, resulting in an \$18,000 reduction in the assessment to \$378,000 and an abatement amount of \$350.28.

Mrs. Crisler moved and Mr. Hohenberger seconded to approve the abatement as read by the Assessor. Passed unanimously

8. *42 Hawthorne Road*: Mr. Norman indicated a listing error had occurred relative to the total living that resulted in a \$22,000 reduction in the assessment to \$537,800 and an abatement amount of \$428.12.

Mr. Carpenter moved and Mr. Hohenberger seconded to approve the abatement as requested. Passed unanimously.

9. *Lot 25R-5051*: Mr. Norman explained that an appeal was pending in Superior Court on this matter, and that property consists of one acre of back land which supports a home located in Salem. Mr. Norman indicated that in 2004, the lot had inadvertently been assessed as a buildable lot, and an abatement application had been filed. At that time, a settlement offer had been made adjusting the assessment to \$24,000, which the owner declined. Mr. Norman noted that the assessment had been changed to 24,000 for 2005, and he was recommending abatement to that amount resulting in an amount of \$1,350.50 in taxes.

A brief discussion ensued regarding Salem's assessment on the property. Mrs. Crisler then moved and Mr. Senibaldi seconded to grant the abatement as outlined by the Assessor. Passed unanimously.

- ◆ *NON-PUBLIC SESSION*: Mr. Hohenberger moved and Mrs. Crisler seconded to enter into non-public session in accordance with the provision of RSA 93-A:3-Iic. Roll call vote – all members “yes”. The topic of discussion was reputations.

The Board, Mr. Sullivan, Mr. Norman, Ms. Devlin, and a Windham taxpayer were in attendance in the first session.

The Board discussed with Mr. Norman the status of an elderly and disabled exemption currently being received by the taxpayer present. No decisions were made, however it was the consensus of the Board to support the taxpayer's request for an abatement for the 2006 tax year when filed.

The Board, Mr. Sullivan, Mr. Norman, and Ms. Devlin were in attendance in the second session.

Mr. Norman reviewed two elderly, one disabled, and one veteran's exemption with the Board.

Mr. Stearns called the public session back to order at 8:15 P.M.

Mr. Senibaldi moved and Mr. Carpenter seconded to approve those abatements reviewed in non-public session as presented by the Assessor. Mr. Carpenter clarified for those watching what items had been discussed. Passed unanimously.

- ◆ Mr. Norman extended his thanks to the Board and the voters for their support of Article #13 to hire temporary technicians to aid in completing the re-inspection/data entry of 2000 parcels. Mr. Norman noted the plan is to have the new assessment information available in August for review and correction prior to the December billing and, statistically, 1/3 of taxpayers will see an increase, 1/3 a decrease, and 1/3 no change.

Mr. Norman then presented three proposals to the Board from 2005, which he confirmed with the vendors for 2006. He further noted that each bidder had stated they could begin the project in April. The proposals were as follows:

Vision Appraisals / \$76,000: Mr. Norman explained that Vision is the largest company in New England, and they cannot come in any lower on their bid, however they are very familiar with the area and are currently working in Pelham.

Cummingford-Needer-Perkins / \$64,000: Mr. Norman noted that CNP is actually a subcontractor of Vision Appraisals.

Cross Country Appraisals / \$48,000: Mr. Norman indicated that this bid amount does not include the data entry as specified in the scope of work, which would be a minimum of an additional \$10,000.

Mr. Norman indicated he had checked all references submitted, and all were pleased with CNP, however, he had not received a 100% positive response relative to Cross Country. He recommended the project be awarded to CNP.

A discussion ensued regarding the price per parcel over the number 2000 as specified in the scope of work.

Mrs. Crisler moved and Mr. Hohenberger seconded to award the bid to Cummingford-Needer-Perkins as recommended by the Assessor for the bid amount of \$64,000.

A lengthy discussion ensued regarding scheduling of the project, the remaining funds and wording of the warrant article, and possibly re-bidding to obtain a lower price on any additional parcels over 2000.

Mrs. Crisler then rescinded her motion, and Mr. Hohenberger his second.

Mr. Carpenter suggested the contract be revised to 2400 parcels at an amount not to exceed \$70,000. A discussion ensued regarding the planned quartering of the Town by Mr. Norman, the time frame for the project completion, the necessity to oversee the project, and the necessity for Mr. Norman to complete the utilities and commercial properties for the re-evaluation.

Mr. Carpenter then moved and Mrs. Crisler seconded to authorize the Assessor and Town Administrator to approach CNP with a counter proposal not to exceed 2,400 parcel at a cost of \$70,000. Passed unanimously.

Mr. Hohenberger requested Mr. Norman endeavor to educate the public through some means regarding the re-evaluation. Mr. Norman agreed.

CHIEF MCPHERSON: Chief McPherson approached to discuss the purchase of the new ambulance as approved at Town Meeting. Specifically, the Chief discussed the Ambulance Committee's recommendation that the vehicle consist of a red box with white striping, as opposed to the reverse the Town currently has. Chief McPherson explained that the Committee felt that the recommended color scheme better distinguished the ambulance as a fire service vehicle, as opposed to a private organization, and made it much more visible. He further noted that the suggested scheme is in keeping with the engine colors.

Lieutenant Jay Moltenbrey, Ambulance Committee Chair, approached to point out that in the past other colors had been discussed, including yellow, which had not been well received. Mr. Stearns pointed out that he did not recall there being a specific decision by the Board to go with a white box.

After further discussion, it was the consensus of the Board to support the Ambulance Committee's recommendation regarding the color scheme, provided the ambulance was red and white.

IT DIRECTOR: Mr. Eric DeLong presented three bids for replacement computers, each of which were under the allotted funds, and requested that the Board consider utilizing the excess funds to allow him to replace the MUNIS server prior to year-end.

Mr. Carpenter stated he would like Mr. DeLong to look into upgrading to flat panel monitors from this point forward. A discussion then ensued regarding the price of flat panels, and warranty and Office software pricing.

Mr. Carpenter moved and Mrs. Crisler seconded to approve the acquisition of ten new computers from Dell as requested by the IT Director. Passed unanimously.

Discussion then moved to utilization of the remaining \$9,000 from the purchase, along with \$850 in surplus funds, to replace the MUNIS service. Mr. DeLong indicated he is willing to wait until year-end to do so, and it was the consensus of the Board that he return closer to that time regarding this request.

The Chair called for a five-minute recess.

SCHOOL BOARD: Mr. Stearns recused himself to join the School Board, and Mr. Carpenter assumed the Chairmanship. A brief discussion ensued regarding the Board's authority to appoint an individual to fill the vacant seat in situations such as Mr. Stearn's recusal. It was the consensus of the members that it was something to consider and that should ideally be a former Selectman.

Mr. Bruce Anderson, Mrs. Beverly Donovan, and Mrs. Beth Valentine were present from the School Board, along with Superintendent Elaine Cutler, Owner Representative Mr. Colin Robinson, Mr. Bradley Mezquita of Appledore Engineering, and Mr. Jim Delisle of Team Design.

Mr. Anderson updated the Board on the London Bridge causeway, noting that successful negotiations with Mr. Tate had been completed to allow the School Board to bend the access road westerly around the causeway.

Mr. Anderson went on to note that, at the previous meeting, a consensus on the utilities along the access road had not been reached. He stated updated cost estimates had been obtained by the School Board, which indicated it would cost \$203,500 more to install underground utilities, which did not include the light pole cost of approximately \$3,000/each.

Mr. Anderson stated the School Board is trying to work with the community, which clearly wants a roadway as opposed to a driveway that results in increased cost. He further noted that the causeway avoidance will cost an additional \$300,000, and pointed out that only a \$2M contingency had been included in the project.

Mrs. Crisler inquired what a "sector cabinet" was. Mr. Mezquita replied that they were required wherever a junction may occur as part of future development, and Mr. Delisle noted that PSNH was requiring a minimum of four along the access road.

Mr. Hohenberger inquired what the road budget had originally been, and Mr. Delisle noted that the site work allocation, including the roadway, was \$5.5M. Of that, the roadway was estimated at \$1M +/-, minus the work required on Route 111. Mr. Senibaldi pointed out that averaged out to be approximately \$250/foot, and a discussion ensued regarding that amount being the average cost for developers throughout Town with underground utilities and drainage included.

Mr. Hohenberger inquired of Mr. Turner whether \$250/foot was an unreasonable amount, and Mr. Turner noted that over half the access road will be in the fill section, and blasting will be less than on some roads in Town. Mr. Turner further noted that PSNH had offered to allow the School Board to pay for the utilities over a sixty-month period with no interest, noting that the School Board could then assign the costs to future developments if they wished.

Mr. Carpenter inquired how many miles of roadway were currently in Town and of them how many had underground utilities. Mr. Turner replied there was approximately 100 miles of roadway and, for the last 15 years or so, underground had usually been required. Mr. Turner felt that, at the very least, the access road utilities should be underground at the intersection of Route 111.

