

BOARD OF SELECTMEN
Minutes of January 10, 2005

ROLL CALL: Vice-Chairman Doyle called the meeting to order at 7:00 PM. Those present included Selectmen Bruce Breton, Roger Hohenberger, and Galen Stearns. Mr. Sullivan was also present. Chairman Alan Carpenter was excused.

ANNOUNCEMENTS: *Mr. Breton* announced that he had recently attended a meeting of the Town's Joint Loss Management Committee. He noted that the Transfer Station Manager, Dave Poulson, had been selected as Chairman for 2005, and that the copies of the JLMC plan are available.

Mr. Sullivan further explained that State statute requires that each community have a JLMC in place, comprised of representatives of the Town's management, union, and labor forces. In addition to maintaining the JLMC plan, the Committee organizes training seminars for the employees. Mr. Breton advised the remaining Selectmen that all were welcome to attend any future seminars, and simply need contact Mr. Poulson for more information.

Mr. Breton reminded the Board that a seminar has been scheduled by the Department of Revenue Administration to discuss the Town's 2005 reclassification requirements.

Mr. Hohenberger noted he had seen a notice in the local paper from Tax Assessor Rex Norman regarding a Town-wide re-assessment, and inquired if the proposed \$70,000 warrant article for assistance in the Assessing Department was related to the project in question. Mr. Sullivan responded that it was, however, Mr. Norman was beginning the process on his own this month.

Ms. Jane Higgins and Ms. Lisa Vivinetto, both of Nottingham Road, approached the Board to introduce themselves as co-chairs of the "Windham Initiative to Support Education" (WISE), and to briefly outline their goals and efforts. Ms. Higgins noted that WISE members are in favor of the upcoming school bond articles, and endeavor to support the School Board's efforts toward establishing a high school, primarily through distribution of information. Ms. Vivinetto noted that their website, www.windhamwise.org, is up and running, and that there are currently about 400 subscribers to their newsletter service. In addition, Ms. Vivinetto noted they are working on the following projects: fundraising; coordination of neighborhood socials where WISE members can answer resident questions in an informal, open house setting; coordinating with the Parent Teacher Association to distribute information to parents; development of bumper stickers; and, a letter writing campaign; all geared toward informing the residents.

Mr. Hohenberger inquired whether the fundraising WISE was conducting was affiliated at all with school district funding. Ms. Vivinetto replied in the negative, noting that WISE receives only minimal donations toward their efforts to disseminate information.

The Board extended their thanks to Ms. Higgins and Ms. Vivinetto for attending.

BOARD OF HEALTH/177 RANGE ROAD: Mr. Hohenberger moved and Mr. Breton seconded to adjourn to the Board of Health portion of the meeting. Passed 4-0. Mr. Sullivan read the public hearing notice into the record, and reminded the Board that this matter had been postponed from the December 27, 2004 meeting.

Mr. Phil Beland, septic designer, approached the Board to review the area in question. He noted that after careful review of the lot, the only fitting area for placement of the soil absorption septic system was as proposed. He noted that the soil was very suitable for an absorption system, and that the location in question was within the 75' State requirements. He then pointed out that the lot was laid out prior to the change by the Town increasing its setback requirements to 100'.

Mr. Hohenberger sought clarification regarding the soil. Mr. Beland explained that natural soil is better suited to filtration, and that loose, sandy soil would be laid on top of the natural soil. Mr. Turner discussed the benefits of slow percolation as provided by the system to be installed, noting that approximately 3' down and 10' from the field, the ground water should test cleanly.

Mr. Hohenberger inquired as to the proximity of the lot to Cobbetts Pond. Mr. Beland noted it is hundreds of yards away; across Range Road near Marblehead Road.

Mr. Ron Comtois, abutter residing at 175 Range Road, approached the Board to state he had met with the engineer, and was satisfied that installation of the system as proposed presented only a minimal chance of contamination to his well.

Mr. Stearns clarified that at least 50% of the leach field needed to be above the high water table. Mr. Turner concurred, and noted that the area would be built up to meet this requirement.

A discussion ensued regarding the 3.4 acre size of the lot and the reasons for not locating the system in the rear. Mr. Beland, Mr. Turner, and Mr. Comtois noted the following: there is depression in the rear yard where water collects; further beyond that would require crossing a culvert; installation in the rear would place the system on the high side of the well and within the down flow of the ground water; a pump system would be required as opposed to an absorption system; and, a stream is located in the far rear of the property.

