

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
January 18, 2016**

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

RECORDING SECRETARY: Kathleen Humphreys

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Steve Roberts, Lori Davis, John Lawton, Richard Butt, Frank Campana, Jan Snyder, Chris Hague, Bernard Bond, Matt Whitlock, Finance Director Beth Rouse, DPW Director Tim Redmond, Police Chief Sean Kelly, Fire Chief Bob Vezina.

Vice Chairman Clow moved, Selectman Hippler seconded to enter into nonpublic session @ 6:30 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Bohl – yes; Selectman Leary – yes; Selectman Hippler – yes; Vice Chairman Clow – yes. Passed 4-0-0

Chairman Lacasse joined the meeting shortly after session convened.

Chairman Lacasse moved, Selectman Bohl seconded to come out of nonpublic session @ 7:03 p.m. A roll call vote was taken, Selectman Bohl – yes; Selectman Leary – yes; Selectman Hippler – yes; Vice Chairman Clow – yes; Chairman Lacasse – yes. Passed 5-0-0

Chairman Lacasse moved, Selectman Leary seconded to seal and restrict these nonpublic session minutes. Passed 5-0-0

7:00 p.m. Chairman Lacasse called the meeting to order. Chairman Lacasse stated that the Board was in nonpublic session to discuss personnel matters.

PUBLIC COMMENT

Richard Butt asked if the posted agenda was going to be followed in particular with regard to the swearing in of Frank Jones. Chairman Lacasse responded that Mr. Jones is not available this evening, so the swearing in will not happen tonight. Mr. Butt further questioned that there was a hearing posted with the Public Employees Labor Relation Board (PELRB) vs. Town of Weare involving Mr. Jones. Did that involve making Mr. Jones whole? The Board responded the swearing in has been postponed at this point. Mr. Jones did receive funds to make him whole. Mr. Butt asked what that amount was. The Board responded that it was around \$9,000, but didn't have the exact amount with them. Mr. Butt then asked if any of the other law suits had been settled. The Board responded, no.

John Lawton stated that when he was on the Board, the Parks and Recreation applied for a grant for tennis court repairs. He asked if that grant was ever received. The Board responded that the grant was denied, but Parks and Recreation are working with the Mildred Hall Advisory Committee for assistance.

FINAL

Frank Campana stated that in the January 11th article of the Concord Monitor there was an article entitled "Set for Trial". The article insinuated that one of the arresting officers resigned last month and it was done in light of criminal charges being charged for a cruiser accident. Mr. Campana asked for as much information on this that he could receive. Was it the only car? What was the cost of the damage? Has it been repaired?

Chief Kelly stated that the accident took place on the grounds of the safety complex. Sergeant McSweeney was the driver and she had a single passenger (another officer). She was backing around at the rear of the building and backed into the guardrail. The damage totaled approximately \$2,300. The car is currently being stored down at the Highway Department. It has not been scheduled for repair. It was car #7, one of the older Crown Victorias. He is waiting to see if the cruiser warrant article passes, before putting money into the old car.

DEPARTMENT HEAD AND COMMITTEE ITEMS

Bernard Bond met with the Board as a volunteer for the Cable Committee. Mr. Bond has lived in Weare for 37 years. He is a licensed electrician, but has spent the last 15 years working as a bank security officer. He noticed that the Cable Committee was looking for volunteers and he thought he would like to volunteer. He attended last month's meeting and plans to attend all the meetings going forward. The Board thanked him for stepping up to volunteer.

Selectman Leary moved, Selectmen Hippler seconded to appoint Bernard Bond as a full member of the Cable Committee for a term of three years. Passed 5-0-0.

Public Works Director Tim Redmond stated that he had given Town Administrator Bolton a tentative schedule for finding his replacement. He stated that he would like to see the completion date be April 15, 2016, as that would be his last day, worst case. The Board received the suggested schedule and a copy of the job description that was drafted prior to Director Redmond being hired. Director Redmond suggested that if possible an ad should be placed in this Sunday's newspaper to get a start on it. The Board stated that it is going to be discussed later on the agenda under the Administrator's Report.

MEETING MINUTES: Vice Chairman Clow moved, Selectman Hippler seconded to approve the January 11, 2016 minutes as amended. Passed 5-0-0.

PUBLIC HEARING(S): Chairman Lacasse opened the public hearing(s) at 7:30 PM.