Lengthy discussion ensued regarding the benefits and disadvantages of both types of utilities, blasting/trenching/fill costs, the number of lights necessary along the access road, and power outage concerns.

Mr. Delisle expressed concerns regarding the bonded cost for the roadway versus actual construction costs.

After further discussion, the Board could not reach a consensus on this matter. Mr. Senibaldi felt, given the cost impact, the utilities should be overhead; Mrs. Crisler preferred under due to safety concerns; Mr. Hohenberger supported overhead in treeless areas and underground elsewhere, and; Mr. Carpenter stated that, while he preferred underground, as the majority of our roadways had overhead utilities it was not worth the cost in this case.

Discussion ensued regarding development of two plans, with overhead and underground utilities respectively, for bid solicitation, and timing of the bid award versus the layout proceeding and Planning Board hearing. Mr. Sullivan noted that the Board should be posting now, as at least two weeks will be necessary for the title search followed by thirty days notice to the abutters.

Mr. Hohenberger then moved and Mr. Senibaldi seconded that a letter be drafted to the Army Corps of Engineers endorsing the School Board's plan to skirt the London Bridge causeway. Passed 4-0.

Mr. Senibaldi stepped out of the meeting momentarily.

CORRESPONDENCE: Letter received from Recreation Coordinator Cheryl Haas, advising the Board that the Recreation Committee had voted to recommend that Mr. Brian Carne be appointed as an alternate to the Committee.

Mr. Senibaldi returned to the meeting.

Mr. Carpenter moved and Mrs. Crisler seconded to appoint Brian Carne as an Alternate member of the Recreation Committee. Passed unanimously.

Letter received from Highway Agent Jack McCartney relative to beavers at the railroad bed in the area of Haskell Road. A brief discussion ensued regarding potholes in the area of Beacon Hill and Cardinal Road.

Mr. Stearns then requested that Mr. Sullivan determine who was working on the beaver dam on Castle Hill Road recently. Mr. Sullivan will follow up on this and the pothole issue with Mr. McCartney.

Bond Release/Orchard Blossom: Mrs. Crisler moved and Mr. Carpenter seconded to release the bond in the amount of \$57,721 to Sam and Jean Nassar, retaining \$96,996. Passed unanimously.

MINUTES: Tabled.

OLD BUSINESS: Mr. Senibaldi advised the Board that one of the large, old trees at Griffin Park had snapped off at the top, and the broken part was now caught and hanging. Mr. Sullivan will send Maintenance Supervisor Al Barlow out to investigate.

NEW BUSINESS: Mr. Sullivan advised the Board that Chief Lewis would be in the following week to discuss a possible furniture donation.

Tokanel Field: Mr. Mike Hatem advised the Board that the Windham Baseball Softball League had approached the Recreation Committee on the 16th to ask that they discontinue official use of Tokanel Field, and that he would like the Board to do so, as well, or at a minimum remove the backstop. He further noted that there were no funds to repair the field, and that WBSL would not be utilizing it.

Mr. Senibaldi noted that the Recreation Committee had advised soccer and baseball not to utilize the field. He noted the estimated cost to replace the backstop was \$6800, and that it would cost \$80-100K to completely fix the field.

Discussion ensued regarding the availability of funds, the necessity to remove the unsafe backstop, and the Recreation Committee's priority list.

Mr. Senibaldi noted that the initial costs to address the field, including a new backstop, filling in of the divots, and skinning of the infield, would be \$14,000. He then inquired if the Board would take issue with Recreation moving Tokenal up on the priority list. It was the consensus of the Board that Recreation go ahead and do so.

Mr. Sullivan noted that, as Tokenal was built with Federal funds, it cannot be abandoned and must be maintained in perpetuity. He suggested that, if it were to be taken out of sanctioned use, then it be posted "Not for Official Use" and "Use at Own Risk" until the backstop is repaired, which would address any liability concerns.

Mr. Sullivan then stated he was attempted to verify the provisions of RSA 32:10E, which states that funds cannot be expended on an item in the event that a special warrant article to do is defeated.

Mr. Carpenter then suggested that staff remove the backstop, and that the Recreation Committee return to the Board in the next few weeks. Mr. Sullivan will follow-up, both on the RSA and removal of the backstop.

Mr. Sullivan advised the Board that an error had been discovered in the 2006 budget in the amount of an additional \$18,000 within the Fire Department funding. He stated the error had been overlooked by all, and he had advised Chief McPherson not to expend these funds.

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

The meeting was adjourned at 10:50 P.M.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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