

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
March 7, 2011

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

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Christine Hague, Chief Begin, Frank Campana, Heleen Kurk, Forrest Essenwine, Ginger Essenwine, Sherry Burdick, Jan Snyder, Jon Osborne, Betty Straw, Ruth Jones, Rad Betts, Jon Osborne, Robert Richards

**7:00 p.m. Chairman Clow called the meeting to order.**

**PUBLIC CALL IN SHOW**

*Question* – Mr. Frank Campana asked if there was any road damage in town due to the rain.

*Response* – Naomi Bolton, Town Administrator, said that there was damage to Bart Clough, water issues in front of Jeff Denning's on River Road, West Quaker, Duck Pond, and Tiffany Hill. All issues have been fixed the best they could and nothing was lost.

*Question* – Christine Hague asked if the cemetery restoration is covered in the Trustees warrant article.

*Response* – Chairman Clow said that there are two warrant articles relating to the cemeteries. The article from the Trust Fund, which is the Cy Pres Account, is for work that is done inside the cemetery and the other article is to appropriate money for the stone wall repair at the cemetery on Concord Stage Road.

*Question* – There is no wage scale in the Public Works contract in Article 11, so how will the rate of pay be determined for the fiscal year?

*Response* – Chairman Clow said that the contract spells out working conditions for the Department of Public Works, they did not negotiate increases.

*Question* – The Library has an article requesting \$6,743 for additional support staff, but the 2010 report shows a surplus. Why is the Library requesting funding instead of using the surplus?

*Response* – Ms. Hague said that anything in the operating budget that came from taxation and is not used cannot be carried into the next year as surplus or into the following year's operating budget. She said that they saved a substantial amount in heating costs last year due to milder weather, there was also employee savings. The Library is currently using ten year old software. They thought with what they had remaining in the budget they could put together \$2,700 for new software, but in December they had unplanned building maintenance costs that were necessary. When all the bills were paid they did not have \$2,700. Ms. Hague said that they will start over this year and they are desperate and if they can't find the money for the software in their operating budget they will have a problem.

*Question* – If Article 6 for the fire truck fails, what are the possible consequences?

*Response* – Mr. Robert Richards said that guidelines show that a vehicle should retire at twenty-five years and this vehicle is going on thirty-two years, it was refurbished in 1992. The vehicle has serious rust problems and if they keep it any longer work will have to be done on the rust. Mr. Richards said that they were able to secure

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some pricing on a pre emissions motor reflecting a savings of \$20,000-\$30,000. The original purchase price was \$375,000-\$390,000 and they were able to secure it for \$345,000; there will be some additional equipment that will need to be purchased. The new truck will have stainless steel plumbing, a bumper to bumper warranty for five years and a ten year warranty on the cab and paint. Mr. Richards said that they have four engines and they need all four and they need to be replaced in a certain fashion. This particular vehicle was scheduled to be replaced in 2009, but the money in the fund was too low to do it right and they opted to wait. The NFPA nationally recognized standards say that a truck should go into reserve status at twenty years and be taken out of service at twenty-five years. Vice Chairman Butt said they have a Capital Improvements Plan in place, this vehicle was scheduled for replacement in 2009 and at that time the value of the new fire engine was over \$400,000. Mr. Richards said they continued their research and were able to get the cost of the project down. Vice Chairman Butt thinks that the Fire Department did due diligence in researching what was needed. Up until last year's vote all the money that came from ambulance fees went into a Special Revenue Fund, the money has built up and there is now enough to cover the purchase. Money can only be spent from the Special Revenue Fund if voted on by the town. Last year to solve the problem of EMT services during the week, there was an article stating that the first \$90,000 that comes from ambulance fees goes into a Revolving Fund to pay for the EMTs and \$20,000-\$40,000 above and beyond paying for the EMT's goes back into that fund to replenish it each year.

