

SELECTMEN'S MEETING JANUARY 26, 1998

MEMBERS PRESENT: Ralph Williams, Douglass Barker, Charles McMahon, Carolyn Webber and Margaret Crisler. David Sullivan, Town Administrator, was attending another meeting. Meeting commenced at 7:30 pm.

ANNOUNCEMENTS: Mr. Williams stated that he will not seek reelection as a Selectman. He further stated that the last day to file for election to any of the town or school positions is Friday, January 30th.

The deadline for filing citizen petitions is February 3rd.

Mr. Williams announced the following meetings:

February 5th - Panel Discussion on Impact Fees - 6:30 pm at the Town Hall

Public Hearing on the Budget - 8:30 pm at the Town Hall

February 23rd - Board of Selectmen's Meeting - 7:30 pm at the Town Hall

March 2nd - Board of Selectmen's Meeting - 7:30 pm at the Town Hall

Mr. Williams announced that on the Town Planner calendar recently mailed to residents and available at the Town Hall and Library have errors on telephone numbers, notably the police numbers. Stickers are available at the Town Hall and Library to correct the numbers.

POLICE COMMITTEE UPDATE: Chief Moeckel reported that the brick work is 85% complete, the trusses are in and hopefully by Friday the building will be air and water tight. Completion is expected by the end of March.

Chief Moeckel stated that the telephone bids had been opened last week and that based on his review and workshops with the Board and Technical Committee, he recommends that the bid be awarded to Telcon. Mr. Barker motioned to award the telephone bid to Telecon for \$8,420. Mr. McMahon seconded. Passed unanimously.

HISTORIC DISTRICT COMMISSION - HERITAGE COMMISSION ARTICLE FOR TOWN MEETING - Carol Pynn, Chairman of the Historic District Commission, explained that the HDC wishes to have an article on the warrant to allow them to assume the duties of the Heritage Commission. Ms Pynn explained that the Heritage Commission would allow them to advocate for town wide preservation of historic areas and articles. The Heritage Commission would be regulatory as established in the RSAs.

Mrs. Crisler motioned to accept the Historic District Commission recommendation to place an article on the warrant to see if the Town will vote to assume the duties of a heritage commission, while continuing its responsibility to act as a historic district commission, in accordance with the provisions of RSA 673 and RSA 674, and Chapter 138, Laws of 1995, or take any other action relating thereto. Ms Webber seconded. Passed unanimously.

FUTURE USE OF EXISTING POLICE STATION: The Board agreed to reconsider the future use of the existing police station as requested by the School Board.

Mr. Hohenberger, member of the School Board spoke with the Board explaining the school's need for more space, stating there was more information now available than at their last meeting. He explained the warrant articles that the School Board has - including an article for \$90,000 for renovations to the existing Police Station which they hope to obtain for their preschool program. He stated that Pelham presently pays half the rent for the O'Hare facility which is \$12,500.

Mr. Hohenberger stated that in the renovations they plan to have a separate entrance to the lower level which would allow for storage and meeting room(s) for town committees.

Mr. Barker suggested that the Town retain ownership of the police building and lease it to the school for a certain number of years. Mr. Barker motioned that the Board lease the existing police station to the school board for a fee of \$1 for a period not to exceed twenty years contingent upon passage of the school's warrant article for \$90,000.00 for renovations to the building. Mr. McMahon seconded. Mr. Case and Mr. Skinner expressed their favor of the Town retaining ownership of the building. Motion passed unanimously.

PUBLIC HEARING - PERSONNEL POLICY: In accordance with Article XXXIX, of the Windham Personnel Policies, the Board of Selectmen held a public hearing on Monday, January 26, 1998 at 8:00 pm for the purpose of adopting the following amendments to the Town of Windham, NH Personnel Policy which were read by Mr. Barker.

