

SELECTMEN'S MEETING AUGUST 3, 1998

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

ANNOUNCEMENTS: Barbara Coish introduced five visitors from our Sister City, Suzdal, Russia. The visitors included the Building Inspector and her daughter, the Administrator and her daughter and a music teacher. The Selectmen were treated to a short piano concert by two of the visitors.

The Board was given an invitation from the Mayor to visit Suzdal next year. Suzdal will be celebrating its 975th anniversary. The Board and the visitors exchanged gifts.

Mr. McMahon extended congratulations to Victoria Kimball of Windham. Ms. Kimball was the recipient of a national poetry award.

CABLE ADVISORY BOARD: Lisa Evarts, Studio Coordinator, presented the Programming Award to Ann Marie Carreiro for her show - Ann Marie's Euro Kitchen. Both Lisa and Ann Marie asked for volunteers for the studio.

LIAISON REPORTS: Mr. Barker reported that he, Mr. Sullivan and Mr. Devlin will be applying to FEMA for a mitigation grant. He also noted that FEMA is taking applications for individual claims due to flooding damage earlier this year.

Ms. Webber reported that the Historic Committee met and will be advertising for a marketing manager for the Searles Building. Resumes should be sent to David Sullivan, Town Administrator.

Mrs. Crisler stated that the Cable Board has offered to host Board meetings. She also noted that they are recruiting a cable coordinator.

Mrs. Crisler also reported on Planning Board activities including the Master Plan, Architectural Design Review, Zoning Ordinance changes, planning changes, Sub-division Regulations, site plan review and planning tools. She reported that the Castle Reach project was approved with conditions.

Mrs. Crisler stated that the Technical Advisory Committee is working on an agenda for their Technology Summit to be held with the Selectmen later this year. She also reported that Recreation has been sponsoring many activities including a performance by the Little Red Wagon and free skating.

Mr. McMahon reported on the CIP's meeting last week - they are looking at the possibility of increasing the CIP funding. A series of meetings is planned over the next few months.

EXECUTION OF CABLE TELEVISION CONTRACT: Mrs. Case presented the cable contract franchise renewal with Harron Cablevision of NH to the Board for their approval. Mrs. Case thanked the committee for their many hours of work on this contract specifically Mr. Coole, Mr. Shoemaker and Mr. Hart and she also acknowledged the cooperation of Harron Cable and notably Glenn Hawes.

Mr. Barker motioned to approve the renewal franchise cable contract for Windham with Harron Cablevision of NH, Inc. as of this date. Mr. Stearns seconded. Passed unanimously. Mr. McMahon thanked the Cable Committee for their efforts.

MARBLEHEAD ROAD: Tom Furlong met with the Board to discuss the condition of Marblehead Road and also his concerns for those persons driving the road. He told the Board members that there are several areas of concern on the road and he considers it to be the most dangerous road in Windham. He cited accidents that had occurred and concern with trucks cutting through to the Pelham dump. He stated that the road should have a center line and questioned why necessary repairs had not been made.

Ms Webber asked what the procedure was to have a center line put on the road - Mr. Sullivan noted that the Highway Safety Committee tabled this request while waiting for an answer as to how wide a road must be to allow a center line to be painted. Ms Webber also noted that brush had been cut near "Fletcher's Corner" but that more cutting was still needed for a clear line of sight.

The following residents also expressed their concerns: Frank Traynor, Lucy LaChance, Gail Webster, Jeff Vorce and Lillian Murphy. Mr. Barker told the residents that last fall two estimates were given for work on Marblehead Road - \$50,000 to remove ledge near the old disposal site and 500 feet of pavement repairs and \$92,000 - 920 feet for repairs in the area of Fletcher's Corner. The Board stated that they were told development was planned for that area and hope to have developers help with the repairs to the road.

After much discussion, it was agreed that Mr. Sullivan and Mr. Devlin will assess the situation and report to the Board at their meeting on August 17th with estimates and various solutions.

REVIEW OF TOWN VAN POLICY: Mr. Sullivan reported that review of Town Meeting minutes indicate that the primary use of the van was to be for the seniors. He suggested that the policy be amended to add the following under Section III Authorized Uses: "Although each of the items listed is an appropriate use of the town van, the primary use of the vehicle is for the transportation needs of the senior citizen residents of the town as intended by vote of the 1998 Town Meeting. If a conflict arises concerning the use of the van, the Town Administrator shall give preference to use by the seniors when possible".

Mr. Barker motioned to accept the amendment to the Van Policy regarding conflict of use as described above. Ms Webber seconded. Passed unanimously.

Mr. Barker also suggested that the policy be further amended to delete the Section V (a) - regarding storage of vehicle and to allow flexibility - storage to be determined by the Town Administrator. Mr. Barker motioned to approve amending the Van Policy as described above and deleting the reference to "Ford" in the first paragraph. Mr. Stearns seconded. Passed unanimously.

TOM CASE - SENIOR CITIZENS INCORPORATED: Mr. Case explained to the Board and the viewers that the group named Senior Citizens Incorporated provides a service for all seniors. They provide meals twice a week and sponsor trips and other events which are for the benefit of all seniors in Windham. This service is provided at no cost to the Town. He also noted that the Senior Citizens Inc. leases the Senior Center from the Town and has made repairs to the interior of the building at no cost to the Town.

CONSENT AGENDA: Mr. Stearns moved to approve the consent agenda -minutes of July 20th and manifests of July 27th and August 3rd. Ms Webber seconded. Motion passed with Mr. Barker and Ms Webber abstaining on the minutes.

CORRESPONDENCE: Copy of letter received from Canobie Lake Protective Association to the Bureau of Marine Patrol regarding jet craft and tubes on Canobie Lake.

Letter from Virginia Long Campiola urging the Selectmen to deny the renewal of license to sell guns to

Star Vector.

Press release from Fire Chief Lipe addressing why a new fire station is needed.

Legal communication regarding the proposed Wal-Mart expansion from Town Counsel was received.

Memo received from Chief Moeckel regarding renewal of license to sell guns for Star Vector.

Letter received from NH School Administrative Unit #28 regarding the agenda for their joint meeting with the Selectmen on August 31st.

Copy received of a letter to Wayne Morris from the Dept. of Transportation informing him that Windham has been approved for funds for a bicycle path - this is a matching fund grant to begin in 2002.

Mr. Stearns motioned to approve the final bond release (\$500) for the Waterhouse Site Plan. Mrs. Crisler seconded. Passed unanimously.

Letter received from York Cumberland Housing regarding the Sisters of Mercy application for HUD 202 funding for construction of elderly housing units.

Mr. McMahon noted that volunteers are still needed for the Board of Adjustment, Cable Advisory Board, Conservation Commission, Historic District Commission, Planning Board and the Recreation Committee. Please contact David Sullivan, Town Administrator, to apply.

OLD BUSINESS:

REQUEST FOR EXCEPTION FROM VEHICLE REGISTRATION POLICY RE:

MOTELS: The Board received two requests from persons residing at the Manor Motel to be allowed to register their cars in Windham. The present policy states that in order to register a vehicle, the person must have resided in the motel for at least six months and provide a statement from the motel confirming this, as well as a valid NH license.

Mr. Blanchette, who made one of the requests, spoke with the Board concerning his situation.

After discussing the matter, the Board agreed to have Mr. Sullivan modify the policy to allow the Town Administrator to grant exceptions to the Vehicle Registration Policy regarding Motels. Exceptions to be based on employment, looking for housing, etc. The Board will address the changes at their next meeting.

Mr. Barker motioned to grant the two individuals who are presently seeking to register their vehicles an exception and instruct the Town Clerk to register their vehicles. Mr. Stearns seconded. Passed unanimously.

STAR VECTOR GUN LICENSE RENEWAL: Mr. McMahon noted that this item was continued from the last Selectmen's Meeting to seek advise from Town Counsel. Mr. McMahon read a memo from Chief Moeckel and a letter from Town Counsel, which both suggested that the Board renew the license for Star Vector.

Attorney Campbell stated the following reasons for his recommendation: 1) there has not been any allegations that the principal of the corporation is "unfit" to be granted a license; 2) the statute specifies the activity to occur at a specified address or at a show or collector's meeting; and 3) there are

significant penalties, including personal liability of Selectmen for an erroneous denial of a permit.

