

## FINAL



### WEARE BOARD OF SELECTMEN MEETING MINUTES June 23, 2014

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

**RECORDING SECRETARY:** Naomi L. Bolton

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Chief John Velleca; Sean Kelly; Janet Brown; William F. Tiffany; Sharon DeStefano; Nathan St. Clair; Neal Kurk; J.P. Marzullo; Holly Marden; Heleen Kurk; Robert Deoleo; Timon Dennis; Tom Downing

**Chairman Clow moved, Selectman Lacasse seconded to enter into non-public session @ 6:35 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Chairman Clow – yes; Selectman Leary – yes. Passed 4-0-0**

**Chairman Clow moved, Selectman Lacasse seconded to come out of non-public session @ 7:08 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Chairman Clow – yes; Selectman Leary – yes. Passed 4-0-0**

**The nonpublic session was to interview a potential hire for the police department.**

**7:09 p.m. Chairman Clow called the meeting to order.**

#### **PUBLIC COMMENT**

Heleen Kurk was present to give everyone an update on the 250<sup>th</sup> events. In May both schools did presentations. Center Woods Elementary School created an interactive map of Weare 1888. You can view it on the school website. There are individual locations on the map that you can click on and up comes a brief 1-2 minute presentation from a particular class. It is a great project. Weare Middle School made and displayed six murals depicting the Town history. They also hosted a walk back in time where the children dressed in the time era and took visitors on tours throughout the building. The June event was held this past weekend. It was an Old Fashion Lawn Party held at Clinton Grove with about 150 people in attendance. It was a wonderful event. The academy was open; today's Quakers were present to inform people of what Clinton Grove looked like; they had games and a cake walk; and Jeff Warner, folk singer was present. Mrs. Kurk thanked Chairman Clow for attending. On July 12<sup>th</sup> they will be unveiling the 250<sup>th</sup> Anniversary cake during the Patriotic Parade. They will also begin selling tickets to the commemorative luncheon that is going to be held at John Stark High School. Tickets for the luncheon will be limited and when you purchase your tickets you will need to make your choice of either a turkey dinner or New England boiled dinner. Tickets can be purchased through September 1<sup>st</sup>. On August 23<sup>rd</sup> Old Home Day will be taking place in the center gazebo area. The events consist of an old time parade (home spun, cars prior to 1963), muster, displays and demonstrations, car show, crafters, artisans, vendors, antique car show, food, photo contest, tent with crafts and activities for young and old, climbing wall and more. On September 21<sup>st</sup> the commemorative luncheon and the signing of the charter will be taking place at John Stark High School. There will be activities before the luncheon and drama (people acting out events like

## FINAL

the Pine Tree Riot) during the luncheon. Mrs. Kurk wanted to thank the Fire Department for all their help in hanging the buntings that you see on the buildings. The Gazebo and Stone Building will be hung shortly. On another issue, Mrs. Kurk asked what the status was of the Welcome to Weare sign that used to be at the town line coming in from Concord. Town Administrator Bolton stated that she had the DPW director pick up the sign but nothing has been done with it yet. There was discussion of contacting the chamber of commerce to see if they might be interested in sponsoring the repairs to the sign. Samantha Walton is the one that should be contacted on behalf of the Chamber of Commerce.

JP Marzullo came to introduce himself. He is running for a seat in the NH Senate, District 8. Weare is part of that district. He is not unfamiliar with politics as he was a former selectman in his own town. There is a primary this year in September and he is a republican. He felt that it was very important to come and to get input from the Towns, to see what there may be for issues. He is making the rounds to all the Towns. He left brochures and he encourages anyone to visit his website at [www.jp4nh.com](http://www.jp4nh.com).

Neal Kurk was here in his State Representative capacity. He had good news with regard to the flood control money. A compromise was reached regarding FY2012 flood control money and it will be paid back in full. So \$41,774.00 will be paid to the Town of Weare sometime during 2014. Mr. Kurk pointed out that it should go back to the taxpayers when the tax rate is set, if it is not going back to the taxpayers a public hearing would need to be held to spend it on any other purpose. This is all Massachusetts money.

### DEPARTMENT HEAD AND COMMITTEE ITEMS

***Police Department Hire:*** Chief Velleca explained that there are a number of issues that have occurred at the police department since he has been here where liberal oversight is necessary. He has not had the chance to be out with the officers as he has been tied administratively to the office. Chief Velleca introduced Sean Kelly, who will be coming on as the interim Deputy Chief. Mr. Kelly would be contracted, but temporary. Mr. Kelly spoke and stated that for the past few months he has been working on the policy and procedure manual, as a consultant. His background consists of approximately 26 years as a police officer and working to rank of Captain for the Town of Durham, NH. After Durham he was a consultant for the US Department of Justice where he provided technical assistance resources that emphasize data-driven diagnosis of criminal justice issues. He served the communities of Fort Myers, Florida; Youngstown, Ohio; Middlesex, Massachusetts; and St. Louis, Illinois. Today he is an independent law enforcement consultant specializing in written directives development, etc. Mr. Kelly will be working with the Chief to have the Weare Police Department become CALEA certified.

**Selectman Leary moved, Selectman Lawton seconded to hire Sean Kelly as Deputy Chief for the Weare Police Department at a rate of \$30.00 per hour effective July 11, 2014.** Discussion: Chairman Clow stated that the funding for this will be coming from the part-time officers' line as well as money from the wage lines due to the fact that the new officers are coming in at a lower rate. **Passed 4-0-0**

***Appointment to Parks and Recreation – Full member:*** Jessica Brown was scheduled to come in for the Parks and Recreation Commission, but she emailed and had something come up at work and she is not going to be able to devote the time right now.

***Appointment to Parks and Recreation – Full member:*** Holly Marden was present. Ms. Marden stated that Jamie Colburn had talked to her about volunteering for the Parks and Recreation. Their sons are in the same grade. Ms. Colburn told Ms. Marden that in the spring there was going to be some openings. She has two children that currently play sports and use the fields. She felt that this would be a way of giving back and helping out. She did attend last month's Park meeting and felt that it was very beneficial, so that you have an idea of what is currently happening.

## **FINAL**

**Selectman Leary moved to appoint Holly Marden as a full member of the Parks and Recreation Commission for a three year term; Selectman Lawton seconded the motion. Passed 4-0-0.**

### **TAX DEED DISCUSSION**

Sharon DeStefano, Tax Collector was present to give the board an update on the potential list that the Board will have to act upon at the July 14<sup>th</sup> meeting. July 14<sup>th</sup> is the deadline for people to pay the taxes; enter into a payment plan; or the property gets deeded. There are several on the list that will be paying prior to the July 14<sup>th</sup> deadline. The Board felt that at 6:30 PM on July 14<sup>th</sup> a non-public session with Ms. DeStefano to discuss the potential deeded properties, prior to the regular meeting start.

### **OIL MILL CEMETERY CONSTRUCTION DISCUSSION**

Janet Brown, Chairman of the Cemetery Trustees first wanted to thank the John Stark lacrosse teams for painting the fence at the Eaton Cemetery on Route 77. The fence was replaced a couple of years ago with new pressure treated wood and it needed to sit for a while before painting. The high school lacrosse teams did a great job and it came out well. She also wanted to thank Deb Brown at Moody Pond for donating the beautiful basket that is on the fence. Second, she is looking for permission to spend the cemetery construction capital reserve fund to get the Oil Mill Cemetery wall done. In 2006 the trustees through Andy Speilberger purchase antique granite for this fence. Over the past 8 years for one reason or another, the wall has never been constructed and this year Mr. Spielberger informed the Cemetery Trustees that he is not going to be able to do the wall at all. The Trustees got a price from another mason in Henniker that is interested in doing the work. Mrs. Brown stated that the wall has changed from a granite wall to a double stone wall, so the antique granite that the Town purchased is going to be deducted from the total contract price. There is currently \$15,876.92 in the cemetery construction fund and there is \$1,500 available from the maintenance line of the budget, leaving them short by \$2,123.08, which they would like to use from the cy pres money. Town Administrator Bolton contacted Terry Knowles from the AG's office's trust division for further guidance. Cy pres money can be used for this project provided that the Town approved the expenditure of this project. In 2006 the CIP request was received from the Trustees for \$16,500 to be included in the capital reserve projects. At that time there was some money left in the CRF account, so the entire total did not have to be raised only \$12,000 was needed. The \$12,000 appeared in the lump sum article #31, which passed by a vote of 1130 (yes) and 539 (no), therefore the balance necessary to complete the project can come from cy pres. Mrs. Brown has spoken to Chris Bolton of Mt. William, Inc. and he is willing to donate the 2000 of ¾ inch crushed stone toward the project; Burt Brown from Brownies Sand & Gravel is donating material and trucking; and the Police Department will be providing an officer if necessary. Mrs. Brown stated that this is a very old cemetery and the Town should consider it a sense of pride that people continue to donate to make these cemeteries look good. Mrs. Brown stated that she would like the Board to approve the proposal from Mark James Stone Masonry for \$19,500 so he can get started right away. He would like to have a deposit of \$10,000 as well to get started. The deposit will have to come next week as checks and manifests have been cut for tonight. Town Administrator Bolton will give the information to the Finance Administrator for next week's checks, approved tonight by the manifest motion.

