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WEARE BOARD OF SELECTMEN MEETING MINUTES May 12, 2014

PRESENT: TOM CLOW, CHAIRMAN; JENNIFER BOHL, SELECTMAN; JOHN LAWTON, SELECTMAN; JAMES LEARY, SELECTMAN;

RECORDING SECRETARY: Cherry Palmisano

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Stephen Flanders, Sharon DeStefano, George Malette, Benji Knapp, Betty Straw, Sherry Burdick, Thomas Hardwick, Neal Kurk, Heleen Kurk, Jan Snyder, Jack Dearborn

Chairman Clow moved, Selectman seconded to enter into non public session @ 6:45 p.m. pursuant to the authority granted in RSA 91-A:3 II (b). A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Bohl seconded to come out of non public session @ 7:02 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

The nonpublic session was to introduce a potential public works employee.

7:03 p.m. Chairman Clow called the meeting to order.

Chairman Clow noted that the purpose of the nonpublic session was to interview a candidate for the Highway Department.

PUBLIC COMMENT

Heleen Kurk, Weare 250th Committee, said that the beard contest was a success with many participants. Mrs. Kurk thanked the Legion for their support. The Victorian Tea Party event was also a success. A woman dressed in Victorian clothing taught etiquette and Victorian etiquette. Some of the people who attended even rented Victorian clothing. This month's event, School Presents a Look Back in Time, will take place on Saturday from 3:00 to 7:00 at Weare Middle School. The event will highlight all the work done by the elementary school students and middle school students to help with the 250th celebration. Murals created by middle school students will be discussed and refreshments will be served. The Weare Historical Society will be present to answer any questions. The Skills and Drills event was cancelled due to inadequate sign ups. There will be an Old Fashion Lawn Party at Clinton Grove. Jeff Warner will be present with his old time musical instruments.

Mrs. Kurk explained to the Board that custodian's room in the Town Hall was very challenging to work in and extremely dirty. The sink has a large punch hole and the mops are terribly dirty. Mrs. Kurk asked who is responsible for cleaning the mops. Chairman Clow said that the custodial job is currently vacant and is posted. Mrs. Kurk noted that they cleaned the bathrooms for their event, but the bathrooms need a deep cleaning and the floors need sanding. Mrs. Kurk said that the Town Hall should be deeply cleaned 3-4 times a year. Chairman Clow noted Mrs. Kurk's concerns and commented on reviewing the job description. It was mentioned that maybe the cost to rent the Town Hall and cost to keep it clean needs to be reviewed. The Town Office Building

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also needs upkeep. Mrs. Kurk also told the Board that the Welcome to Weare signs are in need of repair. The Chamber of Commerce originally helped the towns get the signs and could be a link to the Economic Development Committee.

Sherry Burdick, President of the Weare Historical Society, informed the Board that the tree being lit at Christmas at the Stone Building is dead and needs to be removed. The Board said that Mrs. Burdick can contact the Public Works Department to remove the tree.

Benji Knapp, Public Works Foreman, explained that there were many applicants and they went through an extensive hiring process. Mr. Knapp recommends that the Board hire Thomas Eddy Hardwick for the Transfer Station attendant/truck driver position. Mr. Hardwick has worked for the Town of Milford, holds a CDL license, and has experience with the plow setup. Chairman Clow noted that the Board interviewed Mr. Hardwick in nonpublic session.

Selectman Leary moved, Selectman Bohl seconded to hire Eddy Hardwick for the Transfer Station Attendant/Truck Driver position at a rate of \$15.30 per hour effective May 13, 2014. Passed 4-0-0

DEPARTMENT HEAD AND COMMITTEE ITEMS

Chairman Clow said that the reason they ask volunteers to come in is to meet new Board members.

Reappointment to Cable Committee ó Stephen Flanders has been on the Cable Committee for several years. Mr. Flanders said that the equipment is working well. It was noted that the microphones are currently not working. Mrs. Kurk commented on the nice job with the bulletin board.

Selectman Leary moved, Selectman Lawton seconded to reappoint Stephen Flanders to the Cable Committee for a three year term. Passed 4-0-0

Reappointment to Planning Board ó George Malette has been on the Planning Board for nine years. Mr. Malette said that in the past the Planning Board spent many hours on subdivisions, but that has slowed down and now would be the time to focus on long term planning for the town. Chairman Clow noted that Mr. Malette is an advocate for following the Master Plan that was put into place in 2005. The Master Plan should be updated approximately every ten years. Mr. Malette said that they are applying for a grant through the SNHPC to update one or two of the chapters. Neal Kurk noted that Mr. Malette is also on the Conservation Commission and provides cross fertilization with the Planning Board, which is very helpful.