- 1. For the purpose of hearing public testimony and comment on the proposal of bonding \$1,360,000.00 (One Million Three Hundred Sixty Thousand Dollars) for the cost of constructing a new Public Works Garage at the current location of 224 Merrill Road.**

Vice Chairman Clow provided those present with some background before opening the discussion up to the public. There was a Highway Garage Subcommittee that consisted of eight (8) residents. The subcommittee contained a good cross reference of residents with broad representation from the fire department, historical society, builders, selectmen, public works director, finance committee and residents. The subcommittee met numerous times and they visited Newbury's new garage and Sutton's garage as a group. Individually members have checked out the new garage in Henniker and spoken with the Clerk of the Works who is a Weare resident. There has been lots of work by lots of members to come forth with this proposal.

John Lawton asked what the physical differences are with this building. Public Works Director Tim Redmond stated that the previous plan was 80' x 180' and this plan calls for the building to be 80' x 140'. The projected cost being used is \$105 per SF. This will be a design build building.

FINAL

Vice Chairman Clow added that the Board of Selectman has elected to go with a ten (10) year bond. Two bonds will be retiring. In 2015 the last payment on the Bridge Bond was made and in 2016 the last payment on the Ferrante Land bond will be made. The first payment for this garage would not occur until 2017. The difference in payments on the 2015 long term debt to this projected payment is approximately 6 cents on the tax rate of a \$200,000 home.

Mr. Lawton asked if the new size can accommodate all the vehicles inside or will some of the vehicles have to be left outside. Director Redmond stated that based on all the vehicle sizes, they will all fit. The backhoe and the skid steer will have to stay out. Mr. Lawton asked if the plan still included a wash bay. Director Redmond responded, yes. Director Redmond further added that although it is 40ø shorter it will work. It is tight but the plan for the building is to build one end without a 4ø foundation wall so that in the event the building needs to be expanded, the end wall can be removed and the walls can be extended without having to build another building. Mr. Lawton asked why a smaller building cost more money than the last time. Chairman Lacasse responded that the cost of construction has been increasing about 5% per year. Mr. Lawton asked about fire suppression. Director Redmond stated that this building will have fire suppression.

Steve Roberts, Chairman of the Board of Firewards and Highway Garage Subcommittee member stated that the committee basically started over from scratch. They looked to find out, what the needs are and what we wanted. The developed into a building that the committee felt was too expensive. The committee backed up and focused on what we need. The end proposal which is what is being asked for here is something the committee feels is affordable. It is a good project. As mentioned it will be a design build for a building with approximately 11,200 SF. In 2013 at deliberative session an amendment was made to increase the cost by \$20,000 for a sprinkler system. The \$20,000 is not even close to an amount that is necessary for that size building. The other issue that we are faced with is that there is no municipal water, so a cistern needs to be installed for the sprinklers. A 30,000 gallon cistern tank, the pump and pipes to the building and pipes to the building cost \$106,000. This does not include the cost of putting the piping in the building. An alarm system is included in the prior cost. A ventilation system will be installed because by a law a CO monitor is necessary.

Vice Chairman Clow added that Director Redmond stated that they could put in a special kill switch in vehicles, which would shut off the electrical systems from the battery. This may alleviate the issue that both of the neighboring towns faced when their fires occurred. The \$105 is all inclusive for the building. It is the same square foot price that Henniker used. It does not include the paving and other outside work.

Steve Roberts stated that they are looking at a steel building with the back end of the building containing three (3) doors so that the vehicles could be backed straight in. By adding doors and going with a custom building raises the cost of the building even higher. Mr. Roberts stated that he feels strongly that we need this garage. He personally had to fix a piece of equipment outside in the weather last week and felt that it takes much longer and our employees should have the proper facility to perform maintenance.

Richard Butt stated that he is having a hard time visualizing the garage. Is there a dedicated repair area? Welding station? Director Redmond stated that with the change there is not a dedicated area, so there may be times that something may have to be outside for a short term. There is no real assigned welding area. Mr. Butt asked if the wash station would be accessible from outside. Director Redmond stated that yes there will be a door in the front for the wash station. There will need to be a Department of Environmental Service (DES) permit required for the wash station.

FINAL

Steve Roberts stated that the real big issue with this project is that there was no engineering money to be used on plans. The article that was proposed last year for the design build plans was not approved and that made it very difficult to get a building together. There were individuals on the committee that could take the last set of plans and put it onto the computer and modify as best they could. He feels confident that this is a good number based on the best estimate for what we had the resources for. After it is approved there will have to be a Request for Proposals (RFP) put out to get a number for the building.

