

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
August 20, 2012**

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; JOHN LAWTON, SELECTMAN; JAMES LEARY, SELECTMAN; KEITH R. LACASSE, SELECTMAN

**RECORDING SECRETARY:** Cherry Palmisano

**TOWN ADMINISTRATOR:** Naomi Bolton

**GUESTS:** Jon Osborne, David Hewey, Jim Blouin, Gene Propper, Valerie King, Jillian Harris, Paul King, Lynda Chouinard, Tim Maskiell, Frederick Hippler, Scott Dinsmore, Steve Roberts, Ruth Jones, Sherry Burdick, Betty Straw, Ian McSweeney

**7:12 p.m. Chairman Clow called the meeting to order.**

**Chairman Clow opened the public hearing at 7:15 p.m.**

**PUBLIC HEARING – For the purpose to accept \$9,300.00 from Primex for settlement related to the to the June 19, 2012 loss of the DPW Dump Truck**

Chairman Clow said that one of the DPW dump trucks fell apart in the middle of the road because the truck separated from the body. Primex is paying \$9,300 in settlement for the loss of the truck. The Board also heard from DRA that they will be able to use the money towards a replacement. Mr. Redmond is recommending a used truck from state auction to replace the truck that was lost.

**Chairman Clow closed the public hearing at 7:17 p.m.**

**Selectman Lacasse moved, Selectman Leary seconded to accept the \$9,300 from Primex for settlement charges for the loss of the dump truck. Passed 5-0-0**

**Chairman Clow opened the public hearing at 7:18 p.m.**

**PUBLIC HEARING – For the purpose of formally approving and adopting the Weare Hazard Mitigation Plan update**

Chairman Clow said that the Board has reviewed the Hazard Mitigation Plan. Paul King noted that several meetings ago he approached the Board with the Hazard Mitigation Plan that he worked on with department heads. Jillian Harris, SNHPC, has worked largely on the updated plan and worked with the Weare Hazard Mitigation Committee for several months. FEMA requires updating the plan every five years. Ms. Harris told the Board that they went through the update and pre-approval process and have pre-approval from FEMA. FEMA will formally approve the plan once it is adopted by the town.

**Chairman Clow closed the public hearing at 7:21 p.m.**

**Selectman Lacasse moved, Selectman Leary seconded to accept the Weare Hazard Mitigation Plan that was updated in 2012. Passed 5-0-0**

**DEPARTMENT HEAD AND COMMITTEE ITEMS**

**PARCs –** Gene Propper, PARC, explained to the Board that on July 27, 2012 they had sand delivered to Chase Park from the town and unfortunately after 4-5 days the staff realized that there were bits of glass in the sand.

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They did not immediately suspect that it came from the town but after a couple of days it was noticed that there were many spots of glass. Mr. Propper said that PARC is asking to have the glass removed. Naomi Bolton, Town Administrator, said that the DPW went and removed five loads of sand. Mr. Propper said that PARC staff members rake daily and some of the glass has actually gotten into the water. Mr. Propper said that the beach was closed and taped off on Wednesday morning. They are allowing people to swim off the Red Cross stairs, but not use the beach. Normally Chase Park would be open through October 8<sup>th</sup>, but after Labor Day weekend they are closed during the week. The lake draw down will take place approximately October 15<sup>th</sup>. They think that the glass is in the water a couple of feet and they have thought about installing a silt fence approximately 4 ft from the waters edge. Mr. Propper said that originally they asked Mr. Redmond for one truckload of sand and then a member of the community said he would donate a truck load of sand from Henniker Sand and Gravel. Per state ordinance, the town beach is allowed two loads of sand per year. Mr. Redmond ended up delivering four truck loads of sand and spread it with a small excavator. After the glass was discovered, Mr. Redmond removed five truck loads of sand. Mr. Propper said it was about 5-6 days before they realized that they had a bad problem. It is unknown how the glass was mixed in, but it is suspected that it may have come from the loader bucket or from a dump truck that was used to move glass. Chairman Clow said that his understanding is that there is no mixing of sand and glass at the Transfer Station, but that the same equipment was used.

One person did get cut from the glass and filled out a form and then another person was cut, but refused to fill out a form. Selectman Lacasse feels the sand should be removed once the lake is drawn down. It was discussed that a Shore Line Protection Permit through DES will need to be filed to remove the sand. Valerie King, Secretary of PARC, said that PARC wanted the Selectmen to take the lead because they don't have the staff or funding to take care of the problem. Mr. Propper said that PARC would be glad to assist in any way and they know that not any one individual is at fault, but they just don't know the right way to go about solving the problem.

Naomi Bolton, Town Administrator, said that the Board approved the expenditure for the well at Chase Park. It was necessary for Capital Well to dig an additional 100 ft and then hydro-frack the well, therefore an additional expenditure would need to be approved. Chip Meany determined that the electrical does not meet code and contacted three electricians and received two quotes. He also contacted three plumbers to get the plumbing ready to use and received two quotes. The total expenditure to Capital Well is \$14,698, the electrical costs will be \$2,232, and the plumbing cost will be \$695. It was discussed that an additional \$3,625 will need to be expended from the fund for the additional drilling, electrical and plumbing. There is currently \$22,699 in the Chase Park Repair and Maintenance Fund and after this expenditure there will be a balance of approximately \$5,000. Vice Chairman Butt said that they will need to decide if more money needs to be put into that fund for 2013. The issue of the roof leaking will be discussed at another time.

**Chairman Clow moved, Selectman Lacasse seconded to approve the expenditure of an additional \$3,625 from the Chase Park Repair and Maintenance Fund for the completion of the well, electrical, and plumbing. Passed 5-0-0**

**Fire Department Update** – Chief Bob Vezina said that back in May he brought forth the issue of getting people to sign up and commit ahead of time to be responsible to cover ambulance calls and he also brought up the issue of compensation. Chief Vezina told the Board that they have one pay scale for the day and one pay scale for the night work, which causes issues within the department. He was trying to give incentive for people to sign up and respond to night calls. Chief Vezina explained that he offered an incentive to respond to EMS calls. The individual would have to go and do the work to be eligible for the extra compensation, but had to sign up ahead of time. Some calls require 2-3 people or more and he was trying to accomplish getting the ambulance out and staffed in a timely fashion and not have to utilize mutual aid. The amount of people that could sign up was limited to get the money to last as long as they could, but he did not want to discourage people who could make a difference in going to a call. Chief Vezina said that because Weare is such a large community there are

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some cases when someone who lived closer was able to respond quicker. The program was successful and was in place for three months, but they are now at the end of the funding mechanism. Chief Vezina said that in preparing his budget for next year he would like to straighten out the pay scale and will be bringing forth a pay scale adjustment plan. Chief Vezina told the Board that he does envision an ambulance in the south end station in the future.

Mr. Osborne mentioned the per diem and \$90,000 going into operating budget and being paid on a yearly basis and he also commented on the need for \$500,000-\$600,000 in one year for replacement of the fire truck. They need to discuss the billing company and what they are going to do. They have been operating with this billing company from 2006 and going year to year, but a contract needs to be discussed. The department is currently writing off \$20,000-\$30,000 in revenue per year. They also have other issues that will need to be discussed. Mr. Osborne thinks that they will need warrant articles for the billing. Naomi Bolton, Town Administrator, said that she went through all town reports and can't find anything on the policy, but in 2002 it was decided they would take expenditures from this fund. The Fire Department secretary can't find a document that got changed to a policy and she went through every town report and there is nothing that shows it was voted on in town meeting. Mr. Osborne mentioned a new RFP for a new contract, but thinks that both Boards need to have a discussion to determine the future. Chairman Clow said that to get the RFP, they should have a definite policy as to who qualifies and who does not. Mr. Osborne said that currently town residents receive two bills and if they do not pay their bill it gets written off. The Board said that needs to be changed. Chairman Clow believes this is more complicated than finding a new billing company. Mr. Osborne told the Board that the billing company keeps telling them to raise their rates, but they are in line with the area towns. Vice Chairman Butt said that they are telling the Board that one fifth of the bills are not getting paid and asked how many of those are motor vehicle related. Chief Vezina said that they typically know within 24 hours what someone's insurance status is and there are some insurance companies that pay the patient directly and in those cases those patients may not pay them. They have an agreement with Blue Cross and Blue Shield who pays a certain percentage and are the lowest paying. If they did not have a contract with them they would get paid more, but then Blue Cross and Blue Shield could end up paying the residents directly and the town may not get paid. If payment is not made by a non-resident it goes to collection. Mr. Osborne said that two months ago they wrote off \$14,000 and sent the rest to collections. Chief Vezina said that he can provide a breakdown regarding uninsured patients and who gets paid by their insurance company and then doesn't pay the town. Different insurance companies pay different rates and some insurance companies have base rates. Medicare has a base rate nation wide and depending on what part of the country you live in there is a modifier. Whatever they do for Medicare, they have to do for everyone. There are hardship cases where they can modify what that person owes. The normal transport cost is approximately \$600-\$700 depending on the level of service received. Vice Chairman Butt said that he is reluctant to do anything on the warrant. There needs to be a discussion between the two Boards to come up with a policy. It was mentioned that the ability to fund the requirements for the Fire Department are suffering and also needed to be discussed. Chairman Clow suggested that the Board of Fire Wards and the Selectmen meet on October 8<sup>th</sup>.

