

BOARD OF SELECTMEN
Minutes of September 25, 2006

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at 7:00 PM. Selectmen Roger Hohenberger and Margaret Crisler were present, as was Town Administrator David Sullivan. Selectman Dennis Senibaldi was delayed, and Selectman Alan Carpenter was excused. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mrs. Crisler reminded all that the Annual Women's Club Coat Drive will take place on October 7th from 9 AM to 1 PM at the Town Hall.

LIAISON REPORTS: Mr. Hohenberger reported that the Capital Improvements Committee had met the previous Thursday, and that they would be continuing to meet over the coming months.

MINUTES: Mrs. Crisler requested that the minutes of September 11th be amended to include that, following Mr. Peter Griffin's suggestion that a Master Plan be developed for the Town Common area, she had replied that such a plan had been previously developed by the Planning Board.

Mr. Senibaldi arrived at 7:05 PM.

Mr. Hohenberger then moved to approve the minutes of September 11th as amended, and the minutes of September 18th as written. Mrs. Crisler seconded. Passed 4-0.

CORRESPONDENCE: Status report received from the Department of Health and Human Services. Mr. Sullivan explained that one EEE positive mosquito pool has been identified in Windham, and 30 +/- others across the state. Mr. Sullivan noted that two rounds of spraying have been completed in Windham to date, and urged all to continue with preventative measures until after the first hard frost.

Letter of retirement received from Officer Steve Moltenbrey, effective November 1, 2006. Mrs. Crisler moved and Mr. Senibaldi seconded to accept Officer Moltenbrey's retirement with regret.

A brief discussion ensued regarding staffing at the Department and the School Resource Officer position.

Motion passed 4-0.

Bond Release/Carr Landscaping: After a brief discussion, Mr. Hohenberger moved and Mr. Senibaldi seconded to release the bond in the amount of \$2,700, retaining \$7,300, to Carr Landscaping. Passed 4-0.

ANNOUNCEMENTS CONTINUED: Mr. Senibaldi reported that the "Hoops Day" held the previous Saturday had been very successful, and extended congratulations to Mr. Joel Silverwatch, Steve Savage, Chris Voukides, and Cheryl Haas for coordinating the event.

Mr. Senibaldi then advised the Board that the construction of Tokenal Field has begun, and the field is almost completely roughed in. It is hoped that the backstop will be installed at the end of the week. Mr. Senibaldi stated he is very pleased with the grading of the area, which should drain very well. Expected completion is approximately two weeks.

OLD/NEW BUSINESS: Mr. Sullivan inquired how the Board wished to handle assignment of the Code Enforcement duties in light of Mrs. Hebert's departure from the Town. After a brief discussion, Mrs. Crisler moved and Mr. Hohenberger seconded to appoint Planning Director Al Turner as interim Code Enforcement Officer. Passed 4-0.

Mr. Sullivan sought clarification of the Board's request to have the high school access road continuation placed on the agenda. After discussion relative to layout procedure, survey and costs, *Mr. Hohenberger* moved and *Mrs. Crisler* seconded that staff proceed to develop a plan for proceeding with laying out of the road. Passed 4-0.

Mr. Jack Gattinella approached to suggest that the Board look into why the last three individuals to hold the Assistant Planner position have left the Town's employ, stating perhaps it was a qualification or salary issue. *Mr. Sullivan* replied that all the individuals in question had moved on to higher positions with greater responsibility and compensation, which he felt spoke directly to their qualifications. *Mrs. Crisler* noted that a similar pattern has existed in the Fire Chief position, which she felt indicated Windham's excellence as a training ground.

RECREATION: *Mr. Ralph Valentine*, Recreation Committee Chair, approached regarding engineering of the Nashua Road field. He noted that the previous summer, the Committee had requested authorization to expend \$4,000 toward this project; however they had only had one quote. At the Board's request, three other vendors had been approached, none of which have the time to do the project this year. *Mr. Valentine* then requested that the Board award the bid to original vendor, Gove Environmental, and that expenditure of the funds to complete the engineering be authorized from the Recreational Improvement Fund.

Mr. Hohenberger noted that this fund was generated from the Lamplighter and Spruce Pond developments, as this area lacked recreational areas. *Mr. Hohenberger* felt these exactments were meant to be used for that area of Town only, and to use them as an additional funding mechanism of the general budget was wrong. He then inquired whether this was the same engineering project that had been included on the Committee's priority list. When *Mr. Valentine* replied in the affirmative, *Mr. Hohenberger* pointed out that the funding for the priority items had already been expended by the Committee when they re-prioritized the list to complete Tokenal Field.

Mrs. Crisler agreed with *Mr. Hohenberger*, but felt that the engineering should be done. She inquired whether any other funds were available in the Recreation budget. *Mr. Valentine* replied there were none that he was aware of.

