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WEARE BOARD OF SELECTMEN MEETING MINUTES March 30, 2015

PRESENT: KEITH R. LACASSE, CHAIRMAN; TOM CLOW, VICE CHAIRMAN; JENNIFER BOHL, SELECTMAN; FREDERICK W. HIPPLER, SELECTMAN

RECORDING SECRETARY: Cherry Palmisano

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Frank Campana, Tim Redmond, Bob Vezina, Jan Snyder, Bob Boucher, Sandra Boucher, Tiffany Rogers, Heather Payeur, Shannon Woodward

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

PUBLIC COMMENT

Bob Boucher wanted to make sure the Selectmen are aware of the food pantry's need to find another location because they can no longer utilize WMS. Mr. Boucher explained that they are looking at vacancies in town to see what will fit their budget and space needs. Chairman Lacasse said that they are aware of the situation and noted that the food pantry use to be in the basement of the Town Office. Mr. Boucher said that the basement does not meet their space needs. The Weare Community Thrift Store used to assist the food pantry with funding, but they no longer have a thrift store. Tiffany Rogers asked if there are any town owned buildings that they can utilize. It was noted that there is a list in the Town Report, most of which is land only. Town Administrator Bolton explained that some property has been taken by tax deed is in very rough shape. Mr. Boucher has spoken with Chip Meany and Wendy Rice. Ms. Rogers told the Board that the food pantry helps upwards of 40 families a month. The thrift store is very helpful to the community and they are still utilizing revenue from the thrift store to purchase meats, perishables and cheese. Chairman Lacasse said that they will work with Town Administrator Bolton to see what is available.

DEPARTMENT HEAD AND COMMITTEE ITEMS

Award Washer and Dryer Bid

At Town Meeting the voters approved to raise and appropriate \$20k for the Fire Department Equipment Fund to replace the washer and dryer with an extractor and drying system. Chief Vezina put both the extractor and drying system out to bid as required by the purchasing policy. He sent out bid proposals to five different vendors they were in contact with and has the results of the bids. He received bids back from three different vendors who provided information on five different extractors. A couple of the bids did not meet the specifications and one vendor was significantly less than the other two. Chief Vezina is confident that the unit being proposed is a top of the line machine, which meets the Fire Departments specifications. The same machine has been used for a couple of years in Wilton's Fire Department and is a national premiere brand. Chief Vezina explained that the bids received for the drying system are not apples to apples and one didn't meet their specifications. Chief Vezina recommends awarding the bid to Bergeron for the extractor at a cost of \$6,549 and the drying system from Fire Tech at a cost of \$6,875.

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Vice Chairman Clow moved, Selectman Bohl seconded to approve the purchase of a Gear Guardian Washer Extractor from Bergeron Protective Clothing at a cost of \$6,549 to come from the Fire Department Equipment Fund. Passed 4-0-0

Vice Chairman Clow moved, Selectman Bohl seconded to approve the purchase of a drying system from Fire Tech and Safety at a cost of \$6,875 to come Fire Department Equipment Fund.

Chief Vezina explained that there is money in that project for some mechanical work. The drainage and water line needs to be moved and an electric line has to be brought in. The Board discussed utilizing money from the Fire Department Equipment Fund for the installation costs. Chairman Lacasse asked Chief Vezina to solicit three quotes for the installation work.

Passed 4-0-0

Sewer Station Pump Replacement

Tim Redmond, Public Works Director, told the Board that the pump has been giving them problems and may need to be replaced at a cost of \$6,300. There was money in the proposed budget, which never made it into the default budget. Mr. Redmond would like to establish an Enterprise Fund so that this kind of expense would not be related to the budget and the rate payers pay for the work through fees. Mr. Redmond said that the pump needs to be replaced and there is no money in the budget to replace the pump. He asked if they could borrow from the general fund and then put the money into the budget next year. Vice Chairman Clow explained that since this budget is self-funded and the cost is divided up between the users, the money will come back into the budget once divided up and charged to users. Chairman Lacasse would like to check with DRA.

Part-time Transfer Station Attendant Position

The position was approved at Town Meeting and Mr. Redmond has a local applicant he would like the Board to interview and approve at their next meeting.

Transfer Station Security System

Mr. Redmond informed the Board that thefts have been a problem at the Transfer Station. He received a quote based on a four camera security system and necessary equipment for \$5,200. Mr. Redmond contacted Phyl St. Cyr at Primex to see if a discount could be offered for the use of the security system. Mr. St. Cyr informed him that it was in the best interest of the town to install the system, but no discount would be offered. Mr. Redmond explained that the security system will have a 21 day video recording loop and will help with theft, overnight activities, and in the event of a possible claim against the town they would have video evidence. Mr. Redmond said that it could be funded from Government Building and Maintenance Fund or a request in next year's budget. Selectman Bohl asked if there is really a need. Mr. Redmond noted that they do have thefts on items such as batteries, which they filed with the Police Department and in the event of someone getting injured at the Transfer Station they would have video evidence. The security cameras could also help them catch people who are illegally dumping demo into the trailer without paying. If the Board is in favor he will move forward. Vice Chairman Clow noted that this is first time they have heard this request and he would like time to think about it. Mr. Redmond said he can wait a couple meetings for the Board to discuss.

Conceptual Restructuring of DPW Positions

Mr. Redmond told the Board that he would like to eliminate the two foreman positions and have two superintendent positions. He would still oversee the departments and budgeting, but the restructuring would free him for other day to day activities. There will be no pay scale increases, just the transferring of day to day responsibilities to two individuals; one at Highway and one at Transfer. Jon Osborne is scheduled to retire. The Highway foreman and Transfer Station foreman will have expanded job descriptions with the restructuring allowing Mr. Redmond to have more time for his other duties. Vice Chairman Clow asked if the present foreman

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at the Highway Department would meet qualifications and get the position. Mr. Redmond said yes and he is qualified for the position. Mr. Redmond will put something together to provide to the Board.

Town Office Building Parking Lot Repairs

Mr. Redmond asked the Board if they would like him to get estimates on repairing the parking lot before it gets much worse. Vice Chairman Clow said that there are so many projects needed on the buildings, but there is nothing wrong with getting an idea on cost. Mr. Redmond noted that the parking lot will be dangerous as it deteriorates.

FEMA Reimbursement

Mr. Redmond had submitted an application for \$48k, of which the town will receive a 75% reimbursement. Mr. Redmond told the Board that the overtime line is 80% expended, tire and chains is 50% expended, the oil lubricants budget is almost gone, and vehicle maintenance is one third gone already. Mr. Redmond requested that the Board give consideration to returning the FEMA reimbursement to the Highway Department budget where the money came out of.

Chairman Lacasse opened the public hearing at 7:30 p.m.

PUBLIC HEARING: To hear public comment and testimony on the contract between the Town and Alexander G. Gatzoulis, Esquire for the sum of \$68,029.24. The agreement appoints a municipal prosecutor to represent the Town in cases and felonies within the jurisdiction of the Goffstown District Court, unless the jurisdiction over a case is pre-empted by the Hillsborough County attorney and attorney general's office.

Mr. Gatzoulis has completed one year of prosecuting for the town and this is his second. Chairman Lacasse said that he spoke with acting Chief Sean Kelly who is satisfied with the work being done by the prosecutor.

Richard Butt asked for statistical information to support the performance for that individual. Chairman Lacasse said that they met with acting Chief Kelly who presented the information to them. Mr. Butt said that the Board should have the data. He said that it is unusual to have a public hearing for this purpose, because they have not had one in the past. Mr. Butt is hoping to hear statistics to measure the effectiveness of the prosecutor. Selectman Bohl read her notes from the meeting where Chief Kelly said that there is ample work for the prosecutor. Mr. Butt asked if the prosecutor was brought up at the public meeting with the officers. Vice Chairman Clow said that the primary purpose of the meeting was to ask the officers what characteristics they would like to see in a new chief; the prosecutor was not discussed. Vice Chairman Clow said that the Board asked to put the renewal of the contract on hold until they could talk to Chief Kelly. Chief Kelly did inform them that the prosecutor is taking more plea bargains and the amount of time the officers spend in court has decreased. Mr. Butt mentioned that it was indicated at the Board's last meeting that they are not interested in a part time chief. He said that the money is already in the budget and the Board must have had discussions with Sean Kelly sometime in December. Mr. Butt mentioned an increase of \$2k in salary and said that something must have been proposed to give a \$2k increase in salary. Mr. Butt recommends holding off on the initial contract for six months until a new chief is in place. The salary last year was \$64k and this year is \$66k and Mr. Butt asked if that was part of the request and negotiation. It was noted that the prosecutor is getting paid what he was getting paid because the new contract for the new amount has not been signed yet. Mr. Butt said that there is very little information about the prosecutor and what he is doing. He mentioned the reduction in not having to pay officers for minimum 4 hours of court time as well as someone covering the shift. Mr. Butt wants to make sure the Board is asking the right questions and being provided with the right information. He asked for consideration of a six month contract.

Frank Campana asked the Board how they determine what ample work is. Chairman Lacasse said that the way he interpreted was not being paid by the hour, but there putting time in and working. Mr. Campana asked if they

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have paperwork in front of them stating what the prosecutor does. Chairman Lacasse said based on the word of Chief Kelly.

Chairman Lacasse closed the public hearing at 7:50 p.m.

Chairman Lacasse opened the public hearing at 7:50 p.m.

PUBLIC HEARING: To hear public comment and testimony on the contract between the Town and Municipal Resources Inc. (MRI) for the sum of approximately \$1,500. The agreement involves position analysis, recruitment process, resume review, candidate screening, interview process, background investigation, negotiation, and follow-up for the hiring of a new Police Chief.

The terms of the contract are for three \$500 payments payable upon agreement, completion of review, and receiving recommendations after the interview process. MRI will run the background check for the town for an additional \$800.

Mr. Butt asked if MRI recommended a process other than their involvement. Chairman Lacasse explained that they discussed having a community panel and professional panel and after those two panels narrowing down the pool of applicants. The Board decided not to go with the assessment center due to cost and they had discussed that it would not have made a difference in the last decision. Mr. Butt mentioned that there was discussion to have an officer involved in the process, but he does not think having an officer on the panel is a good idea. Having read the minutes from when they met with the Board, some of the things they are looking for seem to be self-serving, and he is not sure they have the same interests that the Board has in selecting a new police chief. Vice Chairman Clow said that there were two distinct parts to the meeting; during the second part of the meeting they discussed what they would like to see if the future and brainstormed long range items. The officers also had a list of characteristics. The list reflected a characteristic from each of the past three chiefs, such as being a public figure, strong on policies, and being easy to talk too. Selectman Bohl mentioned that the officers are looking for someone to be a team player, not someone to fix them, but to join the team and make the department the best it can be. Vice Chairman Clow said that when the Board spoke with Alan Gould he did not seem opposed to having an officer either on the community panel or professional panel. There has been no decision made as to who will be on the panels.

Chairman Lacasse closed the public hearing at 7:58 p.m.

New Grader Lease

Town Administrator Bolton read the warrant, which clearly stated a commitment for the five year lease included the next four payments. Jan Snyder said that the RSA regarding municipal leasing includes the non-appropriation clause and is generally put in the budget the following year. If it was a regular loan instead of a municipal lease purchase a 3/5 vote would be required, but this is just a majority. Mr. Redmond asked if it is wise to enter into lease and trade their current grader if there is a possibility that it will be reversed. Vice Chairman Clow said that it will not be reversed. He said that the article was worded that way because DRA says that it should be worded that way. Mr. Redmond said that he is concerned with any possibility that it can be reversed and he wants to ensure that he is doing the right thing in giving up the grader. Vice Chairman Clow noted that there is a substantial trade in value, which will change the figures, but they had to go with the full cost to ensure that the grader was in condition to trade. Chairman Lacasse said to get a solid answer as to whether it is a contractual obligation that goes in the default budget. Mr. Redmond noted that vendors may not want to include an escape clause in their contract.

Review Transfer Station Fee Schedule

Mr. Redmond said that the fee schedule was discussed and revised in 2011. This year they exceeded the solid waste budget by 50 tons, which equals 2.5 trailer loads of trash. Mr. Redmond has been tracking loads and his

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contention is that mattresses, box springs, and sofas are not municipal solid waste and should be fee based items. Everyone disposes of household trash, but not everyone is bringing mattresses and sofas. Chairman Lacasse noted that the intent of the fee schedule is to cover the disposal of trash and if the fees are not covering the cost they should be reviewed. Mr. Redmond said that they paid extra in trash fees this year to dispose of these items. Mr. Redmond said that they would have the funds to dispose of these items if they charge a flat fee. Residents pay to get rid of the municipal solid waste in their taxes, but only a portion of the community generates bulky items. When these bulky items are thrown into the municipal solid waste trailer they fill up the trailer and they pay by the trip to haul to the burn plant and pay by the ton to dump it there. He noted that the fee for asphalt shingles needs to be adjusted by weight. Mr. Redmond will prepare numbers to give to the Board for review and comment.

Oshkosh

Mr. Redmond told the Board that after his comments to the Board about trying to do something with the Oshkosh he contacted the NH Municipal Association to get an opinion on "no means no." They have not got back to him with an opinion yet. Mr. Redmond would not like to see that vehicle utilized next winter and if it is going to be problematic, they may have to take it out of service. Town Administrator Bolton said that she sent town council Article 18 as written to inquire about "no means no." It is legal because Article 18 was to add money to the fund. Mr. Redmond will continue to investigate and bring information back. He noted that in terms of spending, they will spend out of budget to repair the Oshkosh when it breaks. The Oshkosh is becoming extremely hard to get parts for and Mr. Redmond is afraid that if that truck should ever have a major breakdown, it would cost more to fix than it is worth. If he traded the Oshkosh to a truck dealer that has a chassis, no money would be changing hands. Vice Chairman Clow mentioned the spare plow. Mr. Redmond said that the purpose of the spare is to have the ability to park the broken vehicle and utilize the spare. The Oshkosh does not have a wing on it so it cannot be used as the spare. He needs to investigate what can be done.

MEETING MINUTES

Vice Chairman Clow moved, Selectman Hippler seconded to approve the minutes of March 23, 2015 as amended. Passed 3-0-0; Selectman Bohl abstained

MANIFEST

Chairman Lacasse moved, Vice Chairman Clow seconded to sign accounts payable and payroll checks dated April 2, 2015 as included in the following manifests:

Accounts Payable Manifest	\$161,432.86
Weare School District Manifest	\$300,000.00
Payroll Manifest	\$55,254.93 (includes weekly, longevity bonuses, uniform allowances, and education incentives)
EMT/Fire Payroll Manifest	\$12,185.26 (monthly payroll)
TOTAL	\$528,873.05

Selectman Hippler questioned a check included in the Manifest for an officer's uniform and was told it was part of the officer's contract. The officer is still employed by the town, but is on sick leave.

Passed 4-0-0

ADMINISTRATIVE REPORT

Comcast ó Vice Chairman Clow said that an email was received regarding the franchise fee from Dick Butt. Mr. Butt thinks it is a better deal for the cable subscriber to take the up front money the way it is, instead of raising

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the fee for everyone. Selectman Bohl agrees. It is the consensus of the Board to go back to a 3% franchise fee and get \$30k up front. Town Administrator Bolton will inform Bryan Christiansen of the Board's decision.

Next week there will be a Public Hearing for the work to be done at the Stone Building by the Historical Society. It was discussed that the Historical Society will need to get three quotes and come forth with a recommendation.

CORRESPONDENCE

Chairman Lacasse received an email requesting that the Selectmen add their email addresses and contact phone numbers onto the website. Town Administrator Bolton will have to discuss adding phone numbers with the website company. Vice Chairman Clow said that people can email a Selectman and request a phone call or call the Selectmen's office to get their phone numbers. The Selectmen's email addresses will be added to the website.

OTHER BUSINESS

Municipal Prosecutor Agreement 6 In public comment Mr. Butt suggested that the contract be for six months with the thought that the new police chief might want to make a change. The contract runs to December 31, 2015. The insight they were given from the interim chief was to look at it for next year. The Board agrees that the new chief is going to come in and won't get to know the prosecutor in the first few weeks. Selectman Bohl noted that when the contract is up in December they will need to get concrete statistical information. Vice Chairman Clow agrees that they need to be more involved, but there needs to be balance.

Vice Chairman Clow moved, Selectman Bohl seconded to approve the contract for Alexander G. Gatzoulis as a contracted person to do prosecuting for the Town of Weare at a cost of \$68,029.24. Passed 4-0-0

The Board discussed that the contract runs from January 31, 2015 to December 31, 2015 so there will be a retro increase due.

MRI Police Chief Recruitment Services

Vice Chairman Clow moved, Selectman Hippler seconded to approve the contract between the Town of Weare and Municipal Resources Inc. (MRI) for the sum of \$1,500 to manage the search process for the new police chief with an additional \$800 to conduct a background check on the final candidate. Passed 4-0-0

Selectman Bohl asked the Board if they will be going to the candidate's town and surrounding communities to inquire about the candidate. Chairman Lacasse said that the MRI contract does not prevent them from doing that.

Vice Chairman Clow mentioned that they need to discuss the process for the community panel. Town Administrator Bolton has several names, which include John Lawton and the John Stark HS Principal. The Board needs to discuss criteria and if there is a specific role that they want from the public. Ideally there should be a member of the senior community, business community, school, and a general at large community member on the panel. Alan Gould will facilitate the community panel. Chairman Lacasse mentioned holding a brief interview to meet individuals for the community panel. The Board will draft a list of questions to ask all those interested in being on the community panel the same question. The need for potential candidates for the community panel will be advertised on the website. All Board members will bring forth questions next week and the week after will meet with individuals interested in being on the community panel.

Chairman Lacasse stated that the purpose of the nonpublic session is to review the distribution of raises approved by the voters on the March ballot.

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Chairman Lacasse moved, Selectman Bohl seconded to enter into nonpublic session @ 8:55 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Bohl – yes; Selectman Hippler – yes; Vice Chairman Clow – yes; Chairman Lacasse – yes. Passed 4-0-0

Vice Chairman Clow moved, Selectman Hippler seconded to come out of nonpublic session @ 10:20 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Hippler – yes; Vice Chairman Clow – yes; Chairman Lacasse – yes. Passed 4-0-0

Vice Chairman Clow moved, Selectman Bohl seconded to seal and restrict the minutes of this nonpublic session. Passed 4-0-0

Chairman Lacasse moved, Selectman Hippler moved to adjourn at 10:21 PM.

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary