

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
March 21, 2011**

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; KEITH R. LACASSE, SELECTMAN; DONNA OSBORNE; SELECTMAN; LEE MARCROFT, SELECTMAN

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Forrest Esenwine, Ginger Esenwine, Nick Metcalf, Hunter Eastman, Samuel A. Clow, Robert Richards, Noah Payeur, Marc Payeur, Chris Hague, Mr. Johnstone

**Chairman Clow moved, Selectman Osborne seconded to enter into nonpublic session @6:30p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken. Chairman Clow – yes; Vice Chairman Butt – yes; Selectman Lacasse – yes; Selectman Osborne – yes; Selectman Marcroft – yes. Passed 5-0-0**

**Chairman Clow moved, Vice Chairman Butt seconded to come out of nonpublic session @7:30p.m. A roll call vote was taken, Chairman Clow – yes; Vice Chairman Butt – yes; Selectman Lacasse – yes; Selectman Osborne – yes; Selectman Marcroft – yes.**

**Chairman Clow moved, Selectman Lacasse seconded to seal and restrict the minutes of the nonpublic session pursuant to the authority granted in RSA 91-A:3 II. Motion passed 5-0-0.**

**7:30 p.m. Chairman Clow called the meeting to order.**

**PUBLIC COMMENT** – Noah Payeur told the Board that he visited the Transfer Station with his father and noticed that there is only housing for five dogs at the animal shelter. He felt that the area is pretty small for a town the size of Weare. He would like to know how many dogs get put into it each day. Chairman Clow said that they have two on-call animal control officers and he is uncertain how many animals that they have to rescue.

Samuel Clow asked the Selectmen what they are planning for the 250<sup>th</sup> anniversary of the town and what he can do to help. It was discussed that there was a warrant article asking to use the money set aside for the 300<sup>th</sup> anniversary for the 250<sup>th</sup> anniversary and it was approved giving the committee \$7,000 to use for the celebration. The committee is also selling shirts for the 250<sup>th</sup> anniversary and flowers are being planted around town in preparation for the anniversary. Selectman Osborne, the Selectmen's representative to that committee, said that there will be a public meeting on April 14<sup>th</sup> at 6:00 p.m. at the Town Office Building. She said that in May there will be a telethon to help raise funds.

**RE-APPOINTMENT TO ZBA COMMITTEE** – Chairman Clow said that Mr. Forrest Esenwine, long standing member of the ZBA, is up for reappointment. Chairman Clow asked Mr. Esenwine what interests him in staying involved. Mr. Esenwine said that ever since coming to town he has tried to stay involved and serve his time on various committees. Once his term ran out on various committees he felt that the ZBA Committee would be a good fit for him and he could help to make a difference. He feels that the Committee now functions very well. He said that typically he errs on the side of the town in many cases that come before them for variances. Mr. Esenwine said that if a homeowner comes before them for a variance, they are asking for a

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change to suit them, and he feels they need to have a very good reason. Vice Chairman Butt feels that Mr. Esenwine helps to balance the Zoning Board and has made a positive impact.

**Selectman Lacasse moved, Vice Chairman Butt seconded to reappoint Forrest Esenwine as full member to the ZBA. Passed 5-0-0**

**DEPARTMENT HEADS** – Mr. Robert Richards informed the Board that he has four quotes for the pagers that were approved at Town Meeting. He said that there were two bidders that submitted the same price quote, one of which is R&R Communications, which they already utilize. The bid is for \$20,450 for fifty pagers, without purchasing the extended warranty because all of their equipment is under service contractor and comes with factory warranty. Included in the quote are the fifty cases for \$900. Mr. Richards said that they are replacing fifty pagers that might be surplus at state auction or turned back into the company because there is no value to them. R&R Communications will provide the service contract that they currently pay for in the radio equipment repair line. Mr. Roberts recommends purchasing the pagers through R&R Communications. The passing of Article 7 approved the sum of \$24,000 for pagers for the Fire Department to be raised by taxation. The fund was depleted and the article does not say that the \$24,000 would go into the Capital Fund. Naomi Bolton, Town Administrator, thinks it is just less that they raise by taxation. Chairman Clow said that if the article was worded differently, than the extra would automatically go into the fund, he is not sure where it will go.

