

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 7, 2013**

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

RECORDING SECRETARY: Cherry Palmisano

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Jan Snyder, Evelyn Connor, Donna Osborne, Jon Osborne, Tina Connor, Bob Vezina, Maureen Billodeau, Lisa Ilsley, Sharon DeStefano

Chairman Clow moved, Vice Chairman Butt seconded to enter into nonpublic session @ 6:35 p.m. pursuant to the authority granted in RSA 91-A:3II (c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Vice Chairman Butt seconded to come out of nonpublic session @ 7:13 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

The Board was given an update from the Police Shift Subcommittee.

7:25 p.m. Chairman Clow called the meeting to order.

PUBLIC COMMENT – Evelyn Connor, resident and member of 250th Committee, told the Board that starting in January the Committee will be holding events every month. Her event is in June and she would like permission to hold the event at Clinton Grove. At this special event celebrating the 250th Ms. Connor will be auctioning off pies and the members of the 250th Committee that have costumes will be in costume. She is anticipating a house party crowd. The hope is that the pies will be a draw and hopefully will make them some money. They also hope to make people aware of Clinton Grove Academy. Ms. Connor knows that parking is an issue and noted that at an event years ago people did park along the edge of the road. The 250th Committee is printing a booklet listing all their events and would like the Board's approval to list her event at Clinton Grove. The Committee is trying to hold events in different parts of town in an effort to let people know what is in the town. Vice Chairman Butt said that parking and traffic is an issue and asked if the Stone Building could be utilized for the event. Ms. Connor said that they are trying to hold events at different locations around town. They will raise some money from selling pies to help with the final events, but it is more of a family gathering event. The building will not be open. Vice Chairman Butt said that if the event is publicized he can see a lot of cars down there. Chairman Clow said that it could be doable if they reserve parking to one side. Residents have concerns with parking. Ms. Connor said that the event will only be a few hours. They may possibly have a speaker at the event. Chairman Clow mentioned that it may be necessary to hire police for the event. Ms. Connor mentioned utilizing the Police Explorers and said that they try very hard, but do not usually attract a large crowd. By consensus the Board agreed to allow the event to be held at Clinton Grove, with reservations on parking.

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Ms. Connor mentioned the setting of the tax rate. Chairman Clow said that the school configuration figures into setting the tax rate and they hope to be able to set the tax rate the week of October 22nd. Ms. Connor asked if the 250th Committee prints up a one sheet flyer that lists all the events if they can put it into the tax bills. The Board was not in favor of putting the flyer in the tax bills. Vice Chairman Butt mentioned that they are in the process of building a new town website which would be an avenue for advertising the events.

Trick or Treating will be held on October 31st from 6:00-8:00 p.m.

The 250th Committee is selling coffee mugs for the 250th Celebration; 2 for \$25

The Board thanked Ms. Connor and the committee for all their effort for the 250th Celebration.

DEPARTMENT HEAD AND COMMITTEE ITEMS

Clarification on Sick Time Payouts – Tina Connor, Finance Administrator, said that the first biggest changes were made to the Personnel Policy back in August of 2003. In 2008 an employee who was in the process of retiring had approached the Board regarding the Personnel Policy and leaving with sick time. At that meeting a motion was made that he would be grandfathered and he would be paid a maximum of 90 days sick time. After that new rules applied in Section XXX, Subsection 7 of the current Personnel Policy. In the newly adopted Personnel Policy the biggest change was that the fact that the 20, 25, and 30 plus years were established as far as being able to leave with any unused sick time. Mrs. Connor would like clarification as far as paying out, to mean retiring, not just leaving the town. Mrs. Connor said that she has been consistent in handling this and when someone retires at retirement age, prior to this policy, they were being paid sick time. They have others that are grandfathered that may not qualify. The Personnel Policy states a maximum of 90 days of accrued sick time. There are less and less of the employees remaining that were here since the 2003 policy.

Chairman Clow said that Section XXX, Subsection 7 in the 2003 Personnel Policy says nothing about retiring, and says to him that less than 20 years you don't get anything. If an employee has been here 20 to 25 years and they leave they would get 50% of their accrued sick leave. Town Administrator Bolton said that they haven't changed the 20 to 25 years section since adopting it in 2003. The year ending in 2003 shows what everyone had accrued at the time of the change. Mrs. Connor has to show that every year in the audit because it is a liability to the town.

Maureen Bilodeau commented that an employee resigned previously and was paid out their sick time.

Chairman Clow said that in the two policies there are two deciding words; the old one simply says upon retirement from town service employees are entitled to all accrued bonus and sick time. Mrs. Connor said that before that, termination of employment had its own definition. Vice Chairman Butt asked if any employee lost any money since the new policy was put in place that says they can pay up to 90 days sick for retirement. Mrs. Connor said that there was not a direct impact on any employees. She noted that if leaving constitutes the payout then she would gain if she left. Chairman Clow said that the language does not stand up to the intent and needs to be more clearly defined. Chairman Clow said that he wouldn't want to make a change that would suddenly stop something for one person leaving. Mrs. Connor said it would not, it is just for clarification to state retiring, because that was the intent in the old policy that was grandfathered for retiring. Selectman Lawton mentioned that usually when someone retires they notify the Board so that they can budget. Selectman Lawton thinks it should be clarified to say retiring and not just leaving so that the town is not liable. Chairman Clow said that another factor because they dealing with two policies is that if a person has been here 20 years, any portion accrued before 2003 should probably be awarded in full.

The Board discussed that they could not make a decision on the wording in the policy tonight and need to obtain legal opinion from the town attorney on the wording that should be in the Personnel Policy and the definition of retirement.

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Jon Osborne noted he and two other employees were hired before 2001 and they were told they would receive complete pay out.

Authorization for Grant Application – Chief Bob Vezina is seeking permission to apply for the Assistance to Firefighters Grant. Last year the Fire Department applied for turn out gear, this year they are looking for replacement of breathing apparatus. In 2017 the air bottle part of their breathing apparatus expires. They could buy all new bottles and still have air packs that are 15 years old. There is about \$200,000 in CIP for 2017 to replace their air supply bottles. Chief Vezina said that the Fire Department would like to make a joint effort for the grant with Goffstown, Dunbarton, New Boston, Bedford, and Litchfield. The grant would require a 10% match for a total of about \$18,000 from the town. Chief Vezina needs permission to proceed with the program with the regional group. The application period typically opens up in October, then closes, goes through a couple committee reviews, and then a final decision is made. There is a specific amount of money allocated for each state. Chief Vezina told the Board that they should know what is happening close to Town Meeting. Weare is looking to get 30 air packs, additional bottles and other misc components. The positive is that all the communities that they work with are all using the same product and Weare will be compatible. Currently they can't interchange bottles because they have a different bottle. Chief Vezina said that there are some basic system differences that don't allow them to share equipment, this would eliminate that. Because they would not know if they would be awarded the grant the \$18,000 necessary for the grant match would be included in the upcoming budget. The grant cannot exceed \$1 million for all the combined towns, so there will be some adjusting to get the money to fit what they need to do. Selectman Leary asked if this is dependent on many other communities budgets by pooling together and what happens if another town does not have matching funds. Chief Vezina said that other towns should be getting approval for the matching amount before signing onto the grant application. The Air Pack Replacement Fund has a balance of \$5,000. Chairman Clow said that they could have an article through CIP to add to the fund. Chairman Clow said that they could include the air packs in the operating budget that way if defeated in a special warrant article and they are not allowed to spend any money on it. The EMS revenue that is not for salaries goes into the Rescue Vehicle Replacement Fund. The air packs are assigned per riding seats and Weare has over 30 riding positions. Currently they have 26 air packs, but their target number is 30. They will not come up short of what the town requires being in the regional group.

Vice Chairman Butt moved, Selectman Lawton seconded to authorize Chief Vezina to move forward with the Assistance to Firefighters Grant for breathing apparatus. Passed 4-0-0

Driveway Approval Stone wall; 33 South Sugar Hill Road – Lisa Ilsley has been through a site plan review with the Planning Board to remove 30ft of the stonewall to put in an ice cream stand. The Planning Board recommended that the Selectmen allow the removal of the stone wall and that the driveway permit be allowed.

Vice Chairman Butt moved, Selectman Leary seconded to allow Lisa Ilsley to remove 30ft of the stone wall in order to apply for a driveway for Tax Map 403-175 at 33 South Sugar Hill Road. Passed 4-0-0

Tax Collector – Tax Collector, Sharon DeStefano, has some payment arrangements that she made with tax payers that require signatures from the Board.

Chairman Clow moved, Selectman Leary seconded to enter into non public session @ 8:24 p.m. pursuant to the authority granted in RSA 91-A:3II (c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Vice Chairman Butt seconded to come out of nonpublic session @ 9:00 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

The Board discussed the payment arrangements with the Tax Collector.

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MANIFESTS

Checks dated: October 3, 2013

Weekly Payroll	\$48,341.40	
	\$5,501.43	(Fire Monthly)
	\$7,099.55	(EMT/FIRE)

Chairman Clow moved, Selectman Lawton seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated October 10, 2013. Passed 4-0-0

Accounts Payable	\$473,026.63	(John Stark \$250,000)
Gross Payrolls	<u>\$40,182.77</u>	(Includes taxes, credit union, police detail)
TOTAL	\$513,209.40	

Also, to order the Treasurer to sign payroll checks dated October 17, 2013, 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 questioned the purchase requests coming in from the Police Department and who signs them. He noted that there was a contentious discussion during budget session regarding tasers. Town Administrator Bolton said that Art Walker was looking at the purchase requests and approving some, but Dawn Wheeler signed the purchase request for the six new tasers. Vice Chairman Butt asked where the money was coming from because he did not see what line it was charged to. Town Administrator Bolton will find out.

MEETING MINUTES

Chairman Clow moved, Selectman Lawton seconded to approve the minutes of September 23, 2013 as amended. Passed 4-0-0

Chairman Clow moved, Selectman Lawton seconded to approve the minutes of September 26, 2013 as written. Passed 4-0-0

ADMINISTRATIVE REPORT

The Emergency Management Director position is still vacant. There are two people in town that are interested and are fairly new to town. Organizationally, it is not unusual for the Police Chief to be the Emergency Management Director. The Board decided to wait 30 days to see if the Police Chief candidate would like the stipend position.

Government Building and Maintenance Projects – Town Administrator Bolton contacted three different references for the lowest bidder for the Town Hall doors and all the references were favorable. The contract will be signed this Thursday. The Clinton Grove Academy Roof bid was not awarded. The lowest bidder did not provide references, but Town Administrator Bolton checked the references on the second and third lowest bidders. A Plus Roofing's bid was \$7,150 and includes everything.

Selectman Lawton moved, Selectman Leary seconded to accept the bid from A Plus Roofing for \$7,150 for the Clinton Grove Academy roofing project. Passed 4-0-0

Shmid/Banks Site Walk – The Board agreed to conduct the site walk on October 26th. The Conservation Commission is interested in attending the site walk. Paul Doscher is interested in walking the whole site with the Forest Society, at least one Selectmen, and someone from Public Works.

The Board of Selectmen will not meet on November 11, 2013 in observance of Veteran's Day.

Town Administrator Bolton received an email from Joe Maccarone regarding negotiations. Selectman Lacasse and Selectman Leary worked on the Public Works negotiations. Chairman Clow would like to have a negotiator present for both the Public Works and Police Department negotiations to coordinate language between the two contracts.

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Mike French, Interim Police Manager needs a signature from the Board for a security radio from the Department of Safety for Homeland Security and Chairman Clow signed.

The Police Prosecutor had been sending his invoices to Sergeant Kelly, but has not been paid since July. Because he was not getting paid he sent the invoices to Town Administrator Bolton and has now been paid. Vice Chairman would like the Police Prosecutor to know that they want to have the new Police Chief involved in the process of hiring a prosecutor.

Chairman Clow moved, Vice Chairman Butt seconded to enter into nonpublic session @ 9:30 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Vice Chairman Butt seconded to come out of nonpublic session @ 9:39 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Leary seconded to seal and restrict the minutes of the non-public session. Passed 4-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary