

BOARD OF SELECTMEN
Minutes of February 27, 2012

MEMBERS PRESENT: Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Kathleen DiFruscia and Roger Hohenberger were present, as was Town Administrator David Sullivan. Selectman Phil LoChiatto was excused. Mr. McLeod opened with the Pledge of Allegiance.

ANNOUNCEMENTS/LIASON/CORRESPONDENCE/MINUTES: None.

DONATIONS/COMMUNITY DEVELOPMENT: Director Laura Scott read into the record an extensive list of donations (see attached) received relative to the 2012 Business Visitation Program, February 18th Shoreland Workshop, February 13th Reception for Mike Garrepy, February 16th Business Expo, and two anonymous donations of office supplies for the Department.

Mrs. DiFruscia inquired whether this list of donors was available on the web, and Ms. Scott indicated it could be posted to the EDC website. Mr. McLeod suggested it be posted to the Department site as well, and Ms. Scott concurred.

Mr. Hohenberger then moved and Mrs. DiFruscia seconded to accept the donations as listed with thanks and gratitude to all. Passed 4-0.

SHAWS BOND RELEASE: Ms. Scott explained that this was a one-year bond put in place in 2005 in the amount of \$14K relative to work to be completed in the town's right-of-way on Wall Street. Ms. Scott noted that the assumption is this bond is expired, however, she had been unable to obtain confirmation as such from the bank and had therefore sent the matter to the Planning Board for release. She noted that the Planning Board had approved the release, and that the work in question had been done for some time and the certificate of occupancy issued. Discussion ensued as to whether the work was satisfactorily completed seven years ago or whether there any issues or concerns at all with respect to the work completed. Ms. Scott replied there were no issues or concerns. Mr. Sullivan added that the Highway Agent had reviewed the project at the time, and had no issues.

Mrs. DiFruscia moved and Mr. Hohenberger seconded to release the bond in the amount of \$14K to Pandelena Construction for Shaws. Passed 4-0.

RIGHT-OF-WAY PERMIT: Mr. Sullivan reviewed with the Board a request from PSNH to directionally bore under Tully Street and along the swale of Tully/Tanbark roads. Mr. Sullivan noted that this is a standard request for maintenance work similar to that conducted on Oriole/Cardinal roads, and that the Highway Agent has no issues with approval.

Mrs. DiFruscia inquired whether a bond would be required, and Mr. Sullivan replied in the affirmative; recommending that the Board approve the request conditional upon funds being added to PSNH's master bond for this project.

Mr. Hohenberger moved and Mr. Breton seconded to approve the request from PSNH to work in the right-of-way, conditional upon putting a bond in place. Passed 4-0.

OLD/NEW BUSINESS: Mr. Sullivan advised the Board that, per their request, he had looked further into the hauling of a portion of the material Cairns' had wished to donate to the Town. He noted that he had received a letter from the Highway Agent clarifying that those materials delivered to the former landfill site have been donated with no cost to the Town. Mr. Sullivan added that the preliminary tests had been completed on the material and shown no issues; and that completion of the testing would cost approximately \$200-250. Discussion ensued regarding testing methods, contaminants, and the ability to use the material if it tests okay for sloping, loam, etc. Mr. Sullivan clarified that, at this point, 2/3 of the testing is complete.

Mrs. DiFruscia sought clarification that all aspects had been donated, and Mr. Sullivan replied in the affirmative that both the material from Cairns and the services of 2-3 haulers for the material already moved was being donated.

Mrs. DiFruscia then moved and Mr. Breton seconded to accept the donation of approximately 900 yards of fill and related trucking service to move the material; and to authorize the Town to move forward with the balance of the required testing. Passed 4-0.

Mr. Sullivan advised that he had received correspondence the previous week from the State of NH relative to sale of state owned property on Harris Road. Mr. Sullivan explained that this is the third time the State has offered the Town the first right of refusal, and each time prior the Board, Planning Board, and Conservation had expressed no interest in purchasing the parcel. He noted that, in the past, the Town has drafted a letter to that effect, urging the state to merge the parcel with another or make such a merger a condition of the sale in order to return it to the tax rolls.

After a brief discussion, it was the consensus of the Board that staff send a letter as discussed.

Mr. Sullivan noted that he met the previous Friday with Mr. Stamnas of the DOT regarding the ongoing I-93 project. He advised the Board that the State was still intending to re-classify Range Road, however, now it would be only that portion from the area of the Common Man to Klemm's, rather than all the way through to Route 28; as well as the left over portion of Route 111 from Wall Street to Castleton once the cul-de-sac is complete. Mr. Sullivan noted that this matter will be scheduled for an upcoming agenda in April for further discussion.

Mr. Sullivan then advised that the State is also looking to move forward with bidding another phase of the project to include sidewalks, and that the Federal government has advised the DOT that should they construct them with federal funds the Town will be required to assume all maintenance for them upon completion. Mr. Sullivan noted that if the Board does not wish to have the sidewalks constructed, they must advise the DOT accordingly. Discussion ensued regarding the need for input from the Planning Board, and Mr. Sullivan indicated this matter will also be scheduled sometime in April for decision, as the State would like to bid the project in early June.

Mrs. DiFruscia requested that Mr. Sullivan clarify a recent notation in the Windham Independent regarding the American's for Prosperity saving the Town \$100K. Mr. Sullivan explained that the \$100K in savings was a direct result of changes to the health insurance. He noted that, after examining five budget cycles, the AFP had confirmed that the Town had a high benefit load. Mr. Sullivan then added that, concurrent to the AFP's study, he, Mr. Breton, and Mr. Hohenberger, along with some assistance from Mr. John Stevens, had been working on the Town's health insurance in efforts to find savings. Mr. Sullivan noted that the AFP had suggested moving to a health savings account, however staff had previously looked into that and instead had continued to pursue alternative plans. To the question of whether the AFP had saved the town \$100K, Mr. Sullivan indicated he could only say that they had made suggestions along the lines that the Town was looking at; and that he hoped the savings would continue.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mrs. DiFruscia seconded to enter into nonpublic session in accordance with RSA 91-A:3 II b and c. Roll call vote all "yes". The topics of discussion were personnel and reputations.

The Board, Mr. Sullivan, Ms. Scott and Ms. Devlin were in attendance.

The Board discussed the minute taker position. Mr. Hohenberger moved and Mrs. DiFruscia seconded to hire the recommended candidates for the Planning Board and ZBA/Conservation, pending successful background check. Passed 4-0.

The Board discussed the Code Enforcement/Zoning Board Administrator position. It was the consensus of the Board that Ms. Scott advertise the newly vacated position as discussed.

Ms. Scott discussed a procedural matter with the Board relative to hiring, and it was the consensus of the Board that involvement of the ZBA would represent a potential conflict of interest.

The Board, Mr. Sullivan, and Ms. Devlin were in attendance.

Mr. Sullivan updated the Board on a matter related to the State of New Hampshire. No decisions were made.

Mr. Sullivan advised the Board on a personnel matter relative to a citizen complaint. No decisions were made.

Mr. Sullivan discussed a personnel matter with the Board. No decisions were made.

Mr. Hohenberger moved and Mr. Breton seconded to adjourn. Pass 4-0.

Meeting was adjourned at 7:55 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant.

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



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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To: Board of Selectmen
From: Laura Scott, Community Development Director
Date: February 23, 2012
Re: Donation Acceptance

The following are donations that have been given to the Community Development Department to support a variety of Department sponsored events and/or operations of the Department itself.

2012 Business Visitation Program

Enterprise Bank is the sponsor of the 2012 Business Visitation Program and donated \$250 to help offset all financial costs of implementing and running the Program. This will include developing the Business Visitation Program packets and advertising the program.

February 18th Shoreland Workshop

This event, which was co-sponsored with CPIA, was a great success and had approximately 30 people in attendance. As with all early morning events, refreshments are a must and AJ Letizio Marketing & Sales, B&H Oil & Convenience Store, Cobbets Pond Improvement Association, and Canobie Lake Protective Association did not disappoint.

February 13th Welcome Reception for Mike Garrepy

For those of you that were able to attend the Welcome Reception for the new ZBA/Code Enforcement Administrator, Mike Garrepy, on February 13th, the coffee, cookies and donuts were donated by Mark Kaufa of Dunkin Donuts.

Community Development Department Office Supplies

A donation of two 2-drawer file cabinets was made to the Department from an anonymous business in Derry. This donation has helped us reconfigure the files that the Department Secretary uses and manages on a daily basis into one location, making it more efficient for her.

February 16th Business Expo

The Business Expo, which had 100 businesses/non-profits as exhibitors and close to 400 people attending, would not have been as successful without the donations provided by the following:

Warf Industries
Delahunty's
Al Getler
Jay Yennaco

Printing
Event Decorations
Two ¼ page ads in Eagle Tribune
Design of ½ pg ad in Windham Independent

The following businesses/organizations donated to the free door prize:

A Simply Wholesome Life	Accommodating Travel
Alpha Locksmith	American Tinter LLC
Artistic Creations Salon	B&C Landscaping
B&H Oil/Howie Glynn & Sons	Benchmark Office Systems
Broadway Chiropractic	Calico Kids Day Care
Canobie Lake Veterinary Hospital	Caroline Maravelias
Century 21 NorthShore	Citizens Bank
Common Man Restaurant	Danielle Bustamante
Crossroads College and Career Counseling	Culinary Capers
D.J. Rogers Collision & Service Center	Dress 2 Dance
Granite Sate Police Supply	Green Sprouts
Independence Therapy Associates, LLC	Grubb & Ellis
Katerpillar Kreations of Windham	Infinite Fitness
Law Offices of Suzan Messina	Kiddie Academy
Lithia Skin Care, LLC	Lucia's Bodega
Magical Beginnings Inc	Mary Kay Cosmetics
North Broadway Optical	Pelham~Windham News
Pure Personal Training, LLC	Soleil Salon & Spa LLC
Rockingham Emergency Veterinary Hospital	Stella and Dot
Rodan & Fields Dermatologists	Salem Nursing & Rehab
SCORE; Counselors to America's Small Businesses	Snow Pond Farm
Sunlite Realty Corp	Suzan Messina Law Offices
Timothy Skwiot Financial Services	Tastefully Simple
Wharf Industries	WHS Jaguar Booster Club
Windham Actors Guild	Windham Deli
Windham Endowment for Community Advancement	Windham Orthodontics
Windham Pilates	Windham Rail Trail Alliance
Woof Woof Professional Dog Services	Wolff Environmental

Please feel free to contact me if you have any questions or need any additional information. Thank you for your continued support of community development activities.