Mr. Turner moved and Mr. Breton seconded to approve both waivers of the setback requirements for the owner's and neighbor's wells. Passed 5-0.

Mr. Hohenberger requested the Board also stipulate that the system be at least 600' from Cobbetts Pond. The Board concurred with this stipulation.

Mr. Stearns moved and Mr. Breton seconded to adjourn the Board of Health and resume the regular meeting.

PRIVATE ROAD REQUEST FOR PERMIT: Mr. Norman Young approached to explain his request for a waiver to construct a garage addition at his property located at 1 Jordan Road. He presented the Board with a detailed plan for keeping the roadway clear for emergency access during construction, which included off street parking and timed deliveries of materials to avoid back-ups into Jordan Road.

Mr. Doyle read the Planning Board's memorandum of opinion into the record, which noted only their request that the applicant show proof of off-road parking and execute the standard waiver. It was also noted that the Fire and Police departments had been consulted, and neither had any concerns in the area. Also, the waiver has been properly completed as required.

Mr. Breton moved and Mr. Stearns seconded to approve the issuance of a building permit at 1 Jordan Road.

Mr. Hohenberger requested that the motion reference the owner's plan for delivery and the Planning Board comments.

Mr. Breton withdrew his previous motion, and moved to include the comments of the Planning Board and the owner's plan for construction access with approval of the issuance of a building permit on Jordan Road. Mr. Stearns seconded. Passed 4-0.

CORRESPONDENCE: None.

MINUTES: Mr. Hohenberger moved and Mr. Breton seconded to approve the minutes of December 20, 2004 as written. Passed 4-0.

OLD BUSINESS: None.

NEW BUSINESS: Mr. Breton noted that the mounding for the septic system located at 8 Policy Street has been located within the right-of-way. Mr. Sullivan will look into the matter further for discussion at a future meeting.

Mr. Sullivan advised the Board that Mr. Scott Logsdon, resident and Director of EMS sales from Zoll Medical Corporation had contacted Chief Moeckel to donate seven (7) Automated Electronic Defibrillators to the Police Department for use in the cruisers. In order to proceed, the Board needed to approve a public hearing for discussion of their acceptance. The Board authorized Mr. Sullivan to proceed with scheduling of the necessary hearing.

Mr. Sullivan presented the Board with three (3) abatement requests from Mr. Norman, Tax Assessor:

\$75.00 as recommended by Mr. Norman. Mr. Stearns moved and Mr. Breton seconded to approve the abatement as requested. Mr. Hohenberger sought clarification on the adjustment. Mr. Sullivan explained that, in calculating the land value, Mr. Norman had neglected to take the presence of WWPD within the property into consideration.

Motion passed 4-0.

\$499.50 as recommended by Mr. Norman. Mr. Sullivan indicated that this adjustment was also based upon miscalculation of the WWPD. Mr. Hohenberger expressed concerns that the WWPD should not lessen the value of the land as a buildable lot. Mr. Hohenberger requested, and the Board concurred, that no decision be made until the matter can be discussed with the Tax Assessor.

Mr. Stearns moved and Mr. Breton seconded to reconsider the previous \$75 approval. Passed 4-0. The abatements requests for \$75.00 and \$499.50 were tabled.

\$6,456.00 as recommended by Mr. Norman. Mr. Sullivan explained that this abatement was the result a calculation error, wherein the owner was charged the wrong land code for a portion of the land. Mr. Hohenberger moved and Mr. Breton seconded to approve the abatement of \$6,456 due to a calculation error. Passed 4-0.

NON-PUBLIC SESSION: Mr. Breton moved and Mr. Hohenberger seconded to enter into a non-public session in accordance with RSA 93-A:3 II b and c. Roll call vote: all members – yes. The topics of discussion were reputations and personnel.

Personnel: The Board discussed the ongoing recruitment efforts for the Police Chief position. Mr. Sullivan will proceed accordingly with the second Phase of the process based upon the Board's recommendations.

Reputations: The Board, Mr. Sullivan, and Mr. McMahon were present to discuss an ongoing Town matter. No decisions were made.

Mr. Hohenberger moved and Mr. Breton seconded to adjourn. Passed unanimously.

The meeting was adjourned at 10:20 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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