AMEND ARTICLE XIII, SUB-SECTION 7, TERMINATION BY DELETING THE FIRST LINE IN ITS ENTIRETY AND INSERTING IN PLACE THEREOF:

Earned time up to a maximum of one hundred (100) days will be paid at the time of termination or retirement if the termination occurs under normal circumstances and does not involve an act which demonstrates unfitness for continued employment in the Town, such as thief or immoral conduct. For those employees who have over one hundred (100) days as of January 28, 1998, their maximum days paid out shall be up to the amount they have as of January 28, 1998.

AMEND ARTICLE XIII, SUB-SECTION 5C, MINIMUM USAGE BY DELETING THE WORDS "COMPUTATION OF MINIMUM USEAGE WILL OCCUR AS OF JUNE 30TH EACH YEAR" AND REPLACING IN PLACE THEREOF THE FOLLOWING:

Computation of minimum usage will be calculated from January 1 to December 31 annually. In calendar years where an employee's rate of accrual changes, the minimum usage for that calendar year will equal one-half of the hours accrued in that year. The Town on or before November 1 of each year will notify in writing each employee of the remaining amount of earned time that must be used by December 31 pursuant to the minimum usage in Article 13, section 5 (c).

If the Town delays this notification until after November 1, the deadline for the minimum usage will be delayed beyond December 31 by the equivalent number of days.

AMEND ARTICLE 25, SECTION 1, HEALTH INSURANCE TO REVISE TO READ:

The Town shall select a carrier to provide health/medical insurance coverage for its employees. The Town shall pay the monthly premium for such coverage, including family coverage to all qualified member dependents, except that each employee in the unit will contribute towards the cost of this insurance, for the group, of six eight dollars (\$6.00 8.00) per week, for single coverage, ten twelve dollars (\$10.00 12.00) per week for two (2) person coverage and ten twelve dollars (\$10.00 12.00) per week for family coverage. Such contributions will be made through payroll deductions effective April

2, 1998.

Mr. McMahon motioned and Ms Webber seconded to approve the above amendments. It was noted that these were agreed to by the department heads, library, fire and municipal unions (Police union is in factfinding). Motion passed unanimously.

LIAISON REPORTS: Mrs. Crisler stated that the Planning Board has appointed a mini committee to study water supply; is holding a public hearing on zoning amendments on January 28th and Starr Vector is being heard this week by the Board of Adjustment.

Mrs. Crisler reported that the Recreation Committee is pleased with the 60 plus participants in their yoga classes. They are also continuing to work on their procedures manual.

Mrs. Crisler stated that the Technical Committee requests that all committees or boards that wish to have their minutes on the Windham Webpage to leave them at the Police Station.

Mr. Williams stated that he attended the Cable Meeting and the subject was Harron's reply to the RFP. He also stated that the Board had a tour of the Armstrong Building and that it looks great.

CONSENT AGENDA: Mr. Barker motioned to approve the minutes of January 12th with the following changes: Page 1 Police Committee Update - Meeting date is January 22, 1998; and Page 3 - Mr. Barker updated the Board on two possible grants for road maintenance and highway safety; the payrolls of January 20 and 27th and the manifest of January 19th. Mr. McMahon seconded. Passed unanimously with Mr. Williams abstaining on the minutes of January 12th.

CORRESPONDENCE: Letter of resignation received from Cheryl Yennaco as an alternate member of the Planning Board. Mrs. Crisler motioned to accept Ms Yennaco's resignation with regret and thanked her for her service. Mr. Barker seconded. Passed unanimously.

Letter received from Rick Hancock regarding his disapproval of the actions of Planning Board members Mr. Morris and Mr. Rouillard during their meeting on January 8, 1998. The Board and Mr. Case discussed this matter.

Letter received from Harron Communications regarding rate increases and programming changes. Subscribers will receive a copy of this letter with their next statement.

Letter received from Mrs. James Valenti regarding a recreation matter. The Board discussed this with Mr. Robert Urquhart of the Recreation Committee. This matter is being addressed by the committee through their procedural manual.

CONSERVATION COMMISSION INTERVIEW: The Board interviewed Cherie Howell for a position on the Conservation Commission.

OLD BUSINESS: Mrs. Crisler noted that the generator sale is being handled by Mr. Sullivan.

Mr. Williams asked the Board if they wished to reconsider sending a letter to the DOT that they previously discussed. The letter would request that the DOT readdress the northern route alternatives for the Route 111 by-pass project. Mr. Williams stated that he is especially concerned now as some Salem representatives are seeking to have the project date moved forward.

Much discussion followed. Mr. Barker and Mr. McMahon stated that they were against sending the letter as they wished to work with the state and didn't want to rattle any cages as they hope to negotiate

costs for slip lanes on Route 111 for Fellows Road with the State.

Mrs. Crisler stated that she would pursue this matter if she felt there was a chance to have the by-pass re-routed. Ms Webber suggested that they talk to our representatives to see how they feel the letter would be received by the DOT.

It was finally decided to have Mr. Sullivan contact the representatives and Senator Delahunty and give the Board a status report at the Public Hearing on February 5th and a final decision to be made on February 23rd.

Mr. Williams noted that a newspaper article was in error in stating that if Mrs. Crisler resigned from the Planning Board that Mr. Williams would replace her. The correct procedure is that the Board of Selectmen would appoint her replacement.

Mrs. Crisler asked the Board members if they wished to dispose of the matter discussed regarding the Planning Board chairman which was previously discussed on December 1st. She noted that Mr. Richardson declined to meet with the Board in non-public session and requested that any further discussion of his performance be held in public in his presence.

After discussion of procedures, a consensus of the Board was taken to determine who wished to proceed: Crisler - Yes; Barker - No; McMahon - No; Webber - Yes and Williams - Yes.

Mr. Williams stated that he only wanted to address the one single item that Town Counsel said was possible cause. Ms Webber agreed. Mr. Williams did state that other issues would probably come up in the hearing. Mr. McMahon stated that he wished the Board would reconsider as other people will be hurt in the process and Windham will be dragged through the newspapers. Ms Webber said she was in favor of continuing as Mr. Richardson had not wanted to meet in non-public.

The Board discussed possible dates and how much notice was required. The Board agreed on February 17th. Mrs. Crisler motioned to hold a Public Hearing on February 17th to discuss whether Mr. Bruce Richardson, Chairman of the Planning Board, has made public and derogatory statements concerning member(s) of the Building Department staff which would indicate that he is not able to satisfy the juror standard for impartial consideration of matters submitted to the Planning Board. Ms Webber seconded. Passed 3-2 with Mr. Barker and Mr. McMahon opposed. Mr. McMahon stated that he rejected this out of hand - the public lynching of a volunteer is abhorrent and that the Board should be ashamed of making that motion.

Mr. Williams asked for a consensus of the Board as to whether Town Counsel should be asked if Mr. McMahon can sit at this hearing as he has apparently made up his mind. Consensus of the Board was that Mr. McMahon would participate in the hearing.

PUBLIC COMMENT: Mr. Case noted there were vacancies on the Planning Board and other committees.

Mr. Williams again noted the meetings dates and times as were stated in the announcements at the start of the meeting.

NON-PUBLIC SESSIONS: Mr. Barker motioned to go into non-public session in accordance with 91-A:3, IId and c. Mr. McMahon seconded. Roll Call Vote - all members - Yes. Subjects were land acquisition and reputations.

PUBLIC SESSION: First session - The Board and George Dinsmore were in attendance. Subject was

land acquisition. Mr. McMahon motioned to place an article on the warrant to allow Mr. Dinsmore to purchase a section of parcel 11-C-12. Mrs. Crisler seconded. Passed unanimously.

Second session - The Board was in attendance - subject was Cable Board appointments. Ms Webber motioned to make the following appointments to the Cable Advisory Board: Alternates - J. Gross and D. Unger and to move Robert Coole from an alternate to a permanent position. Mr. Barker seconded. Passed unanimously.

Mr. Barker motioned to adjourn. Mr. McMahon seconded. Meeting adjourned at approximately 11:15 pm.

Respectfully submitted,

Kathleen M. Davis
Secretary

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