**Vice Chairman Butt moved, Selectman Lacasse seconded to purchase fifty pagers and cases from R&R Communications at a cost of \$20,450. Passed 5-0-0**

Mr. Richards informed the Board that back in February the tanker, which was purchased in 2006, sprung a leak and has leaked even before they even put it into service. The service people came down from Maine and they were told it could not be repaired in town and had to go to Maine to the factory. The problem is that the tank only leaks while on the truck. The warranty does not cover taking the tank in and out of the truck, only repairing the tank. Mr. Richards said that the radiator and engine in Engine 1 needed repair and they needed a leaf spring replaced in Engine 5. The Public Works Department repaired the leaf spring in Engine 5 and charged the Fire Department for the parts. Mr. Richards said that there was an issue with a smell in the front of the new ambulance, which the per diem EMT located. It was due to a sealant and has been repaired under warranty.

Vice Chairman Butt asked if there is something inherently wrong with the tank and asked about just replacing the tank. Mr. Richards said that he needs the truck back and he does not know the cost to take the tank in and out. It has been pulled out three times and there could be a substantial bill.

Mr. Richards said that they would like to install a dry hydrant at Moody Pond and they have approval from DES approval to put it in. They will not be disturbing any slope and the dry hydrant will have a concrete base. This hydrant will give them a quick back up water supply. Mr. Richards said that this hydrant will be just like the one set up near Lanctot's.

**STONEWALL ALTERATION DISCUSSION** – Chairman Clow informed the Board that the Planning Board is recommending this stonewall alteration on Buxton School Road. Mr. Johnstone is here because the warrant states that to move a stone wall, permission from the Planning Board is required. He did obtain approval from the Planning Board on March 13 and he now needs approval from the Selectmen. Mr. Johnstone said that this is a temporary opening and there are not many rocks. It was discussed that approval should have been obtained before the wall was removed. Work has stopped because of mud season, and if he obtains approval he will go back to logging.

Mr. Forrest Esenwine told the Board that he lives across the street from the stone wall. He said that it was more than a few rocks; it is not a small area and by stating that it is, is a misstatement. Mr. Esenwine said that the wall from ground level up was at least twenty-four inches and in some places it was higher.

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It was discussed that when the wall is replaced it will have to pass inspection from the Code Enforcement Officer

**Selectman Lacasse moved to approve the removal of the twenty-five feet of stonewall and that it be replaced after the logging operation is complete.**

Vice Chairman Butt said that they need to ensure that it is put back properly and feels it needs to be inspected to ensure it matches the remainder of the wall that was not removed. Chairman Clow suggests including “upon approval from the Code Enforcement Officer and that the replaced section be equal in dimension to the rest of the wall.”

**Selectman Lacasse amended the motion, Vice Chairman Butt seconded to recommend that the twenty-five to thirty foot gap in the stone wall be approved with the condition that it is replaced in a fashion equal to the existing stonewall and be inspected by the Code Enforcement Officer upon completion.**

Selectman Osborne asked why the stone wall was removed before obtaining approval. Chairman Clow said that the Planning Board discussed that Mr. Johnstone was unaware of the ordinance.

It was discussed that to move a stonewall, an intent to cut with the state needs to be filed and there is a state form that the Selectmen must sign. Chairman Clow said they also need make copies of the ordinance regarding stone walls to attach to the application. Naomi Bolton, Town Administrator, said that they need to check to see if the taxes are paid before logging is allowed, and they will also need to ensure that stonewalls and driveways are on the checklist. She said that he should have applied for a driveway permit as well. The project was started three to four weeks ago.

**The motion Passed 4-1-0; Selectman Osborne was opposed.**

**DEPARTMENT HEAD** – Chris Hague informed the Board that the carpet is down in the Paige portion of the Library and they are unpacking. She said that when they finished the masonry in the fall, the mason did not put the bottom half of the copper down spouts back on. Ms. Hague said at the time she asked him why and she was told that they were in too bad of shape to be of any use. She had someone look at it and was given an estimate for those three sections of down spout. She would like the Selectmen’s approval to apply for a Moose Plate Grant for \$2,000. The estimate she received was \$1,793 and covers the reproduction of those three sections. The mason had to take off the three sections and he left them with her in the Library. Ms. Hague believes there to be fifteen feet. She is not asking the town for money, she is just asking for permission to apply for the grant. The down spouts were originally put there in 1927.

Ms. Hague told the Board that the deadline for applying for the grant is March 31. She thinks they would be notified by May if it was approved. Chairman Clow said that Sherry Burdick is applying for a Moose Plate Grant for Clinton Grove and asked if they would be competing. Mrs. Hague does not see it as competing.

Vice Chairman Butt said to him, this is critical, because they put a lot into the brick work. Ms. Hague said that the man that came out to look at the copper work said that it should not be let go. Vice Chairman Butt said that if they don’t get the Moose Plate Grant then the back up would be the Capital Reserve Fund. The mason told her that the gutters are not functioning appropriately. The roofer told her to keep the gutters clean. The gutters that are on the building are copper.

Chairman Clow read aloud his letter supporting the Moose Plate Grant application for Clinton Grove. It was discussed that showing that the town has put resources into the building is helpful when applying for the grant. The Board gives their support to apply for the Moose Plate Grant for Clinton Grove Academy and gave their support for the letter. Chairman Clow will also write a letter of support for the Library.

## MANIFESTS

**Chairman Clow moved, Selectman Lacasse seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated March 24, 2011. Passed 5-0-0**

**Accounts payable    \$221,889.25    (John Stark \$200,000)**

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<b>Gross Payrolls</b>	<b>\$39,036.04</b>	(Includes Taxes, Credit Union, Police Detail)
	<b><u>\$6,152.24</u></b>	(Legal)
<b>Total</b>	<b>\$267,077.53</b>	

### MEETING MINUTES

**Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of March 7, 2011 as amended. Passed 5-0-0**

**Selectman Lacasse moved, Selectman Osborne seconded to accept the minutes of March 14, 2011 as written. Passed 4-0-1; Chairman Clow abstained.**

### ADMINISTRATIVE REPORT

Naomi Bolton, Town Administrator, mentioned that the AED defibrulators have been received and installed by the per diem EMTs at the Transfer Station, Library, and here at the Town Office Building. The Fire Department has offered to do an in house training for the employees and half the employees will go on March 31st and the other half will go on April 7th. The training will take place at the Safety Complex from 2-4 on both days.

The Selectmen will hold a public hearing on April 4<sup>th</sup> at 7:30 for the Bolton easement.

The Board will open the sealed bids for used truck beds and the steel body on April 4<sup>th</sup>.

The Cemetery Trustees put together an RFP to fix a wooden fence on. The bids are due April 11<sup>th</sup> and will be opened on the 12<sup>th</sup> by the Trustees

Naomi Bolton, Town Administrator, said that the renovations at the Town Office Building are almost done. Granite State Telephone will be coming on Wednesday to move the phone lines around. All the work has been done by the prisoners.

They have received a letter from the school district regarding the sewer rent. The SAU sent the letter because they received a lien notice because they did not pay the 2009 sewer bill. The town has now received the bills and the school district is requesting that the town waive the interests and penalties.

**Selectman Lacasse moved, Selectman Osborne seconded to waive the interest and penalties of \$684.51 from the sewer bill to the Weare School District. Passed 5-0-0**

Naomi Bolton, Town Administrator, said that she sent out information on Jane Sanders Searches. Last week she asked to sign a contract for her to do the searches at \$12 per search with a limit not to exceed the municipal default budget of \$3,500. Naomi Bolton, Town Administrator, told the Board that she called Town of Deering for a reference. Jane Sander used to be Candia's Tax Collector. Chairman Clow asked if this person is required to be bonded. Naomi Bolton, Town Administrator, said that a certificate of liability insurance was also submitted.

Selectman Marcroft said that there is \$1.6 in unpaid taxes that goes back to 1994 with the bulk starting in 2007. Chairman Clow said that they send out letters to try and get payment, and negotiate with some; historically most of the taxes have come in. Chairman Clow said what happened in the past when push comes to shove, people tend to come in and pay their taxes. This vendor goes into each property with outstanding taxes and is about to have a lien put on it and finds out the mortgage company. Vice Chairman Butt said that a mortgage company may not be aware that back taxes are owed. Vice Chairman Butt said that \$1.6 is a significant amount due to the town and he would like the Board to seek outside counsel to come up with a strategy on how to get these unpaid taxes paid. Chairman Clow said that there are steps that lead up to taking the property, he knows there have been a lot of agreements made in the past that need to be followed up on. There has been transition in the Tax Collector's position and they now have stability in that position. Naomi Bolton, Town Administrator, mentioned the signed agreements between homeowners and the town. She said if the town is not calling them, then they are not coming in. Naomi Bolton, Town Administrator, said that she needs to know the process on how to collect on the unpaid taxes.

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Vice Chairman Butt thinks that they should meet with the Finance Administrator who has knowledge of tax collecting. Vice Chairman Butt said that there are options, they could have someone contractually who would get paid a percentage of what they collect for the town.

Naomi Bolton, Town Administrator, informed the Board that they received a letter regarding the Wilcox and Barton landfill on Colby Road and that they are looking for the town to make a decision. Naomi Bolton, Town Administrator, said she is waiting for the ground water investigation costs. Selectman Lacasse said that it is the best interest of the property owner to complete the application.

Copies of the CBA for the DPW, which takes effect on April 1<sup>st</sup>, were distributed. Chairman Clow said at this point there can be no changes. It was approved by the voters. The Board will sign next week after the DPW employees sign.

Chairman Clow said that Asplundh has asked for permission to cut trees across from the Safety Complex. A lot of the wood was hardwood and they have started to receive calls to see what was to be done with the wood. It was discussed that the town will pick up the wood and bring it to the Transfer Station and whoever they are giving it to can go down and get it. Most of the wood, but not all was picked up. Naomi Bolton, Town Administrator, said that she received a call that someone was down at the Transfer Station cutting up the wood and Chief Begin went down and asked the individual to unload it. Chairman Clow said the town is the property owner so it is the town's wood. Chairman Clow said that the BOS needs to decide whether they say the people that called can go down and get it. Vice Chairman Butt said that they should utilize a lottery system; put your name in and if you are selected you can go down and get the wood.

The Board discussed the issue of unpaid tax bills at Cold Springs. Selectman Lacasse asked how much time is spent chasing camper related taxes. The revenue is around \$50,000. Naomi Bolton, Town Administrator, said that they could sit down with Cold Springs and discuss the situation instead of sending the letter. Chairman Clow said to sit down and then write a follow up letter restating the plan. Chairman Clow said that this came about because of a letter from Avitar and someone requesting an abatement for their taxes on their camper.

Selectman Lacasse asked about the effort being expended on the campgrounds. Chairman Clow does not know how the taxation of the campers even came about. Vice Chairman Butt said it was within the past twelve years. Vice Chairman Butt would like to revisit the whole issue of taxing campers. It was discussed that Cold Springs owns the land and then people put campers on the site, and they are charged for their decks and sheds. Chairman Clow asked if they are going to have someone get together with Cold Springs to work out a plan. The Board needs to know what to present to them. Selectman Lacasse said that they should hold a brainstorming session with the campground owners. Vice Chairman Butt would first like to know how they assess the sites. The \$50,000 is coming just from the structures on the parcel, the landowner pays the taxes on the land itself. Vice Chairman Butt said that the campground owner could collect a flat rate from each site to help alleviate the need for a lot of effort to collect.

Selectman Lacasse said that the reason he would like to sit down with the campground owners is to see what would work for them. Selectman Lacasse said that the town is paying to have all those structures assessed and the Tax Collector's time is also being spent. There are three hundred campsites, but not all of them are occupied seasonally.

Vice Chairman Butt would like to know the total revenue and how many issues there have been where people sold their campers and the town did not collect taxes.

Selectman Lacasse said that whatever they do, they should not create a burden for the business owner.

Chairman Clow suggests asking Avitar if they know of a system that works and the Town Administrator will gather more information. Vice Chairman Butt said that in the past the Board had a discussion about the décor in the building and having a standard color throughout. He feels that each office should not have their own color scheme and commented on the paint being applied in the Assessing area.

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The Board went into the Assessing Department to discuss the painting project that has been taking place and reviewed the new counters, which are faced with ¼ inch lavan and being reinforced to match the textures in the room. The two rooms are painted in a light sand color and the trim is dark blue. Vice Chairman Butt feels that the color scheme should reflect the Selectmen's Conference Room and should become standard and consistent throughout the building. The Board all agreed to make the color scheme of the Conference Room standard.

Chairman Clow said that the Board will be looking over applications that have been submitted for the Public Works Department position in non public session.

**Chairman Clow moved, Selectman Marcroft seconded to enter into non public session @ 10:16 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Chairman Clow – yes; Selectman Osborne – yes; Selectman Lacasse - yes. Passed 5-0-0**

**Chairman Clow moved, Vice Chairman Butt seconded to come out of non public session @ 11:15 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Chairman Clow – yes; Selectman Osborne – yes; Selectmen Lacasse – yes. Passed 5-0-0**

**Chairman Clow moved to seal and restrict the minutes of the non-public session pursuant to the authority granted in RSA 91-A:3 II: Selectman Lacasse seconded the motion. Motion passed 5-0-0.**

## **ADJOURNMENT**

A True Record.

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Cherry Palmisano, Recording Secretary