

**BOARD OF SELECTMEN**  
**Minutes of March 12, 2012**

**MEMBERS PRESENT:** Chairman Ross McLeod called the meeting to order at 7:00 PM. Selectmen Bruce Breton, Phil LoChiatto, Kathleen DiFruscia and Roger Hohenberger were present. Town Administrator David Sullivan was delayed and arrived at 7:05 PM. Mr. McLeod opened with the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mr. McLeod reminded all that voting would take place the following day at Windham High School from 7 AM to 8 PM; and extended thanks for the opportunity to have served for the last three years. He also extended parting thanks to Mr. Tom Murray and Ms. Dianna Fallon of the ZBA, who were not seeking re-election.

*Mr. McLeod* extended congratulations to the Friends of the Library of Windham (FLOW), who had recently conducted another successful Annual Banquet. He extended congratulations to the following recipients of awards presented that evening: Laura Dempsey – “The Marjorie Carter Award”; Diane Carpenter and Margaret Crisler – “The Carl Heidenblad, Murray Levin, Patricia Skinner Award”, and; Kelly Martin – “Youth Services Award”.

*Mr. McLeod* then noted he had attended the Phantom of the Opera performance at the High School, and advised there were two more performances remaining on Friday and Saturday evening. He extended kudos to the male and female lead in the play; noting they had exceptional singing talent.

*Mr. Hohenberger* extended thanks to Mr. Bostic and Mr. Gallagher for their years of service to the School Board.

*Mr. LoChiatto* noted he had attended the indoor miniature golf event at the Nesmith Library the previous weekend; and extended thanks to Carl Heidenblad and the staff for organizing a great event.

*Mrs. Barbara Coish* approached advising that Meals on Wheels was undertaking a “Mayors for Meals” event on March 21st, in which local officials aided in delivering meals. She indicated that, as we did not have a Mayor, she had asked Recreation Coordinator Cheryl Haas to attend, and then extended an invitation to any of the Board members who wished to participate. After discussion, Mr. Breton moved and Mr. Hohenberger seconded that the Town Administrator take part in this event with Ms. Haas. Passed unanimously.

*Mr. Alan Carpenter*, Chairman of WIRE, approached noting that the initiative had successfully raised the funds necessary to install the wind turbine at the High School, and requested that the Board consider waiving the related town fees for the project. Brief discussion ensued regarding the current standing waiver for such projects, and Mr. LoChiatto then moved and Mr. Breton seconded to waive the fees for the turbine project as requested. Passed unanimously.

Mr. Carpenter noted that WIRE will be returning to the appropriate boards for permitting, etc., and the Selectmen extended congratulations to Mr. Carpenter for his efforts in bringing this project forward.

**OLD/NEW:** Mr. Sullivan explained to the Board that, as part of the Energy Grant previously accepted and utilized, additional funds were now available in the amount of \$5K. He reminded the Board there is no matching costs required, and added that this funding would allow completion of energy audits on the Police, Library, and Searles facilities. Mr. Sullivan noted an amendment to the existing contract would be required to continue with the current vendor for these additional audits.

After a brief discussion, Mrs. DiFruscia moved and Mr. Hohenberger seconded to accept the additional funds as described, and that the Chair execute the amended contract with the current vendor as explained. Passed unanimously.

*Mr. Sullivan* advised that Cairns had contacted the Town regarding a need to get rid of additional fill, some of which has been promised to others in Town (ie: Spruce Pond), and that Cairns has indicated a willingness to truck the material at no charge to the Town. Discussion ensued regarding how much fill and the testing requirements.

Mr. LoChiatto indicated that it was his understanding that Mr. Senibaldi was able to procure the amount needed for the Spruce Pond field, and a discussion ensued regarding the donation, its acceptance, and testing of the material.

Mr. LoChiatto moved and Mr. Hohenberger seconded to accept with thanks any additional yardage Cairns is willing to donate; with priority to be given to the Spruce Pond area and the balance to go to the Highway Department. Mrs. DiFruscia requested that the motion be amended that acceptance be subject to satisfactory testing of the material. Mr. LoChiatto amended his motion and Mr. Hohenberger his second accordingly. Passed unanimously.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. Breton seconded to enter into non-public session in accordance with RSA 91-A:3 II b, c, d and e. Roll call vote all "yes". The topics of discussion were personnel, reputations, land acquisition and legal.

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

The Board discussed the vacant Code Enforcement/Zoning Board Administrator position. Mr. Breton moved and Mr. LoChiatto seconded to extend an offer of employment to the recommended candidate subject to the provisions of the Employee policy. Passed unanimously.

The Board discussed the Minute Taker position. Mr. Breton moved and Mr. Hohenberger seconded to fill the position as recommended by Ms. Scott. Passed unanimously.

*The Board*, Mr. Norman, Mr. Sullivan and Ms. Devlin were in attendance in the second session.

Mr. Norman discussed an abatement issue with the Board. It was the consensus of the Board to advise Town Counsel to not move forward to appeal.

Mr. Norman advised the Board of a potential abatement issue. No decisions were made.

*The Board*, Mr. Sullivan, Ms. Devlin, Mr. Joe Maynard and the following members of the Conservation Commission were in attendance in the final session: Jim Finn, Wayne Morris, Bernie Rouillard, and Lisa Ferrisi.

The Board discussed a potential land purchase. Mrs. DiFruscia moved and Mr. Hohenberger seconded to endorse the purchase of lots 25C-251 and 255, and 25D-251, and to support the Conservation Commission's moving the matter to a public hearing. After further discussion, motion passed 3-2, with Mr. Breton and Mr. LoChiatto opposed.

*The Board*, Mr. Sullivan and Ms. Devlin were in attendance in the final session.

Mr. Sullivan updated the Board on a legal matter regarding insurance. No decisions were made.

Mr. Sullivan advised the Board of a legal matter. It was the consensus of the Board to take no action per the recommendation of the Town Administrator.

The Board discussed a personnel matter relative to a citizen complaint. The Board executed a letter of response regarding this matter. No other decisions were made.

Mrs. DiFruscia moved and Mr. Hohenberger seconded to adjourn. Passed unanimously. Meeting was adjourned at 8:15 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant.

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