

BOARD OF SELECTMEN
Minutes of March 12, 2007

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at 7:00 PM. Selectmen Dennis Senibaldi, Margaret Crisler, Alan Carpenter, and Roger Hohenberger were present, as was Town Administrator David Sullivan. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. Stearns reminded all that the Annual Election was the following day, and urged all to vote. Polls will be open from 7AM to 8PM at Golden Brook School. He also noted that the Annual Town Reports are available at the Town Hall, Nesmith Library, Planning & Development Department, and Administrative Office.

Mr. Hohenberger presented the remaining members with his written report of their recent tour of the Hooksett Transfer Station.

Mr. Carpenter wished Mr. Stearns luck at the polls and thanked him for an outstanding job as Chairman over the last year.

LIAISON REPORTS: Mrs. Crisler announced that she had attended a Government Affairs Committee meeting the previous Friday, at which the makeup of the current Retirement Board had been discussed. She noted that there are concerns regarding future cost impacts to municipalities, and the lack of town and city representation on the Board. After a brief discussion, Mrs. Crisler requested that the Finance Director work to research the numbers further for a future workshop discussion.

Mrs. Crisler then noted that the Planning Board had two (2) items on their agenda the previous Wednesday, one of which had been postponed. The other, a request for a waiver to park vehicles in the WWPD, had been rejected and sent back for further study.

ANNOUNCEMENTS CONTINUED: Mr. Senibaldi noted that the Daddy Daughter Dance the previous Saturday had been a tremendous success, and extended thanks to all who assisted in hosting the event. He reminded parents that the pictures will be available at the Administrative Offices after Tuesday.

MINUTES: None.

ANNOUNCEMENTS CONTINUED: Mrs. Diane Carpenter approached to announce that the Windham Cooperative Kindergarten had conducting a groundbreaking ceremony at their new location the previous day, and that their start date will be the September, 2007 school year. She extended thanks on behalf of the Coop Committee for the Board and Town staff assistance throughout the process.

NON-PUBLIC SESSION: Mr. Carpenter moved and Mr. Senibaldi seconded to enter into a non-public session in accordance with RSA 91-A:3-IIc and d. Roll call vote – all members “yes”. The topics of discussion were reputations and legal.

The Board, Mr. Sullivan, Mr. Norman, Ms. Devlin were in attendance in the first session, along with a Windham taxpayer.

Mr. Norman reviewed a hardship abatement with Board. Mr. Carpenter moved and Mr. Senibaldi seconded to award the hardship abatement in the amount of \$616. Passed unanimously.

The Board, Mr. Sullivan, and Ms Devlin were in attendance in the second session. Mr. Sullivan reviewed a legal matter with the Board. No decisions were made.

Mr. Stearns resumed the public portion of the meeting by announcing the Board's decision in the first non-public session.

TAX ASSESSOR: Mr. Norman presented a total of twelve (12) abatements to the Board for consideration. He noted that these represented listing/data errors, and that each property had been re-inspected and a settlement agreement reached with the owners. The properties in question were presented as:

1. 15 Grandview Road	\$ 594.05
2. 12 Nottingham Road	211.83
3. 6 Alder Street	503.48
4. 39 Jackman Ridge Road	4,675.61
5. 6 Ironwood Road	8,471.67
6. 11 Aladdin Road	640.10
7. 5 Ledge Road	2,205.80
8. 10 Pilgrim Road	440.55
9. 136 Range Road	549.53
10. 68 Heritage Hill Road	2,015.46
11. 2 Deer Run Road	531.11
12. 32 Pleasant Street	\$155.04

After a brief discussion, Mr. Hohenberger moved and Mr. Senibaldi seconded to approve the aforementioned abatements as presented. Passed unanimously.

Mr. Norman then advised that, although the March 31st deadline for abatement applications had passed, property owners should feel free to contact him with concerns, as he is more than willing to look at property adjustments for next year. He then noted that 145 abatement applications had been filed this year, and of that 45 have been settled/approved to date; 38 are scheduled for review; and the remainder are pending.

CORRESPONDENCE: Letter received from Jack Szemplinski, Westchester Road, regarding an outstanding balance due and ongoing problem with the area cistern.