*Question* – Lee Marcroft asked if the Finance Committee is justified with their recommendations.

*Response* – Chairman Clow said that he hesitates answering without having the Finance Committee present. Mr. Marcroft said that in several cases the Finance Committee came back at Deliberative Session and said that they did not understand the warrant article and backed off.

*Question* – Jan Snyder asked when the next vehicle is scheduled for replacement under the CIP program.

*Response* – Vice Chairman Butt said that the next vehicle is scheduled for 2012 and it is possible that it is engine 1; there is a bid for \$300,000, but the bid is five years old. Engine 5 and the tanker are not scheduled until 2023 and 2026.

Mr. Forrest Essenwine said that they have this fund to put money into to purchase equipment and that is why the fund is there. He understands that purchasing the vehicle will deplete the fund, but that is why they have it in the first place so that if they need something the money is available.

*Question* – Is the rust just superficial, which can be repaired?

*Response* – Mr. Richards said that the rust is all over, there is some superficial rust as well. He feels that the plumbing is more concerning than the structure of the truck.

*Question* – Did another fire company or only the Public Works Department look at the rust?

*Response* – Mr. Richards said that the Department of Public Works looked at it the vehicle; it is difficult to have a private company inspect the vehicle because they are trying to sell vehicles.

Vice Chairman Butt commented on the per diem EMTs and said that the reason for hiring them was because they weren't able to make the calls 7:00 a.m. to 5:00 p.m. and if they can't make the calls there is an associated cost and they were losing revenue. Because they now have the per diem EMTs they are able to make all of their calls and this brings in more revenue. The per diem EMTs cost \$85,000-\$90,000 a year and they hope to increase the revenue going into the fund above and beyond the cost for the per diem EMTs to \$50,000. This money is not collected through taxes and in the future he hopes to have the revenue in the fund support vehicle purchases.

*Question* – How many runs does a truck go on?

*Response* – Mr. Richards said mileage is not something they look at in a fire truck, a fire truck runs for hours and pumps. A truck may go out thirty to fifty times a year.

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*250<sup>th</sup> Anniversary Committee* – Mrs. Heleen Kurk said that the 250<sup>th</sup> Anniversary of the Town of Weare is 2014. A committee has been formed to orchestrate a celebration, but they have no money. They found out that there was a fund for the 200<sup>th</sup> celebration that was held in 1964 and there was money left over. There was a fund established, by Town Meeting in 1984, to put money aside for the 300<sup>th</sup> celebration in 2064. The committee would like to use the money in that fund to put together a celebration on for the 250<sup>th</sup> so that they can have a year long celebration. They hope to have money leftover to replenish the fund for the 300<sup>th</sup>. Mrs. Kurk said that they are hoping to have something for each of the four seasons. To have such a great celebration they need the money and this will allow them to go forward. Mrs. Kurk said that Sherry Burdick led a force that planted over 4,000 bulbs, some lilac bushes, and wildflowers so that as you drive through town you will see that they are beautifying the town. The committee has been selling shirts to raise money and have been going to committees, clubs, schools, and churches to get people involved throughout the town. They are hoping to have a chance to look at and appreciate the past and build a sense of community.

Vice Chairman Butt said because this is a change in an established fund it requires a 2/3 vote and every vote counts.

Mrs. Kurk said that this is a community building effort and she hopes to get everyone's support.

*Question* – Wouldn't it be cheaper to bring the current truck up to code instead of purchasing a new truck?

*Response* – Mr. Richards said that it would not be cost effective, because every part of that truck is thirty-two years old and it would take too much to bring it up to standard. He feels that it would be almost impossible because it needs so much and they would be throwing money away.

*Question* – Mr. Campana asked if the NFPA nation wide standard is referring to large city fire departments and if it takes into consideration that they are not like the big cities.

*Response* – Mr. Richards said in the standards it does take into consideration large communities where trucks are retired after ten years of service. Mr. Richards said that they have a third party in every year to test and they have to meet the standards.

Mr. Campana asked about the Highway Department contract. Selectman Lacasse said that when negotiating the CBA the intent was to maintain status quo. Mr. Campana said that if it gets voted in to maintain status quo, it establishes a union, then next year they could bargain to get into a union situation and there could be a very large impact next year. Chairman Clow said that they did not know if they even needed to put this on the warrant because there is no financial impact, DRA advised them to place it on the warrant. Chairman Clow said that it does not take away the fact that the union exists if the article passes or not. The next time an article is put on the warrant it may have a wage scale included. The Board does encourage that this article pass, it will not change things one way or the other, the union is there and eventually they will have a wage scale on the table.

Mr. Campana commented on Article 10 for the Highway Department saying a new or used truck or loader, but the backup information says backhoe. He asked if the article specifically says loader. Chairman Clow said that when they were trying to clarify the wording an error was made. Mr. Campana said that he views it as it would give the Selectmen the opportunity to purchase a loader and then come back next year to ask for a backhoe. Vice Chairman Butt said that it was an error and there is no need to replace the backhoe. If the article passes they will make it clear that they are replacing the loader.

*Question* – Mr. John Escavich asked if it is possible to negotiate the purchase of a fire truck from another community that can no longer support their equipment.

*Response* – Chairman Clow said that at the Deliberative Session there was an amendment made to Article 10 to include "new or used" so the avenue can be researched for a loader or a truck. Mr. Richards said that usually what happens if a department was to cut back, they would move their newer vehicles to the front and older equipment into reserve to cut back on their maintenance costs. Sometimes a brochure comes in that has vehicles

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that manufacturers can't get rid of. They did purchase a ladder truck from another town for \$100,000 instead of purchasing a new one for \$800,000.

**MILDRED HALL ADVISORY COMMITTEE DISCUSSION** – Ms. Betty Straw told the Board that the Mildred Hall Advisory Committee is requesting the sum of \$20,000 to help purchase 120 +/- acres of conservation easement. The property is located on East Street and belongs to Chuck Bolton.

Mr. Paul Doscher said that Mr. Chuck Bolton agreed to a purchase price for the conservation easement of \$50,000, plus additional costs. The property has been appraised at \$285,000. The Forest Society is asking the Mildred Hall Advisory Committee to contribute \$20,000 and the Weare Conservation Commission to contribute \$15,000 towards the purchase of the easement. The property has 250 ft of frontage on Center Brook and is of considerable value. It is also a strict aquifer and the conservation easement would allow municipal water wells to be drilled on the property. The easement would allow public access and would continue to allow John Stark football to hold practice on the back of property.

Vice Chairman Butt commented that 80 acres of the parcel are in current use and said that the assessed value in 1988 was \$108,000. He asked if the \$285,000 assessment is for both parcels. The 19.25 acres is assessed at \$259,000 with \$153,000 of that being the building on the property and the taxes are \$4,500. The house and five acres around the house would be excluded from the conservation easement. Vice Chairman Butt said that the access to the property is by the house. Mr. Doscher said that there is also access by the bus station which is how they access the field. He has not looked at the appraisal, which was done by a certified appraiser. Vice Chairman Butt asked how the public would access the property, assuming that the five acres around the house, including the driveway will be protected. Mr. Doscher said that there will be portion on East Street that provides access and the land will be available for people to hunt, fish, and walk. There are no provisions for parking on East Street. Mr. Doscher said that Mr. Bolton has allowed people to use the machine shop parking lot when they go to get on the field. Vice Chairman Butt said that the town would be investing through the Mildred Hall Fund and the Conservation Fund and he would like to see it be easily accessible and have something in the easement that identifies access. Mr. Doscher said that you can get to this property through other property and it will not be posted in the future against use. Mr. Doscher said that there is access on a public road, whether they can park there or not, there is access from the public road.

Vice Chairman Butt said that when he looks at this piece of property he does not see anything being created to create ease of access to the property. He would like consideration made on the parcel to create access and feels it should be an integral part of the conservation easement. Mr. Doscher said that Mr. Bolton is allowing the public to use it as they have; the use has not been such that it requires efforts to create parking. The key issue is that the land will never be closed to public use; people can walk from other properties onto the property.

Chairman Clow said that he looks at the easement having value beyond the conservation value, if the development rights are worth \$285,000 and the easement is costing \$50,000 it is a good idea.

Vice Chairman Butt asked how practical it is to discuss a public well on the property. Mr. Doscher said you don't want development on top of the aquifer, he is not suggesting that this needs to be done, but if the property does not have an easement on it, it could be subject to development.

Naomi Bolton, Town Administrator, asked when the survey takes place and commented on receiving notification about a potential problem with the abutter lot line to Burt Brown's gravel pit. Mr. Doscher said that there is a disagreement with the survey and the two parties will get together and settle the disagreement before entering into the conservation easement. Mr. Doscher said that there is also another potential lot line adjustment and there is a provision that it has to be settled before the easement is purchased.

Mr. Doscher said that the access will be limited during planting and forestry or cutting hay, which have typical restrictions during active forestry or agricultural timeframes. The landowner has the rights to control timber

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harvest and the town will continue to receive taxes from the owner of the property. Vice Chairman Butt thinks that the town will lose revenue.

Mr. Doscher said that they would like to close and complete the project by the end of the year and there is still surveying and title work to do.

Mr. Doscher said that they are proposing purchasing an easement on 83 acres of the Purington Farm on Quaker Street. The project funding is considerably different, they would like to apply to the Federal Farmland and Ranchland Protection Program for grant funding, and they want to get the application in by the end of the month to get a sense if the project will be funded or not. The FRPP requires identification of the sources of funding that will be provided to meet the FRPP's 50% match requirement. The competition is not particularly strong at this time and they think this project will be ranked high. The landowner has indicated willingness for a modest sale. The Forest Society is seeking \$60,000 from Mildred Hall Trust. The Conservation Commission and Open Space Committee are contributing \$15,000 towards the \$243,000 project and the Russell Foundation will provide other match funds.

The Purington's farm contains prime, statewide and locally significant agricultural soils. The land abuts the Forest Society's Zepheniah Breed Forest, which links to other existing conservation lands that create approximately 500 acres.

Selectman Lacasse asked about the NHHOP. Mr. Doscher said that it is a national program to protect important soils to be used for agricultural. The FRPP ranks each property on soil type. The program goal is to keep the land available for agricultural use and not be developed.

Vice Chairman Butt said that there is a big difference between the grant applications. This is non specific in use of the property, where the Bolton easement indicated uses. Vice Chairman Butt asked what type of opportunities will be available to the public. Mr. Doscher does not believe there is snowmobile trail on the property, but hunting, fishing, and hiking will only posted at times for agricultural purposes. Only restriction will be wheeled vehicles. Vice Chairman Butt asked who will manage and enforce the easement. Mr. Doscher said the Purington's will continue to own and manage the property and if there was a violation of the conservation easement the Forest Society would have the responsibility to enforce; the town could be backup enforcement. If there was an ATV on the property, it is not prohibited by the conservation easement, and would be up to the landowner who could post against ATVs but would not be able to post against pedestrian usage. Mr. Doscher said the Forest Society does fundraising that allows them to collect a stewardship endowment to manage the property. Mr. Doscher said that the fund itself is pooled. Most easements on an annual basis have no problems at all. The landowner still maintains the rights to the property, just gives up development rights to the property.

Chairman Clow said that there is an article on the warrant regarding holding a public hearing before the Board makes a decision on expending from the fund to give the public the opportunity to provide input before a decision is made.

Vice Chairman Butt said that he would not push to have a public hearing on the Purington property due to time constraints. He would like to follow through for public input on the Bolton property.

Mr. Doscher said that the Purington property will have to remain as one parcel once the easement is placed on it.

Vice Chairman Butt said that he would like to go through the process with the least time critical property.

Mr. Doscher said that they can't go forward and complete the process without approval. They need to know if they have the match and it has to be completed by the end of the month.

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The posting requirement for a public hearing is ten days prior notice; the next regular meeting would be the 21<sup>st</sup>. Selectman Lacasse said he agrees with the warrant article encouraging public hearings and would prefer to wait for a public hearing.

Chairman Clow said that there is the possibility of conditional approval tonight and still holding a public hearing on March 21<sup>st</sup>.

Chairman Clow mentioned that a strength of this project is that it has adjoining easements and it ties into other protected property.

**Chairman Clow moved, Vice Chairman Butt seconded to approve the request of the Mildred Hall Advisory Committee to spend \$60,100 from the Mildred Hall Trust for the purpose of an easement on the Dale and Barbara Purington Property as specified in the request from the Society of the Protection of NH Forests.**

Selectman Lacasse stated that he has a problem asking the broke Federal Government for \$125,000.

**Passed 3-1-0; Selectman Lacasse was opposed.**

The Board will post a public hearing for the Bolton property.

**PUBLIC COMMENT** – Sherry Burdick informed the Board that she needs their signatures on the preregistration form for the NH Beautiful Program.

**TREE REMOVAL ON RTE 114 DISCUSSION** – Chairman Clow said that Public Service has asked Asplundh Tree to cut down the trees closest to the wires across from the Safety Complex. The trees have already had the lower branches removed, but they would still like to have the trees removed. They will not cut back any further than the first row of trees closest to the road.

## MANIFESTS

**Chairman Clow moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated March 10, 2011. Passed 3-0-1; Selectman Lacasse abstained.**

Accounts payable	\$306,905.04	(John Stark \$200,000)
Gross Payrolls	\$42,913.34	(Includes Taxes, Credit Union, Police Detail)
	\$4,702.14	(Fire/Monthly)
	<u>\$6,818.06</u>	(Feb Per Diem)
Total	\$361,338.58	

## MEETING MINUTES

**Selectman Lacasse moved, Selectman Osborne seconded to approve the minutes of February 21, 2011 as amended. Osborne. Passed 4-0-0**

**Chairman Clow moved, Vice Chairman Butt seconded to approve the minutes of February 14, 2011 as printed. Passed 3-0-0 Selectman Osborne was not present at the time of voting.**

**Chairman Clow moved, Vice Chairman Butt seconded to approve the minutes of February 28, 2011 as printed. Passed 4-0-0**

## ADMINISTRATIVE REPORT

Naomi Bolton, Town Administrator, needs signatures from the Board regarding a pole replacement on Reservoir Drive.

Avitar is now online. The phone calls have been reduced in the Assessing department and the calls for verification of tax bills have been reduced as well.

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The application submission deadline for the Public Works Department was Friday and they have received sixteen applications. It was discussed that the Board would like to review all the applications. Selectman Lacasse recommends going through the steps that they were given from Primex when hiring the Town Administrator. The Board will review the applications and swear in officers at next Monday's meeting.

The Board discussed that all fuel consumption throughout the winter was at a lower rate and fuel costs for the most recent delivery have increased to \$3.30 per gallon and they have budgeted \$3.35 per gallon for 2011.

**Chairman Clow moved, Selectman Osborne seconded to enter into non public session @ 9:38 p.m. pursuant to the authority granted in RSA 91-A:3II (a and c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

**The Board discussed the physical swapping around of offices.**

**Chairman Clow moved, Selectman Osborne seconded to come out of non public session @10:00 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

## **ADJOURNMENT**

A True Record.

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Cherry Palmisano, Recording Secretary