**Chairman Clow moved to accept the proposal from Mark James Stone Masonry for \$19,500 to reconstruct a double wall at Oil Mill Cemetery with the funds to come from the Cemetery Construction CRF, the operating budget maintenance line, and cy pres money; Selectman Lawton seconded the motion. Passed 4-0-0.**

### **WEARE ATHLETIC CLUB – DISCUSSION OF LAWN CARE CONTRACT**

Tom Downing, director of baseball from the Weare Athletic Club (WAC) is here to discuss the field conditions. He stated that he is here not to complain, but to see what can be done so that our fields are mowed regularly and in shape to play ball. He is looking to find out how the fields did not get mowed for several weeks. He had coaches and parents continually complaining and one of the parents actually brought their own lawn mower

## FINAL

down to mow the field so the ball could actually roll and not get lost. WAC struggles with volunteers, as not enough parents volunteer. The conduct a spring cleanup before the baseball season starts and he is lucky to have 3-4 kids and their parents, so he understands but he was looking to get more information and try to help out. Nate St. Clair from Bigg Dawg Lawn Care Services was present and stated that there was a lot of steady rain compiled with the fact that his first and foremost priority was the cemeteries for Memorial Day. He also got a late start because winter was longer than usual, but when he was forwarded the complaints he went and mowed in the rain but it looks horrible because cutting wet grass just doesn't work. Also there is little to no communication with the director about upcoming events, the Town Administrator has reached out to let him know about certain events. He then rearranges his schedule so that he can make sure and tend to that piece last so that it looks good, just like what happened for this past weekend's Old Fashioned Lawn Party. Mr. Downing stated that he is looking to see if there is a happy medium that could be reached or what can be done to help the situation, as ultimately the ones that suffer are the children. Chairman Clow stated that we are looking to fill the director's position very shortly here and we will need to make sure that the job description includes oversight of the fields. The other thing that needs to be looked at is the contract to make sure that the contractor is following it.

Jason Keim spoke regarding volunteerism and stated that it all starts at the top. If the top has no pride then that gets passed down the channels. He stated that if we are paying for a contract then it should be done. There are people that want to help out, it is the same core group of volunteers that will step up if necessary, but we need support, if we have a contract let's get on it.

Tim Dennis stated that Tom Downing is here for parents like him that complained about how embarrassing it was to play on a field that was a disgrace. He said that his son felt as if we as a Town don't care about the sports and the youth. It's easy for people to sit back and let someone else do it.

Rob Deoleo added that when you go to the neighboring towns, New Boston, Goffstown, Hillsboro and Henniker the fields look beautiful and we are completely embarrassed of the condition of our fields. He doesn't buy the rain argument because the surrounding towns also had rain and their fields looked great.

Mr. Downing stated that before he goes he wants to reiterate that the contract will be reviewed as well as the job description for the new incoming director, so that they will have the job of overseeing the fields.

### **REMOVE STONE WALL ON 506 MT. DEARBORN ROAD**

Town Administrator Bolton informed the board that this was the property that was just recently owned by the US Government. Several months back the Board was approached by a potential purchaser asking about waiving the interest. Before the sale could occur a lot line adjustment had to take place to eliminate encroachments per court order. The existing driveway was a common driveway between the two lots, as they were family, but now the family would like the new owner to build his new driveway and stop using the existing one. Mr. Beckley, the new owner has a large tree immediately next to the driveway location, but that needs a public hearing at the Planning Board level to remove because Mt. Dearborn is a scenic road. When the lot line of adjustment was approved the proposed driveway location was on the plan and subsequently approved which clearly shows the stonewall and the driveway location. The application is in front of the Board for approval to remove the stone wall. He is proceeding forward with the Planning Board for the removal of the tree.

**Selectman Lawton moved to approve the removal of 30' of the stonewall on 506 Mt. Dearborn Road, tax map 407, lot 92 for the purpose of installing a driveway; Selectman Leary seconded the motion. Passed 4-0-0.**

### **MEETING MINUTES:**

These will be taken up at the July 14<sup>th</sup> meeting.

## FINAL

### MANIFESTS

Checks dated: June 19, 2014

Gross Payrolls	<u>\$ 46,231.57</u>
Total:	\$ 46,231.57

**Chairman Clow moved, Selectman Lawton seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated June 26, 2014. Passed 4-0-0**

Accounts Payable	\$2,669,941.06	(Weare School \$2 Mil & John Stark \$450,000)
	\$ 25,606.11	
Gross Payrolls	\$ 54,449.48	(Includes taxes, credit union, Ins. Buyouts, Fire Stipends)
	<u>\$ 471.23</u>	
TOTAL	\$2,752,467.88	

**Also to order the Treasurer to sign payroll checks dated July 3<sup>rd</sup> and July 10<sup>th</sup>, 2014. Furthermore, to order the Treasurer to sign up to the amount of \$50,000 for last minute payables that cannot wait until the next meeting date of July 14<sup>th</sup> for directive. Actual amounts paid and reports backing up the numbers will be included on the Manifest Memo at the next scheduled Board meeting.**

### ADMINISTRATIVE REPORT

*Purchase Order Module* ó A virtual server is all set up downstairs. Fire and Police are back up and running. DPW will be taken care of tomorrow when they come to finish the Town Clerk's computers. Selectman Lawton suggested that Comcast, the State IT and Spaulding Hill all conference together to see if the Town Clerk's email issues can be resolved.

*Government Building & Maintenance Projects* – Stone Building Painting is complete. Town Hall granite steps have been ordered and will be ready for delivery any time after July 4<sup>th</sup>. Chairman Clow stated that he had a meeting with Brett Hadley from Hadley Enterprises regarding a cement pad for the granite steps at the Town Hall. Mr. Hadley has given a verbal quote of \$800 which includes rebar. The Highway Department will be asked to help remove the temporary stairs and prepare the area. The pad has to be good and dry before the steps can be put in. It should be complete before the Old Home Day in August. Being that the price is below the \$1,000 that triggers three quotes, Chairman Clow would like to see the Board move on it and get it scheduled.

**Chairman Clow moved to approve the proposal from Hadley Enterprises to install a rebar reinforced base for the preparation of the granite steps for \$800 and the funding to come from the Charles and Ethel Eastman Fund dedicated for the Town Hall; Selectman Leary seconded the motion. Passed 4-0-0**

*Cemetery Sexton* – Nate and Connie St. Clair have agreed to take on this position.

*Dick Colburn Right of Way* – The Board was given a copy of the legal opinion from Attorney Drescher. Mr. Colburn will be mailed a copy this week.

*Parks & Recreation Director Position* ó there are three applicants for the position. Town Administrator Bolton asked if the Board would like to interview the two residents that have applied. There is one applicant that is a non-resident. Town Administrator Bolton will call the applicants to schedule a brief non-public interview at the beginning of the next meeting, after the meeting with the Tax Collector, which means that the July 14<sup>th</sup> meeting will have to start at 7:30 PM.

*Town Administrator Vacation* – Town Administrator Bolton informed the Board that she will be on vacation starting Friday, June 27<sup>th</sup> and will return to work on Monday, July 7<sup>th</sup>.

*Review of Policies and Procedures* – Selectman Lawton stated that this inadvertently was removed from the list and he wants to see that it stay on this list so that we can continue to work at these.

## **FINAL**

### **OTHER BUSINESS**

*Field Condition* – Selectman Bohl stated that her grandson plays and our fields are horrible compared to the surrounding towns. They are not getting done like they should. Selectmen Leary stated that the fields have not even been fertilized at all, that is not acceptable and a violation of the contract.

*Settlement regarding shooting victim* – Town Administrator Bolton informed the Board that the first time this was mentioned was a few minutes before closing from a reporter from the Concord Monitor. The Attorney who handled the case from Primex was contacted and he offered to call the reporter back. The Attorney did confirm that it was settled for \$300,000 and that his office would be sending a copy of the agreement to the Town to have on file with the Clerk's office for viewing only.

### **NON-PUBLIC SESSION**

**Chairman Clow moved, Selectman Leary seconded to enter into nonpublic session @ 9:28 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Chairman Clow – yes; Selectman Leary – yes. Passed 4-0-0**

**Chairman Clow moved, Selectman Leary seconded to come out of nonpublic session @ 9:31 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Chairman Clow – yes; Selectman Leary – yes. Passed 4-0-0**

**The purpose of the non-public was to briefly discuss the Town Administrator's evaluation.**

### **ADJOURNMENT**

A True Record.

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Naomi L. Bolton, Recording Secretary