Mr. Sullivan explained that Mr. Szemplinski is willing to fix the cistern issue; however, he was not willing to be responsible for \$1,949 for Town-made repairs made to Westchester Road.

After a brief discussion, Mr. Senibaldi moved and Mrs. Crisler seconded to withdraw the Town's request for reimbursement of \$1,949 for repairs to Westchester Road, with the understanding that Mr. Szemplinski will resolve the cistern issue. Passed 4-1, with Mr. Hohenberger opposed.

PUBLIC HEARING/DONATION: Mr. Stearns read the public hearing notice into the record. He then advised Mr. Zohdi, the applicant representative, the Board members had concerns with the way this donation has come about.

A lengthy discussion ensued regarding whether or not this was a condition of approval for the subdivision, Town Counsel's opinion on the similarity to previous occurrences, whether or not, procedurally, these funds were for offsite improvements, the need for more information regarding the circumstances in this approval, and the need for a joint meeting between Town Counsel and the Planning Board to clarify these matters for the future.

Mr. Sullivan noted that the \$1,000/lot fee was considered by Town Counsel to be a condition of the subdivision approval, and that the developer is looking to move forward with the project. Mr. Zohdi suggested that the Board consider escrowing the funds until a decision is made.

After further, brief discussion, Mr. Carpenter moved and Mr. Senibaldi seconded that staff draft a letter to the Planning Board and Planning Director, asking that this condition be removed from the subdivision approval as expeditiously as possible.

Mr. Sullivan suggested that Mr. Carpenter amend his motion to include that the Planning Board add wording to make the funds for offsite improvements. After a brief discussion, Mr. Carpenter amended his motion and Mr. Senibaldi his second to add that the Planning Board consider a separate motion to recommend the Board of Selectmen accept a donation of \$18,000 from the developer.

Passed unanimously.

Mr. Stearns closed the public hearing with no further decisions.

PUBLIC HEARING/ ROAD ACCEPTANCE: Mr. Stearns read the public hearing notice into the record. Mr. Sullivan explained that all final inspections have been completed, the cistern is operational, and staff recommends acceptance of the roadway and release of the bond.

After a brief discussion, Mr. Carpenter moved and Mr. Senibaldi seconded to accept Glance Road as a Town road from station 0+00 to 17+50. Passed unanimously.

Mrs. Crisler then moved and Mr. Senibaldi seconded to fully release the bond in the amount of \$26,202 to BHB, Inc. Passed unanimously.

OLD BUSINESS: Mr. Carpenter inquired as to the status of the windscreen purchases for the Griffin Park tennis courts. Mr. Sullivan replied that their purchase remained on hold, as per the Board's previous wishes.

Mr. Senibaldi then indicated he had spoken with Mr. and Mrs. Goldman of the Recreation Committee, who had requested the windscreens, and that they had obtained several quotes for purchase prices.

After a brief discussion, Mr. Senibaldi moved and Mr. Carpenter seconded to approve that staff work with the Recreation Coordinator to move forward with the purchase of windscreens for Griffin Park in an amount not to exceed \$3,000, funds for the purchase to be taken from the Recreation Revolving Fund. Passed unanimously.

Mr. Hohenberger inquired as to the process to re-open Londonbridge Road. Mr. Sullivan replied that a petition would be required for the Board to begin layout proceedings. Mr. Zohdi offered to provide all of his engineering drawings of the area to Mr. Sullivan for the Board's review and use as needed. The Board extended their thanks to Mr. Zohdi for his assistance.

NEW BUSINESS: None.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Carpenter seconded to enter into a non-public session in accordance with RSA 91-A:3-Ic and d. Roll call vote – all members “yes”. The topics of discussion were reputations and legal.

The Board, Mr. Sullivan, Tax Collector Ruth Robertson and Ms. Devlin were in attendance in the first session. After a lengthy discussion regarding a current use tax issue, Mr. Carpenter moved and Mr. Hohenberger seconded

to forgive the interest penalty back to November 16, 2006, pending an executed settlement letter between the Town and all parties involved. Passed unanimously.

The Board and Mr. Sullivan were in attendance in the second session to review a Department Head evaluation.

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

The meeting was adjourned at 9:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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