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**WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 1, 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: Andy Fulton, Frank Campana, Greg Begin, Tim Redmond, Wendy Stevens, Commissioner Carol Holden, Don Holden

NON PUBLIC

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 6:30 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; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 7:10 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

The Board interviewed a potential police applicant.

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

PUBLIC COMMENT – Carol Holden, Amherst, NH, has been the County Commissioner since 1997. The Commissioner is responsible for the custody and care of all county property and also proposes the budget. There are over 400,000 residents in Hillsboro County and there are six unions within the county. Dispute rising costs the amount to be raised by taxes in 2013 has not increased over fiscal year 2012. The budget they proposed maintains essential service and continues to fund Meals on Wheels. The Commissioners Office saved \$200,000 by combining services to manage the savings and they have also worked on energy efficiency. Commissioner Holden told the Board that Hillsboro County is in good financial shape and has no debt. They have not borrowed in anticipation of taxes in over ten years and will have a surplus this year in the amount of approximately \$18.5 million. They have increased revenue in the county. The citizens of Goffstown approved a zoning change to re-zone several parcels from agricultural to flex zoning. They are currently gathering ideas to lease county land and buildings. Rockingham County pays Hillsboro County for housing thirty-seven women prisoners. There are 137 inmates getting the care they need from mental health courts and they have twenty prisoners out in the community working. Commissioner Holden presented a budget analysis from 2003 to 2013 and noted that the budget was down 2.11% last year and 2.99% the year before and in the ten year period revenue has increased over \$3 million. The undesignated fund balance this year is over \$12 million and \$8.7 million is projected for next year.

Selectman Lacasse asked about the prisoner work program. Commissioner Holden said that there were so many cuts totaling \$900,000. The cuts were directed to the salaries and benefits line and they did not have the correctional officers that were needed to go out with those crews. She said it does cost money, because an

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officer would need to be sent out with the prisoners with a van. Commissioner Holden stated that the average age of a correctional officer is 21, because they have not been able to keep up with raises. They are currently working with Teamsters to re-install the program. They know that there is a need for the program, but do not have enough personnel to cover to ensure the safety of all. They will be having some layoffs as a result of that \$900,000 reduction. They are hoping to lease county property and buildings to increase revenue.

Chairman Clow said that the work that has been done in this town easily offsets the 2.11% tax in savings. For many years the program has helped with the upkeep of cemeteries in town and also with projects in the schools and the town office building. Chairman Clow told Commissioner Holden that when the program was on the chopping block in years past there was opportunity for towns to go to a public hearing to defend their case. Commissioner Holden said that this cut happened after their public hearing. She explained that the Commissioner's propose the budget, but the Executive Committee and Delegation appropriate the money and if the Commissioner's are not given enough they have to cut.

Selectman Lawton asked why they couldn't utilize some of the money in the undesignated fund for the program. Commissioner Holden responded that the money has to be appropriated. The undesignated fund balance helps them keep the tax level funded and not have to borrow taxes.

Selectman Lawton said there has been talk about closing the Goffstown women's prison. Commissioner Holden said that they have no say; they are the landlords of that building. DRA tells them what the rent will be and DRA tells the towns what their tax will be. The rent is approximately \$225,000 per year and they just extended the lease for another three years, it will take them that long to build another facility and find another location. If the county loses that rent the money will have to be made up by the tax payers. Other organizations have shown interest in the property.

Selectman Lacasse asked if there were other programs that could have been cut. Commissioner Holden explained that the Commissioner's are given a budget for the jail and they have to make sure all the safety and security needs in the jail are covered. There are currently nine vacancies and fourteen correctional officers have just completed the academy. The program requires two vans and two officers for a total of \$125,000 for the program. Chairman Clow commented that it seems that there is a positive effect on the inmates with that program. Commissioner Holden said that there is. The inmates maintain the garden, which helps to reduce the food bill at the prison.

Vice Chairman Butt mentioned the healthy undesignated fund balance and commented that there is a substantial amount in there. Every year the county is giving money back to offset taxes and some could make the argument that the county is over taxing. Vice Chairman Butt said that if they did not tax the towns that amount, they could reduce the town's tax. Commissioner Holden said that the Commissioner's can propose, but not decide. They asked the Delegation for a capital reserve fund so that they can upgrade some of the buildings. The Commissioner's cannot upgrade or spend over \$5,000 without approval from the Executive Committee or Delegation. They used \$3.5 million this year from the undesignated fund balance to fund a capital reserve fund. They had to make up \$6 million this year, due to federal stimulus, which skewed the numbers. The county is going into 2013 with the lowest fund balance since 2008.

Frank Campana said that Commissioner Holden commented on keeping taxes level and keeping spending down. Mr. Campana told the Board to keep what they need to run the town from the fund balance, but return the remainder to the tax payers. He commended the Board for not having proposed any new articles in a few years to be funded by the fund balance.

Mr. Campana said that back in the spring he came to Board and it was confirmed that the Police Department bought a new car. It was not his definition of a cruiser, but a car for the Police Chief and the Durango got sent down to the detective. He said that at the time he commented that the vehicle would be going home with the

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detective and he would like to know if in fact that is happening. He would also like an accurate accounting of where these vehicles go and how much it is costing the tax payers.

Mr. Campana said that earlier in the year the Board hired an organization to look into the overtime at the Police Department. He is curious to know if that investigation has been completed and if there will be results presented.

Chairman Clow said that there is a report on the police overtime which will be public information. The report will first be reviewed by the Police Chief for accuracies. The Board has not decided how the information will be presented, but eventually it will be public.

Detective Hebert's vehicle is at the station at all different times and Chairman Clow does not think it is going home with him.

Chairman Clow noted that for seven years the Selectmen have taken money from the undesignated fund balance to reduce taxes without any other designation.

APPOINTMENT TO CONSERVATION COMMISSION

Wendy Stevens has been an alternate on the Conservation Commission (CC) for seventeen months. She considers being on the Commission a big responsibility. Last month she did volunteer to update the CC's website in regards to updating the trails for citizens. The CC's website is on the town's server. Andy Fulton, Chair of the CC, said that there was some money in the budget for website updates, but they no longer have money available. They have a budget line of approx \$400 which covers the annual maintenance fee for the GSI program. They would have to go outside their normal budget to get the services for the website. Mr. Fulton said that Wendy has been learning along the way and has been an asset to the Commission. Ms. Stevens is also on the Agricultural Commission, which is an advisory commission. She will be the fifth full member on the CC.

Selectman Lacasse moved, Vice Chairman Butt seconded to appoint Wendy Stevens as a full member to the Conservation Commission for a three year term. Passed 5-0-0

Chairman Clow informed the Board that he received a request to move Betty Straw from an alternate member to a full member on the Heritage Commission.

Chairman Clow moved, Selectman Lacasse seconded to appoint Betty Straw to complete John McCausland's term as a full member on the Heritage Commission. Passed 5-0-0

Update - Bridge Construction on Mountain Road at Buxton Brook

Mr. Fulton said that three years ago there was a complaint filed regarding PSNH crossing the brook. The State told the town that they had to provide a crossing for that brook. In 2010 a Standard Dredge and Fill Application was submitted to DES Wetlands Bureau, the permit was approved and reflected in the 2010 Selectmen's Report. The bid process was completed to determine how much it will cost to build the structure to satisfy the permit. D&S Excavating Inc., based in Weare, is highly recommended for the project. They are anticipating the bridge installation taking place in November. The project total of \$80,950 will be expended from the Conservation Fund. There is a culvert further up Mountain Road Proper that needs to be removed and some stream bank restoration needs to be done. They will be looking to get a price from D&S Excavating for the culvert. Mr. Fulton asked the Board to provide approval to work on the Class VI road because the Selectmen are the stewards of Class VI roads. The span of the bridge with the approaches is 60-70 feet. They will be removing the culvert and re-establishing the lower bank of the brook. At times this brook can possibly be flooded and Selectman Lawton wants to make sure it won't need repairing if flooded. Mr. Fulton said that the proposed concept is approved by the Wetlands Bureau. Vice Chairman Butt commented on the Conservation Fund being funded by the land use change tax. It needs to be confirmed that the CC gets 75% of the land use change tax. \$118,000 was deposited into the fund last year.

A request for an appointment to the Agricultural Commission will be put on the next agenda.

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DEPARTMENT HEAD AND COMMITTEE ITEMS

Traffic Control – Chief Begin presented copies of the list of streets in town; he identified specific streets that he feels require law enforcement for details. Merrill Road was identified as needing law enforcement on details when the Transfer Station was open to the public. There were no traffic counts taken, the streets were identified based on experience. Other roads discussed were commuter roads. Chief Begin is recommending that the highlighted roads have police presence during construction. Vice Chairman Butt asked if it is fair to say that prior to this list every road required a police detail. Chief Begin said they did not require it, but it was requested. Chief Begin said that people don't slow down for stop/slow, but they do slow down for blue lights. Vice Chairman Butt said that the ordinance does make provisions for other forms of traffic control. Chief Begin identified the roads that need police officers, but has not identified what level of detail is needed. According to NUTCD requirements, the contractor will make the determination and if they don't have the proper signage they are in violation of the ordinance. Mr. Redmond said that anytime you have one lane of traffic blocked you need traffic control, but if they are on the side of the road then they would only need to utilize cones.

Vice Chairman Butt said that there is a difference of opinion on the Board as to whether all roads need to be identified, but the NUTCD ordinance identifies the detail provisions needed. It was discussed that the list provided by Mr. Redmond only varied slightly from that provided by Chief Begin.

Selectman Leary and Selectman Lacasse disagree with people stopping for blue lights and not stopping for stop/slow signs and flaggers; they feel there is the same respect for both. Vice Chairman Butt said that they have to respect that Chief Begin and Mr. Redmond came up with almost the identical lists of which roads they feel need police detail. Selectman Lacasse asked Mr. Redmond if he feels there is a safety difference with a stop/sign and radio on one end of the road and the same on the other end vs a police cruiser with lights. Mr. Redmond responded that he does not personally see the difference from the two. He thinks that the majority of the people will respect flaggers with stop slow signs, but some will disrespect flaggers more than they would the police.

There are approximately thirty-six roads identified by Chief Begin and Mr. Redmond. Selectman Lawton feels that Routes 114, 77, and 149 are the only roads in town that need police detail. He asked if the requirements are the same on a commuting road if it is not during commuting time. Vice Chairman Butt said that there are periods of time during the day where there is a lot of traffic. It was noted that the Public Works Department utilizes town employees that are certified flaggers regardless of the road. Selectman Lacasse commented on holding the town to one standard and holding private contractor's to another standard.

Chief Begin feels this is an attack on the Police Department. He said that he was asked to do this, spent the time to do it, is standing here presenting, and feels that the Board will change it anyway. Chief Begin said that when the department needs a cruiser the Board will tell him to take the money out of his cruiser fund, but the fund won't be there without details. He feels that he gave the Board justification for what they asked him to do.

Chairman Clow said that in looking at the streets that are not highlighted, they are not saying they don't require anything; there are still other categories of traffic controls. Chief Begin said that he discussed with Mr. Redmond having a 100ft buffer within those commuter roads. Selectman Lacasse said that they are going to write an ordinance, they are asked for information and are asking questions, they are not saying they will blindly disregard the information from Chief Begin and Mr. Redmond. The purpose is to determine what the minimum requirements are to provide safety for the commuters. Contractor's can still request police detail on any road that is not identified. Mr. Redmond said that the Town of Auburn created a list of roads, with comments on every road, with different levels of control for every road. Selectman Lawton asked how the volume of the road is identified. Mr. Redmond said the volume is based on the general use of the road and Oak Hill is not a low volume road. Chairman Clow said that they asked for two points of view and the only streets that should be under discussion are the roads where the lists differ. Vice Chairman Butt also thinks that they should be looking at the differences. It was discussed that including the 100 ft buffer would clear up what is

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necessary within 100 ft of a commuter road. If there is not proper signage utilized, the ordinance states there is a fee of \$500 assessed each day there is a violation.

There is a disagreement on the Board and they need to discuss the ordinance amongst themselves. If the Board makes any changes to the ordinance or the list, they will all meet again to discuss. Chief Begin said to add the 100 ft buffer to the ordinance. Chief Begin said that the problem they find when they do things like this is that the contractor says that they will be at certain location and then moves up the road during the day. It will need to be spelled out that if that happens there will be a violation.

Vice Chairman Butt moved, Selectman Lacasse seconded to hire Robert Bifsha as a Weare Police Officer at Step A to be sworn in on October 15, 2012. Passed 5-0-0

DPW Update – Mr. Redmond told the Board that the sander body on truck 8 is rusted, broken, and in need of many repairs. He is asking to use the expected surplus in the salt line to purchase a stainless steel body for this truck from TENCO. After the recent purchase of \$20,000 of sand and \$2,800 to repair the wall of the salt shed there will be \$68,000 remaining in the salt line. The salt and sand sheds are both full to 100% capacity. The repair will be identified in the maintenance repair line, but will be expended from the salt line. Mr. Redmond said that 2-3 loads of sand are used per snow storm and he feels they have a comfortable amount. Mr. Redmond is requesting that \$34,365 be expending from the salt line to purchase a new 10ft all season body for that truck. The employees will mount the new body and the other body will be removed and if it can be repaired they can use it on another truck. Mr. Redmond will provide the Board with a tonnage amount for sand and salt used last year. He thinks that the sheds being full will cover November and December. As of the end of August, there was 34% remaining in the Transfer Station budget. Mr. Redmond said that they are only over on building maintenance and oils and lubricants, due to a lot of repairs this year. He is also hoping for a savings in the fuel line. By consensus the Board agreed to expend the money from the salt line to purchase the sander body.

Mr. Redmond told the Board that he received correspondence from Jeff Denning, who is the town's hauling contractor. Mr. Denning is having health issues and is asking if Paul Sizemore of Sizemore Truck and Auto can fulfill the remaining 2012 and 2013 contract. Mr. Sizemore will honor the prices for the remaining of the 2012 and 2013 contract. He has a certificate of insurance, which covers all the requirements. Mr. Sizemore has hauled trash in the past, lives in town, and has four trucks available for hauling purposes. Vice Chairman Butt said that they do need a contract from Paul Sizemore and they could make a motion contingent on obtaining the proper documents.

Chairman Clow moved, Selectman Lawton seconded to allow Paul Sizemore to pick up the hauling duties of Denning Disposal for the remainder of the contract through December 31, 2013 with the condition that the proper documents are in place. Passed 5-0-0

Mr. Redmond told the Board that the NH Municipal Association Plow Rally takes place every year. Two years ago Jeff Lewis and Benji Knapp were the first place plow drivers, last year they came in second place, but this year they are in first place again.

Hazardous Waste Day will take place on Saturday, October 13th from 9-1 or until the \$6,000 that has been appropriated runs out. The set up fee is \$1,400-\$1,500.

Selectman Lawton commented on the great job that the DPW crew did on Old Francestown Road.

MEETING MINUTES

Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of September 17, 2012 as amended. Passed 5-0-0

MANIFESTS

Checks dated: September 27, 2012

Weekly Payroll \$43,028.86

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Chairman Clow moved, Selectman Lacasse seconded to authorize the Board of Selectmen to sign manifests and order the Treasurer to sign checks dated October 4, 2012. Passed 5-0-0

Accounts Payable	\$753,273.20	(John Stark and Weare School District)
Gross Payrolls	\$51,962.34	(Includes taxes, credit union, police detail)
	\$6,832.56	(Per Diem/EMT)
	<u>\$3,644.12</u>	(Fire Monthly)
TOTAL	\$815,712.22	

Also, to order the Treasurer to sign payroll checks dated October 11, 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.

ADMINISTRATIVE REPORT

Deliberative Session is scheduled for Saturday, February 2, 2013.

Naomi Bolton, Town Administrator, said that she reached out to Mike Housman regarding the Wetlands Permit for the violation at Chase Park to replace the sand. Gene Propper submitted a design of what he would like to see at Chase Park. According to the state environmental code you can put no more than 10 cu yards of sand. Mr. Redmond brought in four loads and removed four loads. They were given one day permission from Shoreland to remove the glass, but they could not find the screener at the time to get it done in one day. Mr. Redmond wants to screen what is remaining on site. Selectman Lacasse said they should be asking for more than ten yards to replace what was taken.

The Fire Chief is asking if he has to evaluate all 53 volunteers. Vice Chairman Butt said that he spoke with the Fire Chief and told him that he did not have to evaluate the performance of all the volunteers, just the secretary. The Board of Fire Wards should be doing a performance evaluation on the Fire Chief to submit to the Selectmen.

Naomi Bolton, Town Administrator, said that she will contact MRI tomorrow. Alan Gould, MRI, emailed the Police Chief regarding any discrepancies on the report. Chief Begin asked for two more weeks to review the report. Mr. Gould contacted Chief Begin again, but has received no response. They will discuss the MRI report in a public meeting, but there will be a need for non public discussions as well.

Next Monday the Selectmen are meeting with the Board of Fire Wards for a work session at 6:30 p.m.

The DPW wants to start Union negotiations. Selectman Lacasse said that he did not feel that including counsel was necessary.

Vice Chairman Butt asked about the memo before Labor Day regarding days of closure at the Transfer Station.

Selectman Lawton mentioned changing the hours of the town dump and would like the discussion put on the agenda for October 15th. Vice Chairman Butt said that the Board actually made a decision based on a request presented by Mr. Redmond to leave the hours alone. Vice Chairman Butt said that the employees sent a letter to the Selectmen and now an employee called a Selectman and asked for the issue to be revisited at the meeting. He feels that the department head should bring a request forward. He feels that at this point of time Mr. Redmond has fit into the role really well and he should bring the proposal to the Board if there is any new information and if he chooses to. Selectman Lawton said that he contacted the employees, they did not contact him. He said that according to the minutes he did not think that the process was dead and that is why he requested it be put on the agenda. Chairman Clow contacted Mr. Redmond, who talked with the employees and he feels it would be good for the employees to have their say. Vice Chairman Butt feels that they should deal with Mr. Redmond because he is in charge and if he is not recommending the change of hours the Board should not be making a decision. Vice Chairman Butt is not in favor of resurrecting the issue again and does not believe it should be put on the agenda.

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Vice Chairman Butt told the Board he checked with towns which have 7,000-14,000 residents that have dumps and very few of them are open 40 hours. Some of those towns have trash pick up. Vice Chairman Butt said that he has never heard a complaint about the dump not having enough hours. If the Board was to revisit the issue, they need to look at area towns to see what is being done. Selectman Lawton said that the employees are proposing changing the hours to 7:30-4:30 Tuesday-Saturday and eliminate being closed to the public on Thursdays. It was discussed that when the hours for the Transfer Station were previously set the Board was told that the employees needed to have the Transfer Station closed to the public on Thursdays to prepare for Friday and to be able to move equipment around without the public present. There was a discussion regarding overtime being used at the end of the day when there is someone using the Transfer Station and the attendant needs to wait to close the gates.

Chairman Clow said that the Transfer Station is closed to commercial haulers on Saturdays and there are small haulers with small trucks requesting to dump on Saturdays. Vice Chairman Butt said that an out of town hauler was asking to bring cardboard to the Transfer Station and was turned away and he feels it was revenue to the town.

Vice Chairman Butt would like something formal from Mr. Redmond and will not entertain the employees coming in without Mr. Redmond. The majority of the Board agreed.

OTHER BUSINESS

Vice Chairman Butt said that he anticipates a three hour meeting on Wednesday to finalize the CIP requests. They did have a presentation from PARC for \$35,000 to develop an engineering plan for developing ball fields at Ineson. Vice Chairman Butt commented on Selectman Lawton bringing up that it would be too costly to create additional fields at Ineson and that the Shmid/Banks property would be a good location for ball fields. Vice Chairman Butt said that that the CIP may not recommend the request without additional information. Selectman Lacasse said that Purington Field is neglected and mentioned the well there to irrigate the fields. He feels that PARC should be looking at maintaining the fields that they currently have, not looking at new fields. Vice Chairman Butt said that they also had three requests under \$5,000 which did not qualify for capital requests. The Fire Chief will be going to CIP on Wednesday to present a request for equipment. Recommendations from the CIP should come forth to the Board in November.

Selectman Lawton asked about the doors at Town Hall. The Board discussed that they need a good general contractor to determine what needs to be done. The Government Building and Maintenance Fund is at \$68,000, but the funds for the doors could come out of the Mildred Hall Trust Fund. The Library will be requesting a new roof through CIP.

Naomi Bolton, Town Administrator, told the Board that Brian Grattan has all the bids for the server at the Police Department. Mr. Grattan is almost certain that the server requested from the Police Department could also house the Fire Department. The Assessing Department needs a computer; the tax maps are all in pdf format and they can't be uploaded with the current computer. Vice Chairman Butt mentioned that the Board should consider doing something for Brian Grattan because he is putting in a lot of time. Mr. Grattan will come before the Board on October 15th.

It was discussed that some of the Highway Garage issues mentioned in the Joint Loss Management Report cannot be addressed due to the condition of the building. There is a request for a new facility through the CIP program and a presentation will need to be made to the Board.

Selectman Leary asked what they are doing with the doors on the Town Hall and said that to have someone go and do some demo and write something up will require funds. The Board agreed to utilize the contractor who did the Library plans. Naomi Bolton, Town Administrator, will contact the contractor and set up for him to go to the Town Hall with Selectman Lacasse. They will need to get a proposal for the cost of design services.

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Chairman Clow said that he received correspondence from the Town Clerk regarding the advertisements that went out with the motor vehicle registrations causing a lot of negative feedback. Maureen Bilodeau received several complaints and she is asking for the Board to reconsider the advertising before the next mailing. The cover letter that goes out in the motor vehicle notices should state that the advertising was done to offset the costs of taxes. There is an average of 400 notices sent out per month. Chairman Clow does not think that mixing advertising with public mailing is a good mix. Naomi Bolton, Town Administrator, said that she sent the information for the advertising to the Chamber of Commerce to distribute to local businesses.

Chairman Clow moved, Selectman seconded to enter into non public session @ 10:30 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Lawton moved, Vice Chairman Butt seconded to come out of non public session @ 11:10 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Lawton – yes; Selectman Leary – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

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ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary