

BOARD OF SELECTMEN

Meeting Minutes September 26, 2016

Chairman Joel Desilets called the meeting to order at 6:00 PM in the Administrative Offices. Selectmen Bruce Breton, Jennifer Simmons, Ross McLeod and Roger Hohenberger were present, as was Town Administrator David Sullivan.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Breton seconded to enter into non-public session in accordance with RSA 91-A:3 II b. Passed unanimously. Roll call vote all “yes”.

The Board conducted an interview with a potential candidate for the vacant Community Development Director position. Mr. McLeod moved and Mr. Hohenberger seconded to extend an offer of employment to a candidate for the position and, further, to authorize Mr. Sullivan to negotiate the terms of same.

Motion passed 4-1, with Mr. Breton opposed.

Mr. Hohenberger moved and Mrs. Simmons seconded to recess the meeting to the public session at the Community Development Department. Passed unanimously.

CALL TO ORDER: Mr. Desilets called the public session to order at 7:15 PM. Selectmen Jennifer Simmons, Ross McLeod and Roger Hohenberger were present, as was Town Administrator David Sullivan. Selectman Bruce Breton was excused. Mr. Desilets opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIAISON REPORTS: Chief McPherson advised that, as a result of a recent conference call with the Governor regarding the drought, until further notice there is a ban on all outdoor burning; including fire pits. He indicated it is hoped within a few weeks that campfires and other Category 1 fires will again be allowed; however, brush burning will continue to be prohibited for a while. Discussion ensued in that the burn ban is related more to dryness than a shortage of water. Chief McPherson did clarify, however, that some of the Department’s static water draw locations are currently depleted.

SNHPC – COMPLETE STREETS: Mr. Adam Hlasny of the SNHPC approached and reviewed the attached presentation with the Board, explaining that the Complete Streets program is designed to improve safety for all and involves no set design; rather it varies by community.

Planning Board Vice-Chairman, Kristi St. Laurent, approached and noted that she and former Community Development Director Laura Scott had, with the Planning Board’s support, applied to be a part of the program. She noted the Board of Selectmen had also supported their proceeding. Ms. St. Laurent explained that Squire Armor Road had been chosen because it ends in a cul-de-sac, is primarily residential, and the road itself is 28 and ½ feet wide. She noted that only fog lines are being proposed, just to see how it feels to have the delineation; adding that if people are in support, then perhaps this will become a future consideration for the Highway Safety Committee. Ms. St. Laurent also noted there is no “threshold for success”, rather this is simply fact-finding. Mr. Desilets noted he had received a letter from a resident with several questions that had been answered through the presentation.

Mr. McLeod noted that, as to speed limits and road design, without State statutes the speed limits would be based upon the speed of 85% of the traffic. He went on to note that Squire Armor Road is a “bowling alley” and, as such, is a great place for this.

Mr. Hohenberger noted he was in favor of the program, however, he questioned whether they would be marked as bike lanes; noting the delineation alone will encourage people to park there. Ms. St. Laurent noted there was some talk of stenciling in symbols. Mr. Hohenberger went on to note that, if both sides of the road are blocked off, there will not be anywhere to park. Ms. St. Laurent clarified that the intent is not to block parking or change the utility of the road. Discussion ensued.

Mrs. Simmons inquired whether there will be a report or findings available at the end of the trial. Ms. St. Laurent replied there will probably be a paper survey conducted of the people in the test segment, along with an online survey for others who have may have passed through the area. Ms. St. Laurent then added that, by keeping vehicles closer to the center of the roadway, erosion/crumbling of the road edges could be reduced and the health of the roads improved.

Mr. Desilets sought clarification as to how many feet were involved, and Ms. St. Laurent replied the test segment will be 1000'. Discussion ensued regarding the intersection at Range Road and perhaps starting in further on Squire Armor, as well as the time frame of the test. To the latter, Ms. St. Laurent replied that the Planning Board had discussed a two week period of outreach, followed by two weeks of the lines and data collection.

Mr. Desilets sought clarification as to whether any side streets were within the test area, and Ms. St. Laurent replied in the negative.

Mr. McLeod then moved and Mrs. Simmons seconded to authorize the Town to work with the SNHPC on the Complete Streets Project, not to extend beyond the end of October.

Mr. Bob Coole approached seeking clarification that, with this, the road width will be reduced from 28' to 20', and Ms. St. Laurent replied in the affirmative. Mr. Coole then questioned how this would compare to the bike paths on Lowell Road. Mr. Sullivan replied, width-wise, they are the same. Discussion ensued that in the future the width could be less, based upon response. Mr. McLeod indicated he hoped all those directly impacted will be contacted directly.

Motion passed 4-0.

HOUSING AUTHORITY: Mr. Sullivan advised that, in accordance with the Special Town Meeting vote, the Board has received a draft option to lease for approximately 11 acres of land off Fellow's Road. He reminded the Board that they had one year to effectuate this option, and will then have three years to finalize a lease.

Mr. McLeod sought clarification as to why the deadline for the option was September 28 as opposed to the date of the vote, November 3. Mr. Sullivan explained it was because the clock began with the Deliberative Session.

Mr. McLeod then went on to express concerns regarding portions of the agreement, feeling that the Town would be giving it all away to a for-profit entity and getting nothing out of it. He also noted it cannot be limited to Windham residents and even if it could be initially, once turnover starts it will be all people from out of Town. Mr. Sullivan did not disagree, however, he pointed out that this was what the voters passed. Mr. McLeod noted only 260 had voted. Discussion ensued.

Mr. Desilets questioned how we ensure that the real estate process is fair and open and who makes the choice. Mr. Sullivan replied it would be the Housing Authority, who have been working with a builder in order to submit their grant application.

Mr. Hohenberger questioned whether the \$1/year and 99 year provisions could be removed, and Mr. Sullivan replied in the negative; reiterating that was the vote. Mr. Hohenberger indicated he was bothered by the possibility of discovering something later and being unable to modify the lease.

Mr. Desilets inquired whether the Board could add additional terms, and a discussion ensued. Mr. Sullivan clarified again that they must adhere to the Town Meeting vote. Mr. McLeod noted that the Board could not add terms that would substantially gut the Town Meeting requirements. Discussion ensued regarding such things as the PILOT that are yet to be negotiated.

Mr. Desilets inquired why the Board was just receiving this now, within 2 days of the deadline. Mr. Sullivan noted it had just been received and that he cannot dictate what others do.

After further, brief discussion, Mr. Hohenberger moved and Mrs. Simmons seconded to enter into an agreement with the Housing Authority as voted on by Town Meeting. Passed 3-1, with Mr. McLeod opposed.

The Chair executed the option to lease accordingly.

GRANT ACCEPTANCE: Mr. Desilets noted the Board was being asked to formally accept a grant in the amount \$14,800 from the NH Council for the Arts, as well as to approve a waiver of the bid process to allow for a sole source vendor. Brief discussion ensued regarding the grant requirements pertaining to publicity.

Mr. Sullivan explained that Mrs. Case had applied for \$18,000, which was the cost of the window, and that the balance will come from the Searles Revenue Fund.

Mr. McLeod moved and Mr. Hohenberger seconded to accept the grant funds in the amount of \$14,800 as presented. Passed 4-0.

Thanks were extended to Mrs. Case for her efforts.

Mr. McLeod then moved and Mrs. Simmons seconded to waive the bid process to allow for a sole source vendor, ArtGlass by Misci, to perform the restoration. Passed 4-0.

BID AWARDS: Mr. Sullivan advised that three bids had been received for basin cleaning, as follows:

Vendor	Vacuum or Clamshell	*Landfill Disposal?	Total Cost per Basin	Add'l Costs (if any)
Bellemore Property Svcs – Bedford, NH	Clamshell	Yes	\$30.75	N/A
Eastern Pipe Service – Bow, NH	Vacuum	Yes	\$50.00 <i>(\$85.00 disposal elsewhere)</i>	\$30/hr traffic control
Hartigan – Middlesex, VT	Vacuum	Yes	\$31.25 <i>(\$73.75 disposal elsewhere)</i>	\$30/hr flagger

Mr. Sullivan advised that Mr. McCartney recommended the bid be awarded to Bellemore, or Hartigan, depending on which equipment the Board preferred; adding that for the negligible difference of \$0.50/basin, he would recommend they try the vacuum system. Discussion ensued regarding the differences in the equipment.

Mr. McLeod moved and Mr. Hohenberger seconded to award the bid to Bellemore. Mr. Desilets noted for the record that he would be opposed, as it is his understanding that clamshell removal does not work.

After further, brief discussion, motion passed 3-1 with Mr. Desilets opposed.

Winter Sand: Mr. Sullivan advised that three bids for Winter Sand had been received, as follows:

Vendor	Total Cost Delivered
Plourde Sand & Gravel Co	\$11.93/ton
Brox Industries	\$12.85/ton
Northeast Sand & Gravel	\$12.95/ton

He indicated that Mr. McCartney's recommendation would be to award the bid to Plourde. Mr. McLeod moved and Mr. Hohenberger seconded to award the bid for winter sand to Plourde for their bid price of \$11.93/ton delivered. Passed 4-0.

Winter Salt: Mr. Sullivan advised that two bids had been received for winter salt, as follows:

Vendor	Total Cost Delivered
Granite State Minerals	\$52.57/ton
Morton Salt	\$52.01/ton

He then advised that, although not the low bidder, Mr. McCartney would recommend the bid be awarded to Granite State Minerals based upon their delivery schedule. Mr. McLeod moved and Mrs. Simmons seconded to award the bid to Granite State Minerals as recommended. Passed 4-0.

RFP REVIEW: Mr. Desilets gave a brief summary of the Board's discussions to date, before deferring to IT Director Eric DeLong to discuss RFPs for live streaming and the Town website.

Mr. DeLong advised that he has been investigating live streaming, and found it is becoming more of a standard rather than enhanced offering, as is the option to have live streaming of a channel rather than individual meetings. Mr. Desilets noted that a show could then be taken from Channel 21 and aired, and Mr. DeLong confirmed it would basically become a web channel.

Mr. Hohenberger questioned the legality of taking a Comcast output and broadcasting it. Mr. DeLong indicated he believed it was legal and a discussion ensued. Mr. DeLong went on to clarify that the live streaming can be turned on and off, and that only meetings could be done if the Board wished. Further discussion ensued.

Mr. McLeod indicated he would like live streaming considered separately from the website RFP, as he is on the fence regarding same and would like more information. Discussion ensued, and Mr. DeLong clarified that he sees this as part of the overall archiving, adding that PEG Central provides live streaming with 1900 hours of storage.

After further discussion, Mr. Hohenberger moved and Mrs. Simmons seconded to delay issuing an RFP for live streaming, and that Mr. DeLong take it to Cable to look into its legality and whether Cable can support this service. Motion failed 2-2, with Mr. Desilets and Mr. McLeod opposed.

Discussion then moved to the draft RFP provided to the Board for the Town website; wherein its quality was noted.

Mr. McLeod then moved and Mr. Hohenberger seconded to release the RFP. Passed 4-0.

SEARLES USE REQUEST: Mr. Sullivan advised that, similar to other requests, the “Lend Me A Theater” group has expressed willingness to pay 25% of their proceeds in lieu of the standard rental fee for the building on November 4, 5 and 6 for their “Brothers Grimm Spectaculathon”; adding that the Coordinator supports same and there are no conflicts with the date.

Mr. McLeod moved and Mrs. Simmons seconded to approve the use as requested. Passed 4-0.

Mr. Sullivan noted that the group was also looking for additional nights in December, and suggested the Board approve those conditional upon no conflicts and Coordinator support for same.

Mr. McLeod moved to approve accordingly. Mr. Hohenberger seconded, and the motion passed 4-0.

WATER USE REGULATIONS: Mr. Desilets noted that we are in the midst of a significant drought, and that many are experiencing water availability issues; adding a regulation regarding same has been drafted for the Board’s review.

Mr. Sullivan explained that Rockingham and Hillsboro counties are in extreme drought conditions, and it is moving north. He noted that under RSA 41:11-d, the Town has the authority to pass regulations allowing restrictions on lawn watering of different levels; adding that the draft regulations before the Board follow State law. He noted, if approved, the Board could choose from 3 levels of restrictions:

- Level 1 restriction would allow residential lawn watering by odd numbered addresses on odd numbered days and even numbered addresses on even numbered days, and watering shall not occur between the hours of 8AM and 8PM.
- Level 2 restriction would allow residential lawn watering by odd numbered addresses on Mondays and Thursdays, and even numbered addresses on Tuesdays and Fridays; and watering shall not occur between the hours of 8AM and 8PM.
- Level 3 would be an outright ban.

Mr. Sullivan noted that the first step would be to pass the regulation, then determine the level of restriction followed by posting and, three (3) days later, the restriction would be in effect. He then went on to advise that, as of 9/22, five towns have passed restrictions or bans, and that the Town of Pelham would be discussing this the following evening. Discussion ensued.

Mr. Desilets inquired of the Chief whether there are safety impacts as a result of lesser water supplies. Chief McPherson reiterated that there is worry about some of the Department’s static draw areas, such as the Route 111 watering hole; however he noted they do have access to some Pennichuck systems. Chief McPherson then noted that the DES will not allow the Fire Department to assist by delivering water to wells due to the risk of contamination; adding that the ground water is 16” below the norm and significant snowfall will be needed to recover.

Mr. Hohenberger questioned who determined the level of restriction. Mr. Sullivan clarified that it would be the Board. Discussion ensued.

Mr. McLeod expressed concerns with the insufficient notice to the public, feeling that at least a week after publication was needed, otherwise the Board were setting the residents up to fail. He suggested that, at this point, any restriction would only be in effect for a week and that the Board should wait until March. Mrs. Simmons concurred. Discussion ensued.

Mr. Desilets suggested that the Board consider issuing a level 3 ban effective immediately, but that it be voluntary. Further discussion ensued.

Mr. Bob Coole approached seeking clarification as to who will enforce the regulations, and Mr. Sullivan replied it would be the police. Discussion ensued, and Mr. Coole indicated he thought the Health Officer would be more appropriate.

Mr. Chris McCarthy approached in support of the voluntary ban, feeling it exhibited leadership from the Board.

Lengthy discussion ensued regarding the potential for damage to lawns of a ban and the financial impacts of same, the discomfort some may have in adjusting their irrigation systems, that provisions should be made to exempt owners whose watering schedule does not adhere to the required days but is equally restrictive, and the inadequate notification requirements.

Mr. Hohenberger then moved and Mrs. Simmons seconded to implement a voluntary restriction on all watering of residential lawns effective immediately.

There was a point of order from the audience, wherein Mr. Tom Murray sought clarification that such restrictions did not apply to commercial properties. It was clarified that the Board can only regulate residential properties.

Mr. McLeod noted that he will be voting opposed, as the regulation is poorly drafted and there is no substantive evidence before the Board that such a ban will have any effect; rather there is only conjecture.

Motion passed 3-1, with Mr. McLeod opposed for reasons stated.

Mr. Sullivan advised that staff will post notice of same on the Town website and in the Windham Independent; along with the documents from the DES which are currently posted.

Discussion then ensued regarding bringing this matter back before the Board at the next meeting.

POLITICAL BILLING: Mr. Hohenberger read the attached statement into the record; expressing concerns regarding representations made about him by a fellow Board member. Mr. McLeod responded by noting that the November 16th discussion was to have been regarding billing for the Clinton campaign, however, it had expanded into developing a policy for all campaigns. Mr. McLeod indicated he feels there is a civic benefit to having these events in Windham, and that it is a very limited issue.

Mrs. Simmons noted that, in the previous discussion, the School Board's policy regarding same had been mentioned; seeking clarification as to what said policy was. Mr. Tom Murray, School Board member, approached noting that the District has a very comprehensive policy which governs the rates charged by the District; adding it does not, however, get involved with life/safety costs.

Discussion ensued, and Mrs. Simmons sought clarification from Chief McPherson whether, if he is asked to attend such an event, he does. Chief McPherson replied in the affirmative, clarifying that he would attend in the interest of public safety. He advised the Board that he had billed the Trump campaign for their last visit, and has been reimbursed.

Mr. Desilets noted the primary concern should be public safety rather than how one or more Board members may feel. Discussion ensued, and Mr. Hohenberger noted that it is not difficult to bill a campaign nor is it an insignificant amount that's being billed. He felt that the billing of candidates will not have an effect on whether or not they come to Town.

Mr. Desilets noted that if the benefits of the visit outweigh the costs, then it is not a "cost incurred". Discussion ensued and Mr. McLeod concurred; reiterating he believes there is a civic benefit involved.

Mr. McLeod went on to note that he feels it is just another service we are providing the Town; similar to waiving fees for groups to use Searles, etc. He noted that the Board has made the decision to foster these types of activities in order that the population can be more knowledgeable.

He then moved to rescind the policy put in place in November to bill campaigns. Mrs. Simmons seconded for discussion. She then noted that she completely agreed with Mr. McLeod, and expressed concerns that she did not wish to see this come up again in November.

Mr. Desilets clarified that it is the Secret Service and not the candidates themselves who are requesting our presence. Discussion ensued regarding other town events who are not billed for public safety presence versus political visits.

Chief McPherson clarified that staff is there for residents in attendance, not the campaign, and that they are going to do that one way or another. He indicated staff is looking for guidance as to whether to bill or not; adding that, statutorily, it is within his and Chief Lewis' authority to decide whether to attend. Further discussion ensued, and Mr. Sullivan pointed out that the motion means there will be no limitation on the Chiefs doing their jobs without reimbursement.

After further discussion, motion passed 3-1, with Mr. Hohenberger opposed.

ASSESSING: Mr. Joe Lessard, MRI Consultants, approached advising the Board that upon subsequent legal review, it was the recommendation that the Board grant the Land Use Change Tax abatement previously discussed for 10 Harris Road in the amount \$12,500. Mr. Hohenberger moved and Mr. McLeod seconded to grant the abatement as recommended. Passed 4-0.

Mr. Lessard then recommended that an abatement be approved for the first billing of 2016 for this same property in the amount of \$1,312.21. Mr. McLeod moved and Mrs. Simmons seconded to approve the abatement as recommended. After brief discussion, passed 4-0.

Mrs. Simmons recused herself from the Board as she has recently had a pool installed and the following subject matter may impact her.

Discussion then moved to concerns regarding the assessment of inground pools, which had been brought to light by a taxpayer. Mr. Lessard explained that, after review, it appears that properties that were sold with pools had a slightly higher assessment to sales ratio, also the base prices were not changed as part of the last several valuation updates and there are inconsistencies with depreciation. He indicated that, as a result, adjustments have been made as an interim fix and the data required for a more permanent fix will be gathered as part of the cyclical inspection. Mr. Lessard noted that the adjustments made resulted in a reduction of approximately \$3.9M in value.

Lengthy discussion ensued regarding the age of pools being missing and the time necessary to gather the data, as well observed condition/depreciation and submission of the MS-1 to the Department of Revenue Administration.

Mr. Desilets inquired what the resulting delta was on the average tax bill, and Mr. Sullivan noted it was roughly \$115. Further discussion ensued.

Mr. Hohenberger noted that everyone has the opportunity to review their tax cards, and that he disagrees with making an overall change rather than looking at each one. Mr. Desilets expressed agreement, however, he indicated this does appear to be a Town mistake.

Further lengthy discussion ensued, and Mr. McLeod expressed his concurrence with Mr. Hohenberger as it pertained to making a blanket change; adding he would encourage residents to visit the Tax Assessor.

Mr. Sullivan reminded the Board that the abatement submission period has passed for this year, and that a similar situation had occurred during the re-valuation with jaccuzzis. Mr. Sullivan noted that the base rates for the latter were all incorrect and were adjusted down; adding that the base rates for the pools are all the same and any extras (eg cabanas) are separate from those assessments.

Mr. Popovici-Muller expressed concerns with having all those effected apply for abatements; citing the time involved and current staffing. Discussion ensued.

Mr. Sullivan noted that if all the ages were available, all that would do is rebuild the model based on age. Discussion ensued regarding condition data and that this is a systemic error. Mr. Sullivan clarified further that, during the re-valuation, pools were charged to the middle base range, whereas historically they had always been kept low; adding that the problem related to their being incorrectly depreciated.

Further discussion ensued in that by adjusting the base rate people across the board benefit, and that the dramatic increase related to their being adjusted for the year. Mr. Desilets sought clarification that some may have been undervalued, and Mr. Lessard replied in the affirmative.

Mr. McLeod noted that this won't truly be resolved, on a case by case basis, until five years from now when the cyclical inspections are complete. Mr. Sullivan replied in the affirmative.

Mr. McLeod then moved to support the memorandum put forth by Mr. Lessard dated September 12 relative to correcting issues related to pools. Mr. Sullivan clarified that the figure of \$3M as quoted in the memorandum has since been amended to \$3.944M.