Mr. Osborne said that the Planning Board asked them to come up with some requirements for driveways. They worked very hard on the requirements and at last Monday's meeting approved a four page document on what the Fire Department will require for driveways, which covers driveways under 800 ft long.

Vice Chairman Butt mentioned that they are working on a policy for deeding properties and he has been told that a list goes to the Fire Department to evaluate the property. Chief Vezina said that he has seen a list of some property, but was not sure that it was for deeding. Naomi Bolton, Town Administrator, said that she just spoke about the deeding with Chief Vezina the other day to see if the EMS could go out and evaluate the properties on the list. She explained that the letter was not really firm and that Chip Meany has gone out to review some of the properties. Chief Vezina said he does not have legal standing to go out to the properties and can only

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evaluate them to a point. Chairman Clow said that basically they are just asking him to provide an opinion to the Board as to whether he thinks the town should take the property.

**Mildred Hall Advisory Committee; request for funding three projects (Schmid/Banks, Brown, and Wetherbee)** – Ms. Betty Straw told the Board that the Mildred Hall Advisory Committee is requesting funding for three projects and at their August 8<sup>th</sup> meeting voted to recommend to the Selectmen that the funds be expended from the Charles and Ethel Eastman Fund. They are requesting \$130,000 towards the purchase of 137 acres for the Schmid/Banks property, up to \$25,000 towards the conservation easement of 35 acres for the Brown property, and up to \$25,000 towards the conservation easement of 40 acres for the Wetherbee property.

Ian McSweeney, Russell Foundation, said that all three parcels abut town conservation land that the town has interest in. Frank Bolton's project was completed eight months ago and the 137 acre Schmid/Banks property, on the south side of East Road, would protect the whole corridor of East Road. The Schmid/Banks project is an outright purchase with the town owning 137 acres, including the gravel pit which was surveyed out of the easement and becomes useful gravel to the town for use by the town. The town would also have timber rights and get future revenue from timber harvest. There is also farming potential to be explored by the town as well. Selectman Lawton asked if there is athletic field potential. Mr. McSweeney said that there could be a potential, but farmland fields are quite scarce in town and athletic fields would required drainage. The soils are suited for farmland and agriculture, which are very hard to re-create. This purchase would conserve approximately 340 acres along the south side of East Road. While the majority of the focus area's acreage would still remain privately owned this 137 acre parcel would be owned by the town for public benefit. There are four different properties that make up the 340 acres and each parcel is different as to the rights and what is allowed and not allowed. The rights are spelled out in each easement. Vice Chairman Butt is concerned with restrictions on any abutting parcels, the ability to use the land, and the type of recreation that will be allowed and feels that at a minimum the ones they are purchasing should be no more stringent than the parcels they are abutting. The town and the Forest Society hold the easements on abutting parcels and the properties are all similar in restrictions. Even though the town will own the property putting a conversation easement on the property clarifies the intent, how funds are distributed, and the intentions of how the land is used into the future. Selectman Lacasse said that if circumstances change in the future and there is a need for that property their hands would be tied if there was an easement on that property. Mr. McSweeney said that there is valuable gravel on the ground and other benefits to the property in farmland or timber resources and it could create great conflict if there was no definition on how the land was used.

Chairman Clow said that in approving the Mildred Hall Advisory Committee's request to purchase the 137 acres, they would also be committing to supporting the warrant article for \$200,000. The other projects are finite in the sense that if they approve the Mildred Hall funding, it brings the project to another level and they can move forward to see if they can find the additional funds, but with this land with approval of the Mildred Hall Fund request it comes with the warrant article. Vice Chairman Butt commented that if the Board does not agree with the stipulations in the easement, they don't put the warrant article on. Mr. McSweeney stated that with out the easement aspect it would lower the possibility of obtaining funding from other groups. A third of the money will be coming from private sources and those sources would assume that the land would be protected for open space. The discussion would need to take place before the purchase took place and before the March meeting so that it could be clearly stated so the voters know what they are voting on.

Mr. McSweeney told the Board that there is a land owner on Quaker Street interested in selling an easement on his property that abuts land protected by the Forest Society. The land is a field and hilltop that creates a conservation corridor. Acquiring this easement, to be held by the Forest Society, would give the town access to hunt and fish The rights would be determined through the Forest Society, but the town would have input and have a chance to comment on the easement. The private land owner is selling the easement to a land trust.

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It was discussed that a public hearing would be necessary. Mr. McSweeney told the Board that he will come to them as updates become available.

Mr. McSweeney told the Board that approval of the Schmid/Banks property is needed soon so that he can obtain additional funding. The seller's interest is to protect the land for open space and also for the towns benefit. Without an easement and Selectmen support of \$130,000 in funding, Mr. McSweeney thinks that funding would fall short.

The Board sees no problem with having a public hearing that includes all the properties. The public hearing will be held on September 17<sup>th</sup>.

### MANIFESTS

**Checks dated: August 16, 2012**

**Weekly Payroll \$45,068.51**

**Chairman Clow moved, Selectman Leary seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated August 23, 2012. Passed 5-0-0**

<b>Accounts Payable</b>	<b>\$882,460.30</b>	(Weare School \$450,000, John Stark \$250,000)
	\$500.00	(Band for Sat)

<b>Gross Payrolls</b>	<b><u>\$42,645.47</u></b>	(Includes taxes, credit union, police detail)
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<b>TOTAL</b>	<b>\$925,605.77</b>	
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**Also, to order the Treasurer to sign payroll checks dated August 30, 2012, that will include payment for weekly wages and matching taxes. Actual amounts paid and reports backing up the numbers will be disclosed at the next scheduled Board meeting.**

Vice Chairman Butt noted that there is a capital reserve requests for computers that includes supplies and should not have included the supplies. Naomi Bolton, Town Administrator, said that it has always been included for start up. Vice Chairman Butt thinks that the definition of the fund does not include supplies.

Chairman Clow said that they have a request from the Finance Administrator for a short meeting to approve the Manifest for the Labor Day Weekend. The Board will sign the Manifest on Saturday, September 1st at 7:30 a.m.

### APPROVAL OF MEETING MINUTES 8/6/12 AND 8/13/12

**Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of August 6, 2012 as amended. Passed 5-0-0**

**Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of August 13, 2012 as printed. Passed 5-0-0**

### ADMINISTRATIVE REPORT

Naomi Bolton, Town Administrator, asked all the Selectmen if they looked at the information from Brian Grattan regarding the computers. Selectman Lawton reviewed the information and said that they should put the entire RFP back out to bid. Naomi Bolton, Town Administrator, will send it back out to all five bidders and then have Mr. Grattan review the RFPs.

The Board discussed the dog tag Eagle Scout project and its location. Some members of the Board have concerns with the project in a whole and discussed that it is very difficult to question a Scout's efforts and to say no. This specific project has so many associated questions and concerns, such as the question of completeness, future maintenance, and adding to the project as the situation arises. Selectman Lacasse volunteered to meet with the Eagle Scout to pinpoint the exact location of his project.

Chris Hague has requested that the Board appoint Diane Padilla to fill the vacant position for an alternate Library Trustee.

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**Vice Chairman Butt moved, Selectman Lawton seconded to appoint Diane Padilla to fill the unexpired term of Paul Marsh as an alternate Library Trustee. Passed 5-0-0**

The Southern New Hampshire Planning Commission is looking for a representative to join the CEDS Strategy Committee to assist in developing an economic strategy for the region. They meet quarterly and the Board needs to appoint an individual who is either municipal staff or a private business leader. Chairman Clow volunteered to be the town's representative and attend the meeting scheduled for September 13<sup>th</sup> at 5:30 in Concord.

**Selectman Leary moved, Selectman Lacasse seconded to appoint Tom Clow to the CEDS Strategy Committee as the town's representative. Passed 4-0-1; Chairman Clow abstained.**

Maureen Bilodeau would like confirmation that there will be two Selectmen present at the polls on September 11<sup>th</sup> from 7:00 a.m. to 7:00 p.m. The Selectmen discussed that there will be two Selectmen present and they will work out the details at their next meeting on September 10<sup>th</sup>.

It was discussed that in 2000 the town was town notified that the underground petroleum tanks at the Highway Department need an overfill tank. They have now been notified that deliveries will be stopped unless the overflow monitor is installed. The overfill protection can be provided for \$1852.83 for both tanks. The tanks supply diesel and gas to all town equipment and vehicles. The money will come from the Government Building and Maintenance Fund unless there is some reason that it is not allowed.

Chip Meany organized a CIP Subcommittee that will be meeting the next three Wednesday mornings.

## CORRESPONDENCE

There is a resident requesting road traffic study because there are gravel trucks that run her road prior to 7:00 a.m. Her original complaint was for Saturday hauling and she is requesting that there are no trucks in her neighborhood on Saturdays or during the week before 7:00 a.m. or after 3:00 p.m. The town's gravel operations hours are from 7:00 a.m. to 5:00 p.m. Goffstown has put up 'no thru truck' signs on Parker Station Road causing them to use a different route. The Board tabled the decision until a future meeting.

## OTHER BUSINESS

Vice Chairman Butt mentioned the letters in the Selectmen's mailboxes from Transfer Station employees that were put there after Mr. Redmond came before the Board at their last meeting. The Board had made a decision to leave the hours at the Transfer Station as is. The employees currently work four 9 hour days totaling 36 hours. It was discussed that when a previous change was made to the Transfer Station hours, the hours were to be made final. The Board will ask Mr. Redmond to come before them to discuss a change before a change is made.

Vice Chairman Butt mentioned discussing the traffic control policy. The discussion will be put on the agenda for September 10<sup>th</sup>. Board members will be emailed a copy of the policy and will make corrections to a hard copy for discussion.

The Board discussed the Memorandum of Agreement, Section XII – Holidays Local 1801 Weare DPW and Town of Weare, NH. The following changes have been requested: When a holiday falls on a Monday during the ten (10) hour work schedule, the Public Works Employees will take the next day off. When a holiday falls on a Monday, the Transfer Station employees will be allowed to save the Monday holiday, but this saved holiday must be used within the next two (2) pay periods. Saturdays are excluded from the days that may be substituted for saved holidays. It was discussed that to change the wording they would have to go back into negotiations. The Board decided that it will be business as usual for the Labor Day Holiday until the issue is resolved.

Vice Chairman Butt would like to get together with the Mildred Hall Committee to discuss projects and to see if they have any projects they would consider spending money on. The original amount of the fund was \$1.6 million and after the last request the balance in the fund would be \$700,000. Vice Chairman Butt said that every

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penny spent thus far from the trust has been spent on land projects. The Town Hall and ball fields were discussed as possible projects and there are other things that the funds could go towards. Mildred Hall's will states that three people from the Weare Historical Society will make up an Advisory committee to recommend projects to the Selectmen. Chairman Clow commented that the fund has become known as a conservation fund. Vice Chairman Butt said that Mildred Hall requested, in her will, that a suitable memorial be constructed to honor her parents Charles and Ethel Eastman. Chairman Clow said that they should combine the discussion for an appropriate memorial with various projects when they meet with the Mildred Hall Advisory Committee. Vice Chairman Butt mentioned that the Selectmen made the appointments to the Mildred Hall Advisory Committee, but need to discuss terms of the appointments.

Chairman Clow said that they talked about having a specific timeline for doing evaluations. Vice Chairman Butt said that if there is a performance issue there needs to be a three month evaluation until the problem is resolved. Chairman Clow cited September 1<sup>st</sup> as a timeframe, but if there is a problem, an interim evaluation should be conducted within three months and continue on a quarterly basis. If there is an area that needs improvement, interim evaluations will be completed until the documented issues are resolved. Vice Chairman Butt said that exceptional performance should also be documented and put into an employees file.

**Vice Chairman Butt moved, Selectman Lacasse seconded to approve the policy for employee evaluations as amended. Passed 5-0-0**

**Chairman Clow moved, Selectman Lawton seconded to adjourn at 10:38 p.m. Passed 5-0-0**

## ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary