

SELECTMEN'S MEETING SEPTEMBER 28, 1998

MEMBERS PRESENT: Charles McMahon, Douglass Barker, Carolyn Webber, Margaret Crisler and Galen Stearns. David Sullivan, Town Administrator, was also present. Meeting commenced at 7:00 pm.

NON-PUBLIC SESSION: Mr. Barker motioned to go into non-public session in accordance with RSA 91-A:3, IIe. Mr. Stearns seconded. Roll Call Vote - all members - yes. The Board and Chief Moeckel were in attendance. Mr. McMahon noted that the subject was a possible legal matter and the Board will await further information.

ANNOUNCEMENTS: The Board thanked Chief Moeckel and the Building Committee for their excellent work in organizing the dedication of the new Police Station. The Board also thanked Lillian Murphy and Gail Webster for their donation of the granite marker. Mr. Stearns noted the lack of police officers in attendance.

Mr. Barker thanked the custodial staff, Mr. Barlow and Mr. Porter, for their help in preparing the station.

Mr. Barker announced that Fire Chief Lipe has been appointed by the Governor to the Hazardous Material Transportation Advisory Board.

LIAISON REPORTS: Margaret Crisler reported that the Planning Board and the CIP held a joint meeting last week. Mrs. Crisler also reported that the Technical Advisory Committee has completed the agenda for their workshop with the Selectmen. The Tech Committee's regular meeting has been rescheduled to October 22, 1998.

Mr. Barker reported that he and Chief Lipe attended a HazMat meeting in Derry last week. He stated that towns will be asked for an increase in funding next year.

Mr. McMahon reported that the Board met with three members of the Salem Board of Selectmen last week regarding the Route 111 and Route 28 intersection and the impact the proposed Wal-mart expansion will have. They agreed to have the respective Planning Directors meet and get information together for them - i.e. traffic studies. The Windham Selectmen are invited to the Salem Planning Board meeting this week. Our Board wants the Salem Planning Board to make improvements to the intersection part of Wal-mart's requirements for expansion.

Mr. McMahon stated that the Salem Board asked for Windham's assistance with the widening of Interstate 93. They also discussed sewage around the lake.

Mr. McMahon announced that the CIP will meet on September 29th at 7:00 pm at the SAU.

AUDIT REPORT: Robert Vachon of Vachon & Clukay, PA, presented the Annual Town Audit. He stated the Town is in strong financial shape and that a three quarter million dollar fund balance is very good. He stated that there was no management letter this year. He cautioned the Board to be certain all computers are Y2K.

SAFETY PLAN: Chief Lipe explained that the Safety Plan is now complete with the exceptions of the Infectious Control and Hazardous Communications sections. Mr. Sullivan stated that the Plan was sent

to the Department of Labor and to date there has been no response. Mr. Barker motioned to approve the Safety Plan as presented with the amendments as detailed in the September 24th memorandum. Mr. Stearns seconded. Passed unanimously.

EMERGENCY MANAGEMENT: Mr. Barker sent the Board a memorandum regarding Emergency Management in which he addressed the following subjects: Mission Statement, Definition of when EM would begin, press releases, forms, organizational chart, mitigation grant application and EM software for the community bulletin board.

Mr. Barker read the following: Mission Statement - "Our mission is to provide the Town of Windham, NH, with fast, friendly and professional disaster management control services, protecting and preserving life, property and the environment, at a reasonable cost".

Definition of conditions when the EM process would be activated - "When an incident(s) occurs which involves cross-jurisdictional functions and one or more of these functions/departments have or are expected to reach their functional capacity, the individuals involved shall be authorized to activate an appropriately staffed EOC."

Mr. Sullivan reported that he is attempting to get in contact with the State regarding the mitigation grant application. Mr. Barker reported on the status of the EM software - it should be installed shortly. The Board concurred with Mr. Barker's memo items and thanked him and the committees for all their work. Mr. Barker thanked Mr. Stearns for doing the organization chart.

CONSENT AGENDA: Mr. Barker motioned to approve the minutes of September 15 and the manifest dated September 28th. Mr. Stearns seconded. Passed unanimously.

CORRESPONDENCE: The Board discussed the entries submitted in the sign contest for the new complex. The Board will review them and declared the contest is now closed.

OLD BUSINESS: MOTOR VEHICLE REGISTRATION POLICY - Mr. McMahon stated that the Board asked Town Counsel to review their Motor Vehicle Registration Policy adopted a few weeks ago. Town Counsel stated that the Town Clerk has the sole authority to define who qualifies to register their cars in accordance with the RSA's. Mr. Barker motioned that the Board rescind the Motor Vehicle Registration Policy and remanded jurisdiction to the Town Clerk. Mr. Stearns seconded. Passed unanimously.

SPECIAL TOWN MEETING: Mr. Barker motioned to hold a Special Town Meeting on October 8th at 7:00 pm at Center School to consider the Public Decency Ordinance. Mrs. Crisler seconded. Passed unanimously.

Mr. McMahon recessed the Board of Selectmen's Meeting and called to order a Public Hearing for the Board of Health.

PUBLIC HEARING: The Board of Health and Bruce Flanders, Health Officer, held a Public Hearing to consider a request from Mr. & Mrs. Paul Donovan for waivers concerning Section 103B & 103D of the Waste Disposal/Septic Ordinance on property located at 19 Indian Rock Road, Tax Map 11-A-550.

Mr. Flanders explained the Donovan's septic system was in failure and explained the waivers they were seeking in order to put in a new system. He noted that their old system was put in by the State and was located on the other side of Indian Rock Road.

The Board questioned both Mr. Flanders and Mr. Donovan as to the type and location of the proposed

new system. Douglas Yennaco spoke for his father-in-law, George Travis, who abuts the Donovan's. Mr. Yennaco stated that his father-in-law was concerned with the view (the new system will be 1.5 ft higher than the present elevation) from his living room, with possible odor and if the system failed, his fieldstone basement could be flooded. Mr. Yennaco asked the Donovans to consider site 2.

After long discussion, it was decided that site 2 was not a good alternative and that the location proposed was the best solution. The Board, however did wish to address Mr. Yennaco's concerns. Mr. Stearns motioned to approve the waivers with the following stipulations: that the plan reflect the charcoal filter exhaust pipe to address possible odor and the replacement of Mr. Donovan's fence. Mr. Barker seconded. Passed unanimously.

Mr. McMahon recessed the Board of Health Hearing and reconvened the Selectmen's Meeting.

OLD BUSINESS CONTINUED: BOARD APPOINTMENT POLICIES - The Board discussed a proposed policy on making Board and Committee appointments. The Board and Mr. Sullivan discussed possible changes including the following: changing the title from guidelines to policy; eliminate the two term limit; eliminating receiving recommendations for appointments from boards or committees; appointee training; and the timing of appointees being sworn in. Mr. Sullivan will redraft the document for the Board's review.

GRIFFIN PARK DEMOLITION COSTS: Mr. Sullivan referred the Board to his memo regarding demolition costs at Griffin Park. To date \$14,697.90 has been expended on demolition costs. Mr. Sullivan asked for the Board's direction as to the disposal of the remains of the house after the training burn. The Board agreed to have the material buried on site and to cover the area with dirt. Scrap metal is to be salvaged.

APPLE TREES - GRIFFIN PARK: Mrs. Crisler stated that experts had been contacted regarding the condition of the two apples trees at Griffin Park. Ms Webber stated that she, Mrs. Crisler, members of Griffin Park Committee and an arborist met to examine the trees. Ms Webber stated that the arborist stated that the trees infestation is inconsequential and that the trees if cabled may last another ten years. It was noted that the trees bear baldwin apples and were planted by Mr. Griffin. These are mature trees which are past their prime for apple production but Ms Webber noted they could be a focal point in the park.