After brief, further discussion, Mr. Desilets seconded. Motion passed 2-1, with Mr. Hohenberger opposed.

Mrs. Simmons resumed her seat with the Board.

Discussion moved to charitable exemptions, and Mr. Lessard advised that, based upon legal input, he believes the exemptions granted for 2015 should be continued. He indicated that if the Board wished, in the future, the organizations could be notified of a more complete review which may result in some changes; clarifying that he had requested legal review as he did not agree with some of the exemptions.

Mr. McLeod noted that he was in support of Attorney Campbell's timeline as laid out in Mr. Lessard's memorandum dated September 12; as it appears to be the best avenue forward.

He then moved, and Mr. Hohenberger seconded, to support the process as laid out by Attorney Campbell. Passed 4-0.

Discussion moved to the assessment of properties which are only partially through the Planning Board approval process. Mr. Lessard indicated that there were a half a dozen properties in 2016 whose value was changed due to them being in the Planning Board process, as he had felt their value should reflect that.

Mr. Sullivan asked that Mr. Lessard clarify as to whether it was for those properties that were complete or still going through the process, and Mr. Lessard replied it was his intent to add value as of April 1.

Mr. Sullivan noted that this was back before the Board as there were projects that have conditional approval that have certain of those conditions complete, and the question is do we assess something halfway through the process; adding that in the past we did not do so. Discussion ensued.

Mr. Tom Murray approached noting that, historically, if one went through the Planning Board process whatever the value was on April 1 was the taxable value going forward. He indicated what is different here is that, if you have a project and submit it for approvals, such as his property on 35 West Shore Road, adjustments are being made. He indicated he purchased the land for \$55,000 but as of April 1 his assessment went to \$200,000. Mr. Murray explained that, while he didn't have a problem with that assessment, as that is what a buildable lot on Canobie would be, he did not receive his approvals until June 1.

Mr. Murray noted that, statutorily, if one has a subdivision prior to 4/1, the individual lots are assessed separately, however, if the approval is received after 4/1, the assessment reflects the value of the whole parcel. He indicated that he and Mr. Lessard's opinions differ, as Mr. Lessard believes there are incremental pieces (eg a ZBA approval) that are worth some value. Discussion ensued regarding the timing of the approvals and the 4/1 statutory date for assessments.

Mr. Lessard noted there are two issues at hand, the value of this property, and the process of how we get to the value; adding the question is, if there is added value on 4/1 but not complete value, should we pick that up or wait until next year.

Mrs. Simmons questioned what were to happen if one of the approvals does not occur. Mr. Lessard replied that if it did not happen, the value would go back down. Mr. McLeod noted that, based upon his Planning Board experience, if you have conditions the Planning Board does not allow you to ignore some of them; it is all or nothing.

Mr. Desilets noted that, if one had a conditional approval but did not require waivers from the ZBA, etc. one could decide not to start building until 5/1 because then they would not be charged. Mr. Murray noted that the term "conditional approval" was being used loosely; adding the Board needed to understand the process. After sharing a bit regarding the latter, Mr. Murray noted that the value of the lot does not change just because some of the approvals were obtained. Citing his own property, he noted that if could not get the last approval, then his is a \$50,000 lot; adding he would rather have his money to do something else rather than give it to the Town.

Lengthy discussion ensued regarding the potential impacts to larger developments, that the primary issue is land going through the approval process, and legal opinions regarding same.

Mr. Chris McCarthy approached noting that he understands that there is a value in the process, but really the outcome is binary; adding that until the full process happens, one doesn't know if it will be successful. He noted that, as a developer, the incentive is to get everything completed so you can monetize it; adding that there may be some who try to game the system, but the Board should take a wholesale look at it.

Mr. Desilets noted that he was inclined to agree with not trying to incrementally increase values; adding that his concern would be are we correctly valuing properties. Discussion ensued, and Mr. Lessard noted the goal is to assess all property in accordance with its market value; the question being what is the process the Town wants to follow to arrive at that value.

Mr. Hohenberger sought clarification as to what we are doing now, and Mr. Lessard noted properties in the Planning Board process are being assessed as partially completed. Lengthy discussion ensued.

Mr. Lessard advised the Board that, based upon this similar conversation in December, there are currently 5 or 6 properties that are being assessed higher than they would have been. Mr. Sullivan then read a portion of that discussion into the record from the 12/28/2015 minutes: *"After further discussion, it was the consensus of the Board to move forward with the new practice as suggested, with Mr. Desilets indicating he would like to see same spelled out in greater detail at some point."*

Discussion ensued regarding the previous process, which Mr. Lessard clarified involved changing the value upon recording of the plan. Mr. Sullivan suggested that, as a compromise, the value be changed once the plan is signed. Discussion ensued, and Mr. Lessard pointed out that the plan is not signed until all of the conditions are met. He suggested the date the last condition is completed be used, as sometimes the plan is not signed until months later.

Mr. McLeod concurred with Mr. Lessard's suggestion. Mr. Sullivan summarized that, going forward any change in valuation due to land changes, will be based upon confirmation of all conditions being met. Mr. McLeod moved accordingly. Brief discussion ensued regarding when this change will be effective. Mr. Sullivan noted it should be immediately.

Mr. Hohenberger seconded. Motion passed 4-0.

NEW BUSINESS: Mr. Sullivan reviewed potential meeting dates with the Board relative to the upcoming holiday.

ANNOUNCEMENTS, CONTINUED: Chief McPherson noted that the Department's Annual Open House and Chili Cook-off is scheduled October 1st from 10A to 2P.

CORRESPONDENCE: *Bond Release – Carrier Funeral Home.* Mr. Sullivan explained that this has been reviewed and signed off on by the Town engineer. Brief discussion ensued in that this particular bond is under Selectmen jurisdiction, not the Planning Board.

Mr. Hohenberger moved and Mr. McLeod seconded to release the bond in the amount of \$36,200, retaining \$7,200. Passed 4-0.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mrs. Simmons seconded to enter into non-public session in accordance with RSA 91-A:3 II e. Passed 4-0. Roll call vote all "yes". The topic of discussion was legal and the Board and Mr. Sullivan were in attendance.

Mr. Sullivan updated the Board on a matter pertaining to Town owned land. It was the consensus of the Board to authorize Mr. Sullivan to expend funds towards conducting a quiet title process on Town land located off Gaumont Road.

Mr. Hohenberger moved and Mrs. Simmons seconded to adjourn. Passed unanimously.

Meeting was adjourned at 11:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

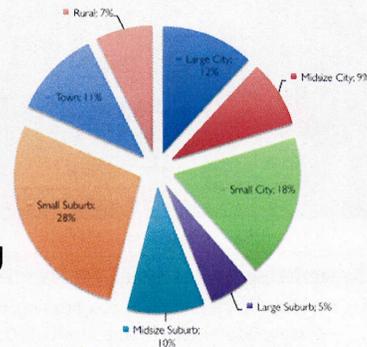
Note: These minutes are in draft form and have not been submitted to the Board for approval.

What are Complete Streets?

- ❑ Designed to enable safe access for all users
- ❑ Look very different in urban, suburban, and rural communities; one size does not fit all

Benefits:

- ❑ Provides transportation choices
- ❑ Improves safety for all users
- ❑ Calms traffic in residential areas
- ❑ Improves health by encouraging walking/cycling



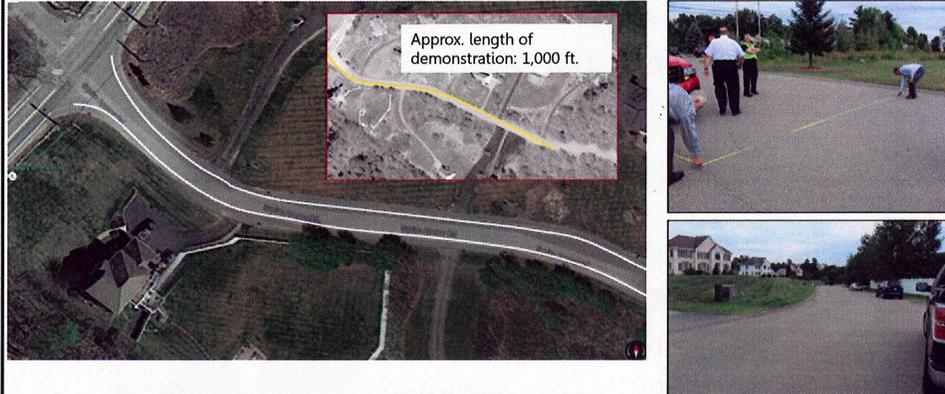
US Complete Streets policies by size of community

Pilot Program Process

- ✓ Town applies for assistance from SNHPC (June)
- ✓ Stakeholder list established
- ✓ Project schedule/details/goals clarified
- ✓ Meeting and site visit with key people (8/31), review of options with town
- ❑ Acceptance/sign off from Town Officials on project
- ❑ Implementation of demo project by mid-October



Squire Armour Road Pilot Project



Demonstration Project Temporary Improvements:

- A. Add fog lines 4 ft. from edge of pavement (in keeping with AASHTO recommendations, leaving a total vehicle lane width of 20 feet)
- B. Consider bicycle/pedestrian stencil on shoulder to show designation of bike/ped lane



Squire Armour Road Pilot Project

Squire Armour Road

- Chance to try pavement markings on temporary basis (two 4-foot bike/ped lanes, two 10-foot vehicular travel lanes)
 - ▣ Can be done for as little as one day
 - ▣ Potential to calm traffic, promote walking/cycling
 - ▣ Materials



There are many things a man goes through life that he considers very important. Two that I hold very dear to me is both friends and my integrity. When my integrity is publically impugned, especially by someone I consider my friend; I feel the need to respond.

In a recent article in the local newspaper, there were accusations and statements that are just not true. I question the newspaper reporter who seemed to have used recorded media with quotes throughout, but made a blatant statement that "Hohenberger's motion ...was made , despite the issue not being on the agenda for that evenings meeting". This is made obvious on the taped meeting, if one watches it, that it was on the agenda. Further statements were made that go beyond political spin and make false assertions that can easily be refuted, even by someone like myself who is not an attorney. There were statements made by my friend Ross that he researched the minutes and he revealed that I made a motion on a discussion topic that was not on the agenda. It was also insinuated that I initiated the discussion last November when he said "he clearly did not realize that he had done what he was complaining about regarding my motion" by bringing up a topic not on the agenda. Both of these are absolutely false and can be easily researched and I will provide the links to the documents.

On the Town web site, under www.windhamnewhampshire.com, go to 'Committees' then 'Board of Selectman' then 'Meeting Minutes' then select 'Nov 16, 2015'. Halfway down page one of the minutes, the following passage appears:

{Excerpt from approved minutes of Nov 16, 2015}

OLD/NEW BUSINESS: Mr. Letizio advised that he would like to take the matter of whether or not to bill the Clinton campaign for the recent event at the High School out of order. The remaining members concurred.

The fact that he was taking it out of order indicates it was a posted agenda item.

It may interest some that a motion to approve the minutes of Nov 16, 2015 as written was made at the Feb 8th meeting of the BOS and seconded by Mr. McLeod. And voted in the affirmative unanimously.

Typically the agenda is brought forth by the Town Administrator with input from the Chair and Board. I don't recall who requested this item even be put on the agenda, but I don't recall that being me.

The most compelling proof that it was an agenda item can be found on the town archived video site.

On www.wctv21.com, go to the "Click here for video achieve" in the right hand corner and keep hitting next until you get to the 30th page. There will be the Board of Selectman 11-16-15 recording. Proceed to the 10 minute mark. At the 10 minute 16 second mark, Chairman Al Letizio states "I would like open discussion on a New business item regarding the Clinton 11/9 event and whether the Town should issue a bill for the Clinton event" and goes on to say "I am reading this as it is written on our agenda, as it was posted". It could not be any clearer, any more definitive, no ambiguity, no political spin.

I also found in my archives, the Narrative Agenda from Dave Sullivan who provides the board additional information on each of the items on the posted agenda prior to the meeting.

From Dave's Narrative Agenda for November 16, 2015.

(9) New Business

*a. **Billing Clinton Campaign** – The Board will discuss whether the town should bill the Clinton Campaign for the cost the town incurred during her 11/9 event at the High School. The estimated cost incurred is between \$800 and \$1,000 for police and fire personnel.*

Dave's narrative agenda typically mirrors the posted agenda with the exception of non-public discussion so again there is proof it was a posted agenda item.

Interestingly, there is a pattern to this behavior. On Jan 11, 2016 after Mr. Trumps' visit to the Town, Mr. McLeod voted and Mr. Desilet seconded a motion to remove the policy, again without posting. Again I asked that it be delayed to a future meeting which it was.