Selectman Lawton moved, Selectman Bohl seconded to reappoint George Malette to the Planning Board for a three year term. Passed 4-0-0

Mr. Malette noted that there is a checklist for different Boards and Committees where they look for input from the Master Plan before making a decision. He recommends that the Master Plan is used as a guide. Mr. Malette thinks that the Selectmen should invite other committees to offer input on some decision making that relates to their committees.

Reappointment to Heritage Commission ó Betty Straw feels that she has a duty to the town to serve and share her knowledge of the town.

Selectman Bohl moved, Selectman Lawton seconded to reappoint Betty Straw to the Heritage Commission for a three year term. Passed 4-0-0

FLOOD CONTROL MONEY DISCUSSION ó State Representative Neal Kurk told the Board that he spoke with Keith Lacasse who felt that the Board needed to ask questions regarding the flood control money. The land was taken in the late 50s for flood control, which benefits many communities and the State of MA. The Town of Weare receives \$55k a year in payment to compensate for taxes lost when the land was flooded and taken. This has been going on for decades, but the issue has to do with fiscal years 2012 and 2013. Prior to that the State of NH paid its share and when MA didn't pay or underpaid, the State of NH also paid their share. For fiscal

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years 2012 and 2013 the State of MA did not pay its share and the State of NH did not reimburse communities; therefore Weare only received approximately \$17k for fiscal years 2012 and 2013. The issue arose because a settlement was reached with the State of MA for fiscal years 2009, 2010, 2011, and 2012. Because the State of MA paid less than its full share, the State of NH paid the communities making up for the State of MA not paying its fair share. In 2014 a legal settlement was reached binding all the 14 towns and 2 states totaling \$1.1 million. Approximately \$1.5 million was advanced from the State of NH due to the State of MA not paying its fair share. The State of NH decided it should take that money and reimburse itself from what it disbursed to the towns. In 2014 and 2015 Weare will receive the full \$55k. The State of NH will pay 100% of NH obligation and 100% of what is due from the State of MA. The House killed the bill that would have taken the \$1.1 million and given it to towns for 2011 and 2012, but the matter is not resolved.

Selectman Leary asked why the State of MA is not being held liable for what is due to the State of NH. Representative Kurk said that the State of MA is a Sovereign State as is the State of NH and they would have to go to Supreme Court, which is very expensive. The State of NH received \$1.1 because the issue for the State of MA is that the MA residents are assessing their land at rates they think is unfair. The State of MA is saying that the assessment is too high now that it is under water. Chairman Clow mentioned that there was an adjustment put on it many years ago from the use it had previously to what the use is now. The land is not being taxed at market value, but addressed towards present use. Chairman Clow said that the Town of Weare is losing the tax revenue. There was a lot of the damage done from flooding in Weare, which came from Deering not Hopkinton. The Everett Dam was the remedy for future flooding, so Weare lost a significant amount of its historical culture.

Representative Kurk said that the Merrimack Valley was inundated with water with the understanding that if the State of NH was going to give up some of its land that the State of MA had to compensate the State of NH for this loss.

The bi-state commission set up the system so that it could be changed each year as assessments change. The agreement was that the State of MA pay 70% MA and the State of NH pay 30%, but the State of MA has always underpaid. Weare is giving up what could be house lots for tax purposes and the State of MA is still collecting property taxes and didn't give up anything. The State of MA is not living up to their obligations. Army Corp of Engineers operates the flood control. Representative Kurk said that they are trying to make sure that the State of MA pays as much of their fair share as possible.

MILDRED HALL COMMITTEE DISCUSSION ó Jack Dearborn said that last December they requested that \$85k be released from the Charles and Ethel Eastman Fund to purchase 41.69 acres from Gordon and Paula Brown property on East Road for cemetery expansion. It has come to their attention that Cy Pres Funds require a certified appraisal and they are now requesting up to an additional \$3,500 for the purpose of an appraisal. Mr. Brown has completed a survey of the property at a considerable expense as a seller. Betty Straw informed the Board that at their May 5th meeting the Mildred Hall Bequest Advisory Committee voted to recommend that the Selectmen approve the expenditure of up to \$3,500 from the Charles and Ethel Eastman Fund. The project total is \$170,000 with half coming from Cy Pres Funds, which can be used for improvements to cemeteries, and this is for expansion. Mr. Dearborn said that they can't go any further without the Board's approval for the appraisal funds. This appraisal will show the true value of the property. Mr. Brown is still committed to the amount agreed on so that the land can benefit the town and he will get monetary value for his family.

Chairman Clow moved, Selectman Leary seconded to approve expending up to \$3,500 from the Charles and Ethel Eastman Fund for the purpose of obtaining an appraisal on the Gordon and Paula Brown property on East Road Tax Map 203 Lot 94.

Mr. Brown is asking \$170,000 for the property. There is value in gravel and timber for the future and the town will benefit for many years in burials. Mr. Dearborn appreciates Mr. Brown's concern for the town.

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It was determined that due to the ordinance that was passed regarding expending from the funds, a public hearing will be necessary. A ten day notice is required to post a public hearing. A public hearing will be held on June 9, 2014.

Chairman Clow withdrew his motion and Selectman Leary withdrew the second.

TAX DEEDING DISCUSSION ó Sharon DeStefano, Tax Collector, discussed a list of properties that are in danger of deeding. The deed date is July 14, 2014, the deed letters of impending deeds will be sent out on May 30, 2014. Legally the letters have to go out. \$201,000 is due to the town for 2010 taxes. The Board has deeded in the past. If a property is not waived by the Board by July 14th it will automatically be deeded. Mrs. DeStefano will come before the Board on June 23rd to discuss the status of the properties in danger of being deed. The Tax Bills will be printed between May 19 -23rd and will be sent out Memorial Day weekend. Sometime before the bills are mailed the Board will need to sign the warrant.

Chairman Clow moved, Selectman Lawton seconded to enter into non public session @ 8:22 p.m. pursuant to the authority granted in RSA 91-A:3II (c). A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Vice Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Leary seconded to come out of non public session @ 8:33 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

The Board reviewed individual tax payments arrangements with the Tax Collector.

MEETING MINUTES

Chairman Clow moved, Selectman Lawton seconded to approve the minutes of April 28, 2014 as amended. Passed 4-0-0

MANIFESTS

Checks dated: May 8, 2014*

Weekly Payroll

*The Board has questions on the checks dated May 8, 2014 and will report the total at next week's meeting.

Chairman Clow moved, Selectman Lawton seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated May 15, 2014. Passed 4-0-0

Accounts Payable	\$717,565.30	(Weare School \$675,000)
Gross Payrolls	<u>\$37,335.10</u>	(Includes taxes, credit union)
TOTAL	\$754,900.40	

The Board approved \$3,905 to scape, paint, and prime the Stone Building on September 9, 2013 with the funds to come from the Government Building and Maintenance Fund. Maskiell Painting is currently working on the project. Signatures from the Board are required to expend from the Capital Reserve and pay the General Fund.

Signatures from the Board are required to expend \$24,567 from the Government Building and Maintenance Fund to renovate the evidence room at the Police Department.

The Board of Selectmen will meet on May 19, 2014 at 6:45 to accommodate the reappointment of Tanya Krajcik to the Heritage Commission.

POPLICY AND PROCEDURE DISCUSSION

Town Administrator Bolton will do research this week for Ethics Policy, which still says Draft, but was approved by the voters.

Chairman Clow moved, Selectman Leary seconded to remove the word “draft” from the Code of Ethics. Passed 4-0-0

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ADMINISTRATIVE REPORT

Government Building and Maintenance Projects ó Painting on the Town Hall doors and Stone Building will be started this week. Chairman Clow noted that they need to move forward on the granite steps and cement pad for the Town Hall. Chip Meany and Chairman Clow will review the height of the steps to ensure that they meet code requirements. Per the Purchasing Policy anything over \$1,001 requires three quotations. Swensonø quoted the granite steps and Town Administrator Bolton will ask them to quote pouring the pad as well. The handicapped ramp is in need of a railing and Town Administrator Bolton will obtain quotes. Milford Granite will also be asked to quote the pad and steps.

The four office computers in the Clerkø office all have Windows XP as the operating system and it will not be supported anymore as of May 31, 2014. The cost to replace the four computers is \$3,600. Windows 7 cannot be installed in the current computers because of the old age of the computers. Town Administrator Bolton will get more information. There is no money in the computer fund.

CORRESPONDENCE

Town Administrator Bolton and Chris Hague participated in the Mutual Sharing Plan sponsored by SNHPC. Participation involved approximately 5 monthly meetings with other Towns that are members of SNHPC. As a result of the plan, Towns are able to utilize current agreements, like purchasing office supplies at WB Mason at the State of NH discounted price. Selectman Lawton asked about pooling insurance with the fourteen towns. LGC and Primex are both pooled. Town Administrator Bolton has reached out to Kathleen Sargent, Business Administrator at SAU 24, to see if they might be able to do a joint program for propane and heating fuel.

Chairman Clow noted that the patrol room now has a professional layout and filing system. Chief Velleca came before the Board last Monday night to make Jennifer Posteraro full time. Chief Velleca provided the Board a survey to see what administrative assistants to the Chief of Police are paid and it was determined that \$18.25 per hour is the median pay.

Selectman Leary moved, Selectman Lawton seconded to hire Jen Posteraro as the Administrative Assistant to the Chief of Police at the rate of \$18.25 per hour effective May 12, 2014. Passed 4-0-0

Chairman Clow moved, Selectman Lawton seconded to enter into nonpublic session @ 9:27 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

The Board reviewed employee evaluations to discuss distribution of raises for non-union personnel.

Chairman Clow moved, Selectman Bohl seconded to come out of nonpublic session @ 10:20 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary