

## **SELECTMEN'S MEETING NOVEMBER 19, 2001**

**MEMBERS PRESENT:** Carolyn Webber, Margaret Crisler, Christopher Doyle, Galen Stearns and Roger Hohenberger. David Sullivan, Town Administrator, was also present. Meeting commenced at 7:00 pm.

**ANNOUNCEMENTS:** Mr. Hohenberger announced that the Department of Transportation will hold an informational meeting on the I-93 widening on November 20th at the Windham Middle School.

**LIAISON REPORTS:** Mr. Hohenberger stated that the CIP Committee will be meeting with the Planning Board on December 5th.

**PUBLIC HEARING:** Ms Webber read the following notice: "The Board of Selectmen will conduct a public hearing on November 19, 2001 at 7:15 pm, at the Windham Town Hall to consider acceptance of a donation to be utilized for Griffin Park in the amount of \$500 from Windham NH Development Co., LLC".

Mr. Stearns motioned to accept a donation in the amount of \$500 from Windham NH Development, with sincere thanks, for Griffin Park. Mr. Doyle seconded. Passed unanimously.

**MINUTES:** Mr. Doyle moved and Mr. Stearns seconded to approve the minutes of November 5, 2001 as presented. Passed unanimously.

**REX NORMAN, ASSESSOR:** Mr. Norman explained the updated assessments throughout the Town this year. He began by stating the three following State Laws that govern the assessing process:

RSA 75:7 states that annually, and in accordance with state assessing standards, the assessors and selectmen shall adjust assessments to reflect changes so that all assessments are Proportional within that municipality.

RSA 75:8:11 states that assessors and selectmen shall consider adjusting assessments for any properties that:

- a. They know or believe have had a material physical change;
- b. Changed in ownership;
- c. Have undergone zoning changes;
- d. Have undergone changes to exemptions, credits and/or abatement,
- e. Have undergone subdivision, boundary line adjustments, and/or mergers, or
- f. Have undergone other changes affecting value.

RSA 75:1 states that Selectmen shall appraise all taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

Mr. Norman also noted that starting in 2003 all municipalities must be certified by the DRA every 5 years and be in compliance with the provisions of RSA 75:1.

For tax year 2001, a field inspection on over 1,000 homes was conducted. A review of property record file data, including the review of listing, grade, condition, effective ages and location was completed. Sale transactions that occurred over a 3 year period were reviewed and verified. Target for assessment ratio was 100%. The primary reasons for changes in property valuations were as follows: physical changes, proportionality, system errors and market trend analysis.

The following residents spoke: Judy Tinkham, Tom Case, Steve Trefethen, Mary Griffin and Ed Orear. Mr. Norman answered questions that dealt with assessing procedures but did not address individual abatement issues. Mr. Norman stated that a report from him called "Assessment Update Program Summary - Tax Year 2001" is available at the Town Hall.

**TOWN REPORT BIDS:** Mr. Sullivan stated that the following four bids were received for the printing of the Town reports:

Armstrong Graphics, Pelham NH	\$12,990.00
Riendeau Printing, Nashua NH	\$10,342.00
RAM Printing, East Hampstead NH	\$19,034.34
ePrint, Hudson, NH	\$6,900.00

Mr. Sullivan asked the Board if they wished to waive the part of the bid specifications, to allow a bid received via fax. Mr. Stearns motioned and Mr. Doyle seconded to waive a part of the bid specifications and to allow a bid for the Town Reports that was received via fax. Passed unanimously. Mr. Hohenberger motioned and Mr. Doyle seconded to award the bid for the Town Report printing to ePrint for the bid price of \$6,900 pending approval of the administration staff review of other products done by ePrint. Passed unanimously.

**TURTLE ROCK ROAD:** Attorney Donovan, representing the DeLucas, presented a brief history of the process that the residents of Turtle Rock Road have done in seeking to have the Town plow Turtle Rock Road and the school allow buses to travel the road. The present request is to have the Town plow the road with residents of Turtle Rock Road reimbursing the Town. This request is due to the fact that the School Board stated that the bus would travel the road if the Town plowed the road.

Ms Webber asked the Board if the Town wishes to plow private roads for reimbursement. Mr. Hohenberger stated that he felt the Turtle Rock Road situation was unique - residents had complied with many items and he would like the Town to go forward and plow the road. However, he did not think it was a good idea to become a subcontractor and plow all private roads. Mr. Stearns was not in favor of plowing Turtle Rock or any other private roads. Mr. Doyle felt plowing would require too much bookkeeping. Mrs. Crisler noted that the residents of Turtle Rock Road have gone through hoops and suggested that the Town plow this winter on a trial basis. She further noted that she felt the Town should have criteria for this type of plowing arrangement. Ms Webber noted that the residents have worked diligently and the Board bent the rules for Emergency lane status but criteria is needed. Mr. Stearns stated that, even with specific criteria, exceptions would always occur.

Mr. McCartney, Highway Agent, stated that he is against the Town plowing private roads for reimbursement and sees many problems in the future if this starts as has happened in other towns. He further stated that pick up trucks would have to be used as the larger trucks could not turn around, so he does not see how a bus could turn around even if the Town plowed.

Mr. Hohenberger motioned, as the residents on Turtle Rock Road had invested \$100,000 on road improvements, exhausted all other avenues and the School Board is requiring that the Town plow the

road for bus service, that the Town act as a contractor for plowing service for the private portion of Turtle Rock Road with reimbursement from the residents for a period not to exceed one year, with criteria established by the Selectmen, contingent on the School Board allowing the school bus to travel the road, costs to be agreed upon with Mr. Sullivan and Mr. McCartney establishing the fee to include administrative costs with fees paid in advance and written documentation that the Town by plowing does not accept liability for the road. Mrs. Crisler seconded.

The Board had further discussion on this issue and motion including what other road maintenance would be required to plow, if agreed upon fees were exceeded and what precedents this would set.

Motion failed 2-3 with Stearns, Doyle and Webber opposed. The Board agreed to work with the School Board to get them to allow for another contractor to plow, other than the Town.

**DRIVEWAY AT GRIFFIN PARK:** Christine Marvel, 110 Range Road, told the Board that one of the three driveways at Griffin Park (the one closest to the Johnson Farm) is located directly across from her living room. She is extremely concerned that the lights will shine in her home and wants the problem resolved.

Mrs. Crisler discussed the Planning Board process and thought that the driveway had been moved. Mr. Doyle suggested that the driveway be marked as enter only and Mr. Stearns noted that even if the driveway is not directly across from the house, the car lights sweep an area. Mr. Hohenberger suggested closing the driveway at night and noted that no night activities are planned at this time as the park has no lights.

Mr. Hohenberger motioned to investigate the cost of a gate for night time use and to refer the matter to the Planning Board and Highway Safety Committee for input. Mrs. Crisler seconded. Mr. Stearns amended the motion to include obtaining the actual layout of the driveway and an as built plan of the park. Mr. Hohenberger seconded. Mary Griffin asked why three driveways were needed at the park and questioned the wall being removed. Amendment passed 5-0. Motion passed 5-0. Mr. Marvel asked the Board to look into a permanent gate and stated he would pay to have the stone wall rebuilt.

**HISTORIC/HERITAGE COMMISSION:** Ms Webber explained that the Historic/Heritage Commission is requesting the Board's approval to submit an application for a LCIP grant for further work on the Searles Building restoration project. Mr. Doyle so moved and Mr. Hohenberger seconded. Passed unanimously.

**CEMETERY:** Mr. Sullivan, representing the Cemetery Trustees, explained to the Selectmen that the Cemetery Trustees are requesting the Board to waive the bid process for a GEO Tech survey. The firm they wish to use have quoted a price of \$7500 and has worked for them successfully in the past. Mr. Hohenberger felt that there was no emergency which required waiving the bid process. Mr. Doyle motioned to waive the bid process as requested by the Trustees. Mrs. Crisler seconded. Passed 3-2 with Mr. Hohenberger and Mr. Stearns opposed. Mr. Doyle motioned to accept the quote from Hager-Richter Geoscience of Salem for a GEO Tech survey for a price of \$7,500. Mr. Stearns seconded. Passed 4-1 with Mr. Hohenberger opposed.

**CORRESPONDENCE:** Mr. Doyle motioned and Mr. Stearns seconded to approve the partial release of the road bond for Moeckel Pond Road in the amount of \$13,903.20 to D & S Custom Builders. Passed unanimously.

Ms Webber read a petition from Elizabeth Varriano-Marston and others to determine if qualified voters in the Town of Windham will vote to approve changes in zoning ordinances 604.1.3, 605.1.1.3, and 605.1.3 to prohibit "Formula Fast Food or Drive-thru Fast Food Restaurants" in Windham. Mr. Stearns

motioned and Mrs. Crisler seconded to accept the petition and forward it to the Planning Board. Passed unanimously.

Letter of resignation was received from Police Sgt. Douglas Watson effective November 30, 2001. Mr. Stearns motioned and Mrs. Crisler seconded to accept Mr. Watson's resignation with regret and thanks for his years of service to the residents of Windham. Mr. Watson will be retiring from the department. Passed unanimously.

**OLD BUSINESS:** Mr. Sullivan told the Board that Chief Moeckel was requesting permission to do in-house testing for replacing the two officers who have resigned. Mr. Sullivan stated they have done this in the past and he endorses the process. Mr. Stearns moved to accept Chief Moeckel's recommendation for in-housing testing for hiring of two police officers. Mr. Doyle seconded. Passed unanimously.

Mr. Sullivan stated that the bids for work on the Bartley House should go out in a week or two. Final approval from LCIP is pending.

Mr. Sullivan stated that the Church Road culvert will be rebid shortly with work to be done next year.

Mr. Sullivan stated that the foundation for the new vault is complete and covered. The vault should arrive around December 20th.

The Board went into a workshop session with the Recreation Committee.

**NON-PUBLIC SESSION:** Mr. Stearns motioned and Mr. Hohenberger seconded to go into non-public session in accordance with RSA 91-A:3, IIC. Roll call vote - all members - yes. The subject was possible land acquisition.

The Board discussed a possible swap of town land with the school. It was the consensus of the Board, with Mr. Hohenberger opposed, that they were not interested in the swap at this time.

The Board discussed another possible land swap with a private developer. Mr. Sullivan will follow up.

Mr. Doyle motioned and Mr. Stearns seconded to adjourn. Passed unanimously. Meeting adjourned at approximately 10:45 pm.

Respectfully submitted,

Kathleen M. Davis  
Administrative Assistant

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



