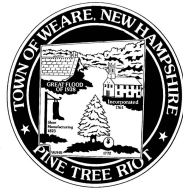


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WEARE BOARD OF SELECTMEN MEETING MINUTES October 13, 2014

PRESENT: TOM CLOW, CHAIRMAN; KEITH R. LACASSE, VICE CHAIRMAN; JENNIFER BOHL, SELECTMAN; JOHN LAWTON, SELECTMAN; JAMES LEARY, SELECTMAN;

RECORDING SECRETARY: Naomi Bolton

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Ed White; John Caveney; Frank Campana; Susan Winsor

SITE WALK: The Board met with Richard Colburn at 6 PM at his property located next to the tennis courts to discuss and walk the right of way that was deeded to him. The deeded right of way was for 15 feet and the stipulation that it could not be used for a driveway to build a structure. After receiving information from Town Counsel indicating that to change this it would have to go to Town meeting, the Board wanted to view it physically. After a discussion with Mr. Colburn, it was decided that Mr. Colburn would apply to the Zoning Board for a variance to use the access to the lot off of Colburn's Meadow, before going to Town meeting.

Chairman Clow moved, Selectman Lawton seconded to enter into nonpublic session @ 6:40 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; Vice Chairman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Lawton seconded to come out of nonpublic session @ 7:35 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Vice Chairman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Bohl moved, Selectman Lawton seconded to seal and restrict the minutes of this nonpublic session. Passed 5-0-0

7:36 p.m. Chairman Clow called the meeting to order and explained that the late start was due to an on-site meeting with Mr. Colburn as well as a nonpublic session with Deputy Chief Sean Kelly.

PUBLIC COMMENT

Frank Campana asked if the Board knew when the tax rate setting would be discussed. Town Administrator Bolton reported that she received it Friday when she was out of the office. She will be verifying the numbers are correct and send it to the Board members tomorrow for their review and the intention is to have it on the agenda next Monday night. Mr. Campana stated that last year the tax rate was set at the October 28th meeting and at that meeting the Board returned \$200,000, it could have been \$300,000 be decided that it would put the other \$100,000 to next year. He would like to remind the Board of that discussion. Mr. Campana also feels that the reimbursement from the Flood Control money consisting of approximately \$41,000 should be returned, as well as the money that is coming back from Concord Resource Recovery Association that is anticipated to be around \$31,000-\$65,000. He has read in previous minutes that there is an idea of taking the \$41,000 Flood Control reimbursement and putting this aside for something else. He feels that it should be returned to the taxpayers.

FINAL

Mr. Campana turned his discussion to the Police Department. He has recently read in the Concord Monitor that there is the possibility of out of court settlements. His concern goes to the background checks that may or may not have been completed thoroughly. He stated that it appears that there was baggage from prior employees and wondered if the Board was aware of it. If the Board was not informed then he feels lies with the people doing the background checks. The last issue with regard to the Police Department has to do with the ex-sergeant and part time officer and the possibility of reinstatement. He would like to see the Town not hire them back. He feels that they both have baggage that the Town does not need. He feels that they would only re-infect the positive strides that we have gotten to. He was also wondering where the money would come from for their back pay.

DEPARTMENT HEAD/COMMITTEE ITEMS

Cram Road Discussion – Public Works Director Tim Redmond was present. He stated that he is here to further discuss the logging operation in Francetown by Cersosimo Lumber that would like to access Cram Road and have the timber come through Weare. At a previous meeting the Board voted to not allow the access to Cram Road that would require an upgrade of a portion of it, which is a Class VI road. Public Works Director Redmond informed Cersosimo Lumber, the logging company, that the Board denied their request. Ed White, Forester and John Caveney, Vice President were present here from Cersosimo Lumber to further discuss the request. Director Redmond reminded the Board the reasons that were previously given and the letter that was sent. Director Redmond received the State handbook and RSA 236:9 indicates that a Class VI road can be upgraded with written permission from the Board. Chairman Clow agreed that there is really nothing in it for Weare and felt that the letter received from Cersosimo Lumber doesn't change his mind personally. John Caveney, Vice President stated that he was the woodlands manger and has been for 23 years. His initial reaction to the letter was disappointment. Weare's concerns are not any different than any other Town. They came to Public Works Director Redmond with the only concern to upgrade the Class VI portion of Cram Road. This discussion has been done and had been done in other Towns. It has been discussed with other Road Agents and Mr. Caveney stated that it can't be denied. He understands everyone's concerns but it happens that through the Town of Weare is the safest way. He would like to work it out. The roads are public ways and this is this is the way that the wood needs to be removed. Vice Chairman Lacasse stated that he trusts Director Redmond's recommendation and continue to support him unless other information is brought forward. Selectman Bohl agreed with Vice Chairman Lacasse. The Board is struggling because of the nature of density/population of the area and the fact that Cram Road is a small narrow road. Public Works Director Redmond offered to do some more checking and report back to the Board next week.

Brown Ridge Road – Public Works Director Tim Redmond provided the Board with a copy of the original subdivision approval from 1986; a copy of what is there today; and a copy of the November 9, 2006 Planning Board minutes that created the situation today. Selectman Leary stated that he is disappointed that the taxpayers will be picking up the tab to correct this area. There were really two issues with this, which was first that the approved subdivision that was turned over to the Town had a subpar cul-de-sac and the second was that the lot line adjustment that was approved created more driveways that can be constructed on the current cul-de-sac. The consensus of the Board was for Director Redmond to issue the owner a temporary driveway permit and then rebuild the turnaround as originally permitted as time allows.

MEETING MINUTES

The Board agreed to put the October 6, 2014 minutes off until next week, as not everyone had a chance to read them.

FINAL

POLICY AND PROCEDURE REVIEW

Noise Ordinance – Vice Chairman Lacasse indicated that he had not had a chance to put together the noise ordinance for this week. Town Administrator Bolton stated that it was originally going to be scheduled for the October 20th agenda. The Board asked Town Administrator Bolton if she would take the New Jersey example, fill it in and send it around to everyone.

ADMINISTRATIVE REPORT

Purchase Order Module – Things are working fine at this time. Sue Tuthill, Fire Department Secretary is currently helping out and doing the POs for the Police Department.

Inventory – Physical inventory will begin to be input, but has not yet been started. It should be able to begin this coming week.

Government Building and Maintenance Projects ó The holes are marked on the granite for the new handrails and should be started to be installed this coming week. The door meeting was cancelled and will be rescheduled for Wednesday or Thursday this week.

Dick Colburn Right of Way – the Board met on site tonight at the beginning of the meeting.

Selectman Policy Binder – nothing new to add this week

Review of policies and procedures - Noise ordinance discussion will be placed on next Monday's agenda

Sugar 'n' Spice Lease – new 3 year lease will be ready for signature next week.

Comcast Contract – expiring in February of 2015. No further responses from residents.

Election laptops ó a quote was received from Spaulding Hill for \$688.85

Consent Agenda – sample copies of both New Boston and Henniker consent agendas were provided to the Board. The Board would like Town Administrator Bolton to come up with something that may work.

Deliberative Session – 2015 NHMA calendar is out. Deliberative session will be held on Saturday, January 31st, 2015 at 9 AM at the Weare Middle School Cafetorium.

Tax Rate Setting – this will be placed on next Monday's agenda

PUBLIC COMMENT

Frank Campana asked if the Police Department is full staffed. The Board reported that we are down two. One left to go to Manchester Police and the other left to go to the National Guards, so we have one open slot right now. Mr. Campana asked if the scenario plays out and the Town rehires the full time person, that person would fill that open budgeted position.

OTHER BUSINESS

Chairman Clow informed the Board that he has attended the last couple of coffee hours at the Library and a couple of items have come up. The first is that the Town Hall windows have not been washed in a very long time; and that there are storm windows missing and some that cannot be shut. The second topic was the activities for seniors. Currently a lot of seniors attend the White Birch Community Center in Henniker, as there are not activities like that in Weare. The cost to attend the center is \$25/per person or \$40/couple for the year. Town Administrator Bolton stated that Parks and Recreation Director Karyn Stogner will be reaching out to the people that are in charge of the Happy Wearites and have a discussion regarding this.

Chairman Clow discussed the possibility of putting the \$41,000 from the Flood Control Reimbursement in the Capital Reserve Fund for Government Buildings. As you look around, although we have done a lot, there is still a lot to do on the Town Office and Town Hall. Town Administrator Bolton informed the Board that there was a Department of Labor Audit conducted on the buildings (Highway Garage; Transfer Station; Library; Safety

FINAL

Complex and Town Office), so there may additional projects in that letter that will need to be addressed. The inspector stated that she would be getting the report back to me within 30 days, which would be November 6, 2014.

Chairman Clow moved, Selectman Lawton seconded to enter into nonpublic session @ 9:45 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; Vice Chairman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow explained that they are back in public session and that the nonpublic session motion was rescinded because there needed to be another motion made publicly before entering into the nonpublic session.

Vice Chairman Lacasse moved, Selectman Leary seconded the motion to authorize the Chairman to sign an investigative services agreement with Larmonie Group, LLC dated October 6, 2014. Passed 5-0-0.

The Board will now proceed into a nonpublic session and will adjourn immediately following the nonpublic.

Chairman Clow moved, Selectman Lawton seconded to enter into nonpublic session @ 9:48 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; Vice Chairman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Leary seconded to come out of nonpublic session @ 10:05 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Lawton – yes; Selectman Leary – yes; Vice Chairman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Bohl seconded to seal and restrict the minutes of this nonpublic session. Passed 5-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton, Recording Secretary