Mr. Senibaldi stated he understood what *Mr. Hohenberger* had said regarding recreational facilities on the other side of Town; however nothing would be developed in the near future. He felt that Nashua Road was a facility that needs work, and noted that *Mr. Valentine* had been working on this project for approximately a year. *Mr. Senibaldi* felt that utilizing the Recreation Improvement funds toward the engineering would be in the best interest of the Town, and urged the Board to support *Mr. Valentine's* request.

A discussion ensued regarding development of recreation facilities in the Route 28 area, development of a Recreation Master Plan, and the need for more passive recreation areas.

Mrs. Crisler stated her opposition to using the funds for this purpose, noting that if a capital sum is available for recreation needs she would hesitate to dwindle it on small items.

After further discussion, *Mr. Valentine* withdrew his request stating he was disappointed in the Board and would research this matter further.

NON-PUBLIC SESSION: *Mrs. Crisler* moved and *Mr. Senibaldi* seconded to enter into non-public session in accordance with RSA 93-A:3 IIc and e. Roll call vote, all members "yes". The topics of discussion were legal and reputations.

The Board, Planning Director Al Turner, and Ms. Devlin were in attendance in the first session. The Board discussed a request from the Planning Board that they file an appeal of a recent ZBA decision relative to lots 3B-352, 3B-350, and 3B-262.

Mr. Hohenberger then moved and Mr. Senibaldi seconded that the Board appeal the ZBA decision, and that Mr. Turner follow-up to file the initial paperwork to do so. Passed 4-0.

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

Mr. Norman advised the Board of several applications for elderly exemption, which he had approved. No decision was required by the Board.

The public session then resumed.

REVALUATION UPDATE: Mr. Norman advised the Board that the revaluation is complete. Preliminary assessments are available on the Town's website, on the Assessor's public terminal, and soon at the Nesmith Library. Mr. Norman suggested that residents review their tax card prior to discussing any issues with him. He noted that, so far, the resident reviews had been positive, and several re-inspections completed already. He stated that, although the informal review process will be ending that week, property owners can still discuss their assessment with him. Mr. Norman noted that, following the issuance of the December tax bill, property owners will have until March 1st to file for abatement, if necessary.

Mr. Norman explained that the average increase in assessment is between 40 and 50%; however owners should remember that the tax rate will decrease with increased valuation. Mr. Norman estimates the new rate will be approximately \$16/thousand, and the average home owner will experience an increase of \$800-1000.

Mr. Norman then discussed the elderly exemptions, which were adjusted in 2005 in anticipation of the re-val being completed that year. As it is now 2006, he noted that the elderly will be hit the hardest by the increase.

A brief discussion ensued regarding the assessed value versus market value. Mr. Norman explained that assessments are not based upon individual sales or listings, but rather on a sales trend. Reviews will be on a case by case basis, and Mr. Norman stressed proportionate and fair values are the key.

Mr. Senibaldi inquired what the recourse was, if any, for the elderly property owners. Several avenues were discussed, including Selectmen abating the taxes for good cause, delay in implementing the new assessments to allow for further adjustment at Town meeting, possibly holding a Special Town meeting in November to adjust the exemption, hardship abatements, or tax deferrals. Mr. Norman will compile an impact assessment on these exemptions.

After a lengthy discussion, it was the consensus of the Board that some way be found to address this matter for the 74 qualified elderly property owners currently receiving the exemption. Abating of the taxes on a case by case basis was again discussed, and Mr. Norman indicated the standard procedure and paperwork would have to be completed subsequent to the second billing.

Mr. Charles McMahan, State Representative, approached to clarify that the exemption for improvements for the disabled (RSA 72:37a), which is exempted proportionally to the assessment, had been correctly incorporated into the new assessments. He also requested that the proportional increases be reflected on the December bill. Mr. Norman replied that the exemptions had already been incorporated and would be reflected accordingly.

Mrs. Mary Griffin, State Representative, approached to thank the Board for their support of the elderly. She then pointed out that a shortage of affordable elderly housing existed in Windham. Mrs. Crisler agreed, noting that the elderly housing overlay needed to be addressed, as most elderly housing units in Windham are assessed higher than regular condominiums.

David Sullivan inquired whether the Board wished to address the impacts to owners receiving the disabled exemption, as well. Mr. Norman indicated those individuals would be included in the impact assessment. It was the consensus of the Board that all exemptions be included in the assessment for the Board's review, with the exception of the veterans' credits.

Mr. McMahon approached to suggest that the Board again look into payment in lieu of taxes for affordable housing, as was proposed in 1992.

The Board thanked Mr. Norman for his update.

Mr. Hohenberger moved and Mr. Senibaldi seconded to adjourn. Passed 4-0.

The meeting was adjourned at 8:50 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.