Rick Hancock, Chairman of the Griffin Park Committee, stated that the trees are at the end of their life cycle, infested and they are located in the middle of the proposed parking lot which the Board had previously approved. He also expressed concern about kids climbing on the trees especially if they are cabled.

The Board asked Mr. Hancock about reconfiguring the parking. He stated that the committee had really labored over this and wanted a plan where people would not be parking on Range Road as they felt it would be very dangerous. He stated the present plan was the best solution.

Thomas Case and Mary Griffin also spoke in favor of retaining the trees.

After much discussion, Mr. Barker moved to retain the trees and expend up to \$100 to preserve them. Ms Webber seconded. Mr. Stearns suggested that the Board not retain the one tree that is really in bad condition and preserve the healthier one for the present. Motion defeated 4 to 1 with Ms Webber opposed. Mrs. Crisler motioned to retain the tree closest to the road and remove the other one. Mr. Stearns seconded. Passed unanimously.

PROPERTY MAINTENANCE TRUST: Memo received from David Sullivan, Town Administrator,

regarding the current status of the Property Maintenance Trust and recommended expenditures. Mr. Sullivan noted that the balance in the trust currently is \$ 40, 669.

Mr. Barker motioned to approve \$34,870 for costs associated with the Town Hall parking lot repaving project. Mr. Stearns seconded. It was noted that the conduits will be installed as part of this project - Mr. Sullivan stated they are still awaiting costs from Harron and Bell Atlantic. Based on these unknown costs, the Board agreed to add \$1,000 to the motion to a total of \$35,870. Mr. Barker seconded. Motion passed unanimously.

Mr. Sullivan told the Board that the Senior Center roof is in need of repairs. The minimum for repairing the roof would be to replace the west side of the roof at a cost of \$3,000. The cost to repair the entire roof would be \$5,900. The Board questioned the exact condition of the roof, monies available for repair, total reviews of the condition of both the Senior Center and the Building Department, lease conditions, etc.

Ms Webber motioned to approve expenditure of \$5,900 to totally replace the roof on the Senior Center. Mrs. Crisler seconded. Motion defeated 0-5.

Ms Webber motioned to approve expenditure of \$3,000 to replace the west side of the roof on the Senior Center. Mrs. Crisler seconded. Motion passed 3-2 with Mr. Stearns and Mr. McMahon opposed.

Mr. Sullivan stated that both projects will begin this week.

YEAR 2000 COMPUTER PREPARATIONS: Mr. Sullivan stated that some of our programs are 2000 compliant, the assessing program is not but it is to be replaced next year. The Board agreed to discuss this with the Technical Committee at their meeting on October 19th.

DISPOSITION OF OLD CRUISERS: The Board received a memo from David Sullivan, Town Administrator, regarding disposition of old police cruisers. The memo included detailed vehicle maintenance costs for town vehicles.

Mr. Barker stated that he had spoken to Chief Lipe and Al Turner, Planning Director, and they stated they did not need any vehicles until spring.

Mr. Stearns stated that he disagreed, especially with the amount of money spent on repairs for Fire Car II. Mr. Barker stated that is why a vehicle maintenance policy is needed and he has stated this in the past.

Mr. Sullivan gave the Selectmen options on what they could do with the cruisers including using one for administration and assessing and selling one. Chief Moeckel stated that he did not think the Board should consider having the Fire Department use a cruiser which he felt needed to be removed as a response vehicle. He also noted the costs involved in transferring a vehicle from one department to another and repairs needed on these old cruisers.

Mr. Stearns motioned for the Board to allocate the one car and replace Fire Car II, use the second car for Admin and Assessing and sell the present Fire Car II. Mr. McMahon seconded. Discussion followed regarding the fire chief not being here to give his recommendations and now that the present Fire Car II is repaired, getting our money back. Motion defeated 2-3 with Mr. McMahon, Mrs. Crisler and Mr. Barker opposed.

Mr. Barker motioned to transfer Car 7 (old cruiser) to the Town Hall for Admin services. No second.

The Board agreed to discuss this again in two weeks with all department heads involved.

OTHER BUSINESS: Mr. Barker motioned to authorize the Police Department to participate in the development of the regional response team efforts. Mr. Stearns seconded. Passed unanimously.

NEW BUSINESS: Mr. Stearns asked that Mr. Barker please take over his duties as liaison to the Road Agent and the Highway Safety Committee as he is not available on a daily basis and is not getting the job done. Mr. Stearns moved to appoint Mr. Barker as liaison to the Road Agent and the Highway Safety Committee. Mrs. Crisler seconded. Passed unanimously.

Mr. Sullivan informed the Board that he attended a Legislative Committee Meeting in Concord last week and that the Municipal Association is supporting legislation to lower the majority voting requirements from two-thirds to sixty percent.

Mr. Sullivan informed the Board that he will be meeting with the DRA on October 6, 1998 to set the tax rate. He asked their advice and they agreed to maintain the tax rate at a level equalized rate.

Mr. Sullivan noted that the Board's next scheduled meeting date would be October 12th which is a holiday and asked the Board if they wished to meet on that date or October 13th. The Board agreed to hold their meeting on Tuesday, October 13th.

Mr. McMahon noted the following items to be discussed in detail at future meetings: major CIP, Paver Report (to include bridges), Senior Center and Building Department repairs and maintenance and proposed water requirements by the Fire Department.

NON-PUBLIC SESSIONS: Mr. Barker motioned to go into non-public session in accordance with RSA 91-A:3, IIa, c and e. Mrs. Crisler seconded. Roll Call Vote - all members - yes. The Board and Mr. Sullivan were in attendance in all sessions. Subjects were personnel, reputations and legal matters.

The Board reviewed two department evaluations prepared by the Town Administrator. The Board made the following appointments:

Mr. Stearns motioned to appoint Annette Stoller as a regular member of the Planning Board to fill the unexpired term of Thomas Case until June 1, 1999. Mr. Barker seconded. Passed unanimously.

Mr. Barker motioned to appoint Keith Goldstein as a regular member of the Planning Board to fill the unexpired term of Alan Kacharian until June 1, 1999. Mr. McMahon seconded. Motion defeated 2-3 with Mrs. Crisler, Ms Webber and Mr. Stearns opposed.

Ms Webber motioned to appoint Russell Wilder as a regular member of the Planning Board to fill the unexpired term of Allan Kacharian until June 1, 1999. Mrs. Crisler seconded. Passed 3-2 with Mr. McMahon and Mr. Barker opposed.

Mr. Barker motioned to appoint Keith Goldstein as an alternate member of the Planning Board to fill the unexpired term of John Spinney until June 1, 2001. Ms Webber seconded. Passed unanimously.

Mrs. Crisler motioned to appoint Walter Kolodziej as an alternate member of the Planning Board to fill the unexpired term of Bruce Richardson until June 1, 1999. Mr. Barker seconded. Passed 3-1-1 with Mr. McMahon opposed and Mr. Barker abstaining.

Ms Webber motioned to appoint the following museum trustees - Larry Kaufman until 1999, Ralph Williams until 2000 and Jean Manthorne until 2001. Mr. Barker seconded. Passed 4-1 with Mr.

McMahon opposed - he felt this should be left to Historic.

Mr. Stearns motioned to appoint Betsy Carlson as a regular member of the Conservation Commission to fill a vacant position until June 1, 2000 and Thomas Seniow as a regular member of the Conservation Commission to fill a vacant position until June 1, 1999. Ms Webber seconded. Passed unanimously.

Mr. Barker made a motion to adjourn. Mr. Stearns seconded. Meeting adjourned at approximately 12:30 am.

Respectfully submitted,

Kathleen M. Davis
Secretary

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