Frank Campana had concerns the fire suppression system would not work if the power goes out. He was told the system will be on a generator. Kill switches on the vehicles for safety was discussed. The older trucks break the negative cables as a kill switch while the newer vehicles have them built in.

Vice Chair Clow made the point the grader cost \$340,000 and the 10-wheeler cost over \$200,000, those two pieces alone are worth a half-million dollars therefore, he believes protection is essential. The proposed garage is a design build project which should include a general contractor, building supplier and a Clerk of the Works. Vice Chair Clow provided examples of the benefits of a Clerk of the Works. The Highway Garage Committee members were thanked for the work they did on the DPW garage proposal and their names were mentioned individually.

Resident John Lawton is not comfortable squeezing the vehicles into the proposed garage and residents voiced concerns if vehicles will be parked outside if the fleet grows.

The design of the building will allow for future expansion. Vice Chair Tom Clow explained they don't want to overbuild and looked at a variety of building sizes. A larger square foot could have cost up to \$2 million without the outside work of the pump, generator and cistern.

Resident Lori Davis went through possible deliberative questions such as the fire suppression system; concerns the building is too big; need for test pits; make sure it's done in a reasonable fashion.

Steve Roberts had concerns about the comment the vehicles in the proposed highway garage was designed "tight squeeze". He was informed by DPW Director Tim Redmond they used 15 feet in width per vehicle which is comfortable enough to have room to park the vehicles and work around it.

PUBLIC HEARING (continued):

2. For the purpose of hearing public testimony and comment on the 2016 overall Proposed Town Budget, including all separate, special, and petitioned Warrant Articles, as well as disclosure of the Default Budget.

Christine Hague discussed the library budget. Two part-time employees will take the insurance buyout. The \$9,765 will need to be voted on because the money is in a trust fund.

Resident Richard Butt had a question about line 121: Health Insurance Buyout for police officers at \$33,000 with four officers taking a buyout of \$22,000 in the default budget. He did not understand how new officers could be taking the buyout if they are not hired yet. It was explained that cost would not change due to the number of officers (6 vs 4). An insurance buyout would be \$5,500 per part-time officer.

Part-time officers are not eligible for health insurance but due to the Affordable Care Act an organization with over 50 employees, an employee who works 30 hours is eligible for either insurance or the buyout.

FINAL

Mr. Butt felt the savings on healthcare is not seen in the budget. He has concerns the budget should be planned for the next year and the changes in the law of the default being the budget for the next year complicates the process.

John Lawton questioned why the town administrator's salary increased 12.5%. It was explained, that position no longer has education expenses, that line went from \$6,000 to zero, and went into the salary. The fire chief's salary increased which was recommended by the fire wards. The Board felt the fire chief is much more valuable than what he was paid in the past. Fire Ward Chairman Steve Roberts said the chief does an outstanding job and has taken on additional assignments. In the past the chief has asked to be bypassed for a raise because of other needs so this increase is bringing the pay scale for this position into line.

Line 686 is for Range Armor. It was explained this line is for Taser replacements. Chief Kelly explained Tasers gives the officer an option other than deadly force therefore they need to be in working order for everyone's safety.

The ambulance payments will be made out of the savings of the per diem warrant and how they work together needs to be explained. The per diem employees are part-time employees according to the Labor Department. They will work less than 30 hours.

Richard Butt inquired about the CALEA savings but those figures are not available. He felt the per diem employees should be in the operating budget.

The per diem pay for the fire department represents 9 months. There is \$40,000 in the revolving fund. It was noted the core group of 8 members, who receive 1099 forms, had not had a pay increase in five-years and their compensation should be increased. The chief said they are good employees.

The Warrants were reviewed. There were no questions on the majority of them as written.

Richard Butt asked why three additional officers for a third shift are needed. Chief Kelly stated this has been driven by people approaching him requesting 24-hour coverage.

Vice Chair Clow said he supports the warrant. State Police are a back-up for the town but are not always available to respond quickly. He would like to see local officers close-by for domestic calls and drunk drivers. He said, "It's our responsibility to support that level of safety in the community." Mr. Butt didn't want to spend that money amount of money on something that may happen. Vice Chair Clow replied that they hope to never have to see these issues happen, either night or during the day.

Fire Chief Vezina stated when EMS is called for domestic violence; they could wait up to an hour for the police to clear them to go in to respond. The deliberative sessions will be an opportunity for further discussion.

Chief Sean Kelly provided stats: In 2015 the police responded to 148 calls for service 3-6:00am, 17 motor vehicle accidents and 4 domestic violence calls.

Loader Replacement Article: The loader has over 11,000 hours and will need tires. The loader broke before last Saturday's storm and the department had to rent a loader for 16 hours. It was rented earlier today for six hours which cost \$2,700.

John Lawton asked about the five new cruisers and wanted to know about trade-ins. The plan is to go from nine to seven vehicles. The Animal Control cruiser and the 2013 Explorer will be kept. Vice Chair Clow emphasized this is a long-range replacement plan which will rotate the fleet and resulting in higher trade-in values.

FINAL

Christine Hague discussed the need for additional desk coverage at the library to allow staff to work on programs. They are understaffed and the work doubles in the summer. The cost of warrant \$4,520 for 66 hours for 9 months and is a fix cost for programs.

Vice Chair Clow does not want to see the firing range on the warrant because of liability and the fact there is not a solid dollar figure yet. He felt there are other areas that need that money.

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to remove the safety improvement to the firing range from the warrant.

Selectman Hippler also has concerns about liability and the unknown cost. Chairman Lacasse stated that PRIMEX did cover it in the past. Selectman Leary felt the only reason it was closed was because it was vandalized. There was discussion if it was a legal firing range due to the 1992 paper the town administrator found. The question was asked if there was every an insurance claim filed. Selectman Bohl felt the people should vote on it.

VOTE: 2-3 Motion failed. Yes vote by Selectman Hippler and Vice Chair Clow. No votes by Chairman Lacasse, Selectman Bohl and Selectman Leary.

Resident Steve Roberts asked the Finance Committee and the Selectmen to work together. He has concerns the budget won't get approved.

Resident Lori Davis stated she said last week that she is not happy with Board of Selectmen and their jobs are to be stewards of the town. The Second Amendment is important. She asked if anyone has spoken to the National Rifle Association NRA for advice as she suggested. She is worried who will manage the range and asked how many other towns have a firing range. Chairman Lacasse stated that the town of Seabrook does.

Frank Campana has concerns about liability. He gave an example of a young girl in the Midwest at a range with professionals in which she accidently killed the instructor. He wondered if a police officer could do details there and that it should have a monitor.

Public Hearing closed at 10:30pm

MANIFESTS

Chairman Lacasse moved, Selectman Hippler seconded, to sign accounts payable and payroll checks dated January 18, 2016 as included in the following manifests:

Payroll Manifest	\$ 47,413.96
	(Weekly payroll including payroll taxes)
Accounts Payable Manifest	\$ 27,926.48
	(2016 Accounts Payable)
Accounts Payable Manifest	\$ 53,412.17
	(2015 Accounts Payable)
TOTAL	\$128,412.17

FINAL

Passed 5-0-0

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to instruct the chairman to sign the audit engagement agreement. Motion passed 5-0-0.

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to instruct the chairman to sign the radio maintenance agreement. Motion passed 5-0-0.

The town was billed on 12/31/15 for the first quarter. Funds have been moved to line 686.

VOTE: Vice Chair Clow moved, Selectman Leary seconded, to instruct the chairperson to sign the contract with Spaulding Hill Network for continuing computer managed care. Motion passed 5-0-0.

ADMINISTRATIVE REPORT

-The notice for the public hearing on Jan. 25, 2016 to hear testimony and comments on a Municipal Prosecutor Agreement between the town and Alexander G. Gatzoulis for the sum of \$68,027.24 was read in full.

-The DPW position will not be advertised in this Sunday's newspaper. It was discussed if the Sewer and Water Certification requirement be listed in the job description.

-12/31/15: The Capital Reserve Fund balances were received. The Finance Committee will meet this week for recommendations on the individual warrant articles.

PUBLIC COMMENT

None

CORRESPONDENCE

None

OTHER BUSINESS

-There was a recommendation about the Collective Bargaining Agreement (CBA) to clarify the contribution of 10% for the premiums, it's a 3% increase. The change will be worded, "to increase the premium contribution from 7% to 10%".

-In the Per Diem warrant will include it's a 9 month finances and \$90,000 for the year. A tax impact should be added if the per diem fails.

-A Firing Range Warrant will be changed to read "Open to Weare residents" replacing open to the public.

ADJOURNMENT

Chairman Lacasse moved, Selectman Hippler seconded, to adjourn at 11:08pm. Motion passed 5-0-0.

A True Record.

Kathleen Humphreys, Recording Secretary