

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 10, 2014**

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

RECORDING SECRETARY: Cherry Palmisano

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Jan Snyder, Frank Campana, David Recupero, Ike Shepard, Susan Winsor, Tim Cloud, Kate Cloud, Arnold Rocklin-Weare, Alysa Southall

Chairman Clow moved, Vice Chairman Lacasse seconded to enter into nonpublic session @ 6:36 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, Vice Chairman Lacasse seconded to come out of nonpublic session @ 7:30 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.

7:35 p.m. Chairman Clow called the meeting to order.

ACCEPT DONATION OF PLAQUE

Arnold Rocklin-Weare presented a plaque with the original signature of Meshech Weare, who was the first Town Clerk of the Town of Weare. Meshech Weare was the last of 14 children and Route 114 was named after him. Meshech Weare, 1713-1786, was the Chief Magistrate, First President of NH, Chief Justice of the highest court, and the head of the Committee of Safety. He was the only person in American history to be head of the Legislative, Executive, and Judicial branches concurrently. In 1772 Meshech was the Judge at the Pine Tree Riot trial. Arnold Rocklin-Weare presented the gift from the Rocklin Family in celebration of the 250th Anniversary of the Town of Weare. The Board thanked Arnold Rocklin-Weare for his donation.

Chairman Clow moved, Vice Chairman Lacasse seconded to accept the gift of the original signature of Meshech Weare from Arnold Rocklin-Weare. Passed 5-0-0

FIRE DEPARTMENT UPDATE

Chief Robert Vezina told the Board that this is Leon Taylor's 70th year of service to the Weare Fire Department. Several members have left the department and either moved out of town or moved on with life. Chief Vezina said that there is a new program through John Stark so that juniors and seniors can participate in the department and are in various stages of becoming certified. There are four other new members with various degrees of experience. Through training, some members completed fire fighter 1 and five members became certified. EMT basic program was completed in-house, with four in-house candidates. Four existing EMTs were sent to

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advanced EMT school; three out of four have tested and are working as advanced EMTs with the fourth testing this month. CDL is something they are making a push for more people to obtain. Chief Vezina said that they average a couple of calls a day at a steady rate and medical calls are the number one reason for calls.

Chairman Clow opened the public hearing at 8:00 p.m.

PUBLIC HEARING – To hear public testimony and comment on the acceptance of unanticipated revenue in the amount of \$41,774. These funds are a result of a settlement agreement between the State of NH and the Commonwealth of Mass to resolve the outstanding debt under the Merrimack River Flood Control Compact.

The \$41,774 is designated as an unanticipated revenue, which requires a public hearing to accept.

Frank Campana questioned why the public hearing is being held after the money has been used. Chairman Clow said that there was some question as to whether a public hearing was needed because it is from a revenue source they are used to and a public hearing requires a ten day posting. Chairman Clow explained that the Board approved using \$200k from the Undesignated Fund Balance to offset the tax rate, this unanticipated revenue will go into the general fund to provide better cash flow. Mr. Campana noted that the reimbursement is for tax value money that has been lost for tax property in East Weare and it is only logical that it goes to offset taxes. The town has received the NH portion over the years, which is approximately \$18k a year, but has not been getting the MA portion in several years. Chairman Clow clarified that the unanticipated revenue is being put into the general fund and when the motion was made to use \$200k from the fund balance it did not specifically designate this \$41,774.

Chairman Clow closed the public hearing at 8:08 p.m.

Vice Chairman Lacasse moved, Selectman Lawton seconded to accept the \$41,774 of unanticipated revenue. Passed 5-0-0

2015 FIRE DEPARTMENT BUDGET

There was a motion made by the Board of Fire Wards on November 3rd that is not reflected in the budget before the Board. The motion approved changing the weekly hours of Chief Vezina to 32 hours at a rate of \$30 per hour, which will be reflected in the next draft. The Deputy Chief gets one lump sum that is paid out at the end of the year and he attends numerous meetings, which come out of that lump sum. There is an increase in the telephone line related to increase costs in cell phones. The internet includes the tablets used for EMS reporting in the ambulances. The lawn care contract has been put out to bid with new bids expected December 8th. Intercepts have been doing very well, started out poorly but recovered since the summer. The EMS Service Contract covers maintenance and batteries on all four units, which are now lined up in the contract cycle. Hazmat supplies are typically expended at the end of the year. Fire software support changed from one software support to another, reflecting an increase and covers all annual licensing fees. Chief Vezina supplied the gallon usage for fuel, but the commodity cost has not been calculated. A three year program has been agreed to for fire protective clothing to phase the cost in; this is year two. Selectman Leary asked about the fire protective clothing, he mentioned that \$16k was put in the budget last year to make them current and he thought going forward would be \$10k to keep them current. Chief Vezina said that there was quite a debate of fire needing \$50k of turnout gear because it was neglected for so long; reflecting \$16,475 then \$10k for two years after to get them caught up. Selectman Leary wants to research the minutes for clarification. The HEPB Shots line is used for immunizations and standard physical exams to ensure they meet standard requirements. The NFPA physical costs approximately \$450; the HEPB Shots line will be renamed to physical exams and immunizations. Vehicle Maintenance, Engine 5 needs an overhaul at approximately \$13k. The department will reimburse for CDL costs as it relates to what they pay the state; currently there are 6-8 individuals in the class. Fire Radio Equipment, contracted amount, Chief Vezina

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considered purchasing a light bar for the forestry truck. This line includes stuff outside the service contract, such as some battery costs, and reprogramming of radios that are not covered in the contract. Fire Equipment Repair is currently over spent. There were no questions from members of the Finance Committee.

MEETING MINUTES

Chairman Clow moved, Selectman Lawton seconded to approve the minutes of November 3, 2014 as amended. Passed 5-0-0

MANIFESTS

Checks dated: November 6, 2014

Weekly Payroll \$13,240.55 (fire/EMT)

\$38,213.44

Total \$51,453.99

Chairman Clow moved, Selectman Leary seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated November 13, 2014. Passed 5-0-0

Accounts Payable \$777,071.01 (John Stark \$250,000)

Gross Payrolls \$39,050.85 (Includes taxes, credit union)

TOTAL \$816,121.86

Also to order the Treasure to sign payroll checks dated November 20 2014. Actual amounts paid and reports backing up the numbers will be included on the Manifest Memo at the next scheduled Board meeting.

DISCUSS PROPOSED NOISE ORDINANCE ó The Board reviewed Noise Ordinances from the Towns of Swanzey and Stratham. Chairman Clow mentioned that they have received a number of complaints from numerous people in town for different reasons such as parties taking place late into evening, fireworks at midnight by private parties, and backyard firing ranges. Noise Ordinances were solicited from surrounding towns to see if the Board could pull together something that would work for Weare that would protect the person complaining as well the person being complained about. Definitions of noise are very broad and can be interpreted very differently. Vice Chairman Lacasse said that they need very specific definitions. Chairman Clow said that definitions are necessary and he wants to spell things out clearly. Sean Kelly had told them to choose a Noise Ordinance that has stood up to litigation.

Vice Chairman Lacasse moved, Selectman Bohl seconded to adopt the language of first two paragraphs from the Stratham Ordinance and the 3rd paragraph will read the Selectmen shall make it unlawful to cause or generate sound and/or noise produced from backyard target practice ranges for longer than three consecutive hours per day from the time the first shot is fired.

The Board discussed that they need a definition that they can legally fall back on. When the Board approves a Noise Ordinance they will have it reviewed by the town attorney.

Currently if someone calls the Police Department to complain, there is no noise ordinance in place to enforce.

Failed 2-3-0; Chairman Clow, Selectman Leary, Selectman Lawton were opposed

The Board will continue to pursue a Noise Ordinance.

ADMINISTRATIVE REPORT

The Board has received the resignation of the Finance Administrator, Tina Connor, effective November 28th. The search process has been started and five applicants have applied to date. The resumes look appropriate for the

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position. Vice Chairman Lacasse would be in favor of looking at the five applicants received so far. If the Board is going to interview multiple candidates they would like to schedule a separate night.

Tim Redmond submitted a request to replace the sand shed door that has been recently damaged. He has received one estimate and needs to get another estimate. When approved, the money will be expended from the Government Building Capital Reserve.

PUBLIC COMMENT

Jan Snyder asked if the Board considered going to MRI regarding the Finance Administrator position. Chairman Clow said that they have not had that discussion. Ms. Snyder noted that Municipal Finance is different than regular bookkeeping. Town Administrator Bolton will contact MRI.

Ms. Snyder requested that the Board sign the Manifest. The ACH releases are her responsibility. She needs to release the numbers and really would like to have the Manifest every week.

CORRESPONDENCE

Selectman Lawton commented on the letter from Laura Spector stating that the Board of Fire Wards does have authority to set their budget and make payroll and other payments. Laura Spector questions whether the Library payroll should be handled the way it is. Selectman Lawton thinks there is an RSA that regulates the Board of Fire Wards authority. Selectman Lawton said if in fact that is the way it is, he would like to see the Library and the Fire Budget moved out of the regular town budget. Vice Chairman Lacasse mentioned that the Selectmen are allowed to comment on the Library budget, but the week to week management of the Library budget is in the hands of the Trustees. Chairman Clow noted that the total spending stops with the Selectmen. It was mentioned that Laura Spector preferred that all payroll and insurance is done here. There was an old warrant article back in the 70s that gave the Board of Fire Wards authority and there is also an RSA that regulates. Selectman Lawton thinks that if the Board of Fire Wards is responsible it should be a separate article on the warrant. Vice Chairman Lacasse asked Selectman Lawton if he is suggesting that the Selectmen do not have authority to comment and make decisions. Selectman Lawton is not sure if the Selectmen have the authority and wants to look into making a change for this budget season. Chairman Clow mentioned that one year at Deliberative Session a \$100k cut was made to the budget. The Selectmen had to come up with a formula to do that, the question was did they have the right to include the Library and the answer was yes, as long as it was not signaled out, which meant that the ultimate authority on the budget lies on the Board of Selectmen. The Fire Department does not want to hire a bookkeeper. Vice Chairman Lacasse thinks that Selectman Lawton's question needs to be asked directly to Laura Spector. Town Administrator Bolton will provide RSA154 for the Board to review.

OTHER BUSINESS

The Board of Selectmen will be holding a public meeting at 7:00 p.m. on Wednesday, November 19, 2014 at the Town Hall to discuss the Weare Police Department and answer questions from the public.

ADJOURNMENT at 10:08 p.m.

A True Record.

Cherry Palmisano, Recording Secretary