Donna Morgan of the Windham Safety Coalition presented and read a letter from Attorney Michael Donovan urging the Board to not issue a new license to sell pistols and revolvers at 67 Range Road to Star Vector. He further stated that the Windham Safety Coalition has no objection to the selectmen issuing a license to Star Vector which is limited to organized sporting shows or arms collection meetings sponsored by a charter club or organization, as also provided for in RSA 159:8.

The Board discussed the aspects involved in this matter including: the fact that guns presently cannot be sold there without Planning Board approval (which has been denied and being appealed in the courts); where gun inventory is stored; and requiring background checks. Mrs. Dunn asked the Board to deny this license until permits are issued from the Building Department. She stated that at least once in the past, a permit was not given until a variance was received.

Mr. McMahon stated that he instructed Mr. Sullivan after the reading of the letter from Attorney Donovan to call Attorney Campbell to see if he agreed with Attorney Donovan's suggestion. Mr. Sullivan reported that Attorney Campbell did not agree with Attorney Donovan's suggestion, however he stated that the Board could issue the license to 67 Range Road with the condition that Star Vector could only sell from that location after final site plan approval was received. This would also allow for Star Vector to participate at collector shows or meetings. Attorney Campbell also stated that he felt Star Vector's attorney will agree to this compromise.

Mr. Barker stated he thought with the caveat, it could be issued. Mrs. Crisler stated she does not know the applicant and therefore will not sign a license.

The following residents spoke on this issue: Judy Campiola, Mr. Chowdhry, Mr. Noyles, Mr. Comtois and Mr. & Mrs. Letizio. Mr. McMahon gave an overview of this matter.

Mr. Stearns made a motion to approve the License to Sell Pistols & Revolvers to Star Vector at 67 Range Road subject to obtaining an approved site plan for this location. Mr. Barker seconded. Motion passed 4-0-1 with Mrs. Crisler abstaining.

Alexei Oboukhov of Star Vector Corporation asked the Board when he could obtain the license. He was informed that it would probably be completed by early next week as it has to be prepared and signed.

Mr. Oboukhov also asked why persons could sell out of their homes and Star Vector was not allowed to sell out of the present building. It was explained by Mr. Stearns that the other persons sold only through catalogs and did not require site plan approval.

CIVIC GROUP: Mrs. Crisler suggested that the Board establish a civic group for recommending improvements to town properties, i.e. Town Common landscaping. Members being from various groups in Town. Mrs. Crisler motioned to have David Sullivan and her draft a mission statement for this committee and present it to the Board for approval. Mr. Barker seconded. Mr. Stearns noted that the Boy Scouts should be represented in this group. Motion passed unanimously.

OTHER BUSINESS: Mr. Stearns asked the status of signs for the new complex. Mr. Sullivan reported that the sign contest was advertised but to date there are no entries. The contest will be advertised again. Mr. Sullivan pointed out that a resident had offered to help with the signs.

Mr. Sullivan noted that on August 1st, he has been with the Town for ten years!

Mr. McMahon questioned why the loggers had not removed some of the trees at Griffin Park along

Range Road. Mr. Sullivan explained that these needed to be taken out by a tree company with the proper equipment to avoid the wires. He will be getting quotes from tree companies as soon as possible.

NON-PUBLIC SESSIONS: Mr. Barker motioned to go into non-public session in accordance with RSA 91-A:3, IIa and c. Mr. Stearns seconded. Roll Call Vote - all members - yes. Subjects were reputations and personnel.

The Board tabled the session regarding reputations.

The Board and Mr. Sullivan were in attendance in the first session regarding personnel. Mr. Stearns motioned to approve the hiring of a call firefighter as per the recommendation of Chief Lipe. Mr. Barker seconded. Passed unanimously. Mr. Barker motioned to terminate two call firefighters who are on probation as per the recommendation of Chief Lipe. Ms Webber seconded. Passed unanimously.

The Board only was in attendance for the second session regarding personnel. They worked on the evaluation of the Town Administrator.

Mr. Barker motioned to adjourn. Mr. Stearns seconded. Meeting adjourned at approximately 11:45 pm.

Respectfully submitted,

Kathleen M. Davis
Secretary

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

