

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
January 25, 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: Jan Snyder, Frank Hebert, Emily Dauphinais, Alexander G. Gatzoulis, Michael Walton, Yvonne Walton, Danielle Eriksen, Austin Maguire, Brandon Montplaisir, Richard Butt, Leah Watson, William Watson, Gordon Parker and Rob Howard.

Chairman Lacasse moved, Selectman Bohl 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; Chairman Lacasse – yes. Passed 5-0-0

Chairman Lacasse moved, Selectman Hippler seconded to come out of nonpublic session @ 6:40 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

The Board discussed a personnel issue with the Police Chief.

Chairman Lacasse moved, Selectman Hippler seconded to enter into nonpublic session @ 6:41 p.m. pursuant to RSA 91-A:3II (b). A roll call vote was taken, Selectman Bohl – yes; Selectman Leary – yes; Selectman Hippler – yes; Vice Chairman Clow – yes; Chairman Lacasse – yes.

Chairman Lacasse moved, Selectman Hippler seconded to come out of nonpublic session @ 6:54 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

The Board interviewed a potential employee for the Police Department.

Chairman Lacasse moved, Selectman Bohl seconded to enter into nonpublic session @ 6:55 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Bohl – yes; Selectman Leary – yes; Selectman Hippler – yes; Vice Chairman Clow – yes; Chairman Lacasse – yes. Passed 5-0-0

Chairman Lacasse moved, Selectman Hippler seconded to come out of nonpublic session @ 7:02 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

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

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7:03 p.m. Chairman Lacasse called the meeting to order.

PUBLIC COMMENT

None

DEPARTMENT HEAD AND COMMITTEE ITEMS

Police Chief Sean Kelly reviewed the extensive interview process and the results for the position of Administrative Secretary position. He recommended the Board hire Emily Dauphinais.

VOTE: Selectman Hippler moved, Selectman Bohl seconded, to hire Emily Dauphinais at \$18.25/hour, starting February 2, 2016 at the Weare Police Department as Administrative Secretary. Motion passed. 5-0-0.

MEETING MINUTES

Vice Chair Clow moved, Selectman Hippler seconded to approve the minutes of January 18, 2016 as amended. Passed 5-0-0

MANIFESTS

Chairman Lacasse moved, Selectman Hippler seconded to sign accounts payable and payroll checks dated January 28, 2016 as included in the following manifests:

| | |
|--|--|
| Payroll Manifest | \$54,246.74 |
| | (Weekly & monthly payroll with deduction checks) |
| Accounts Payable Manifest | \$53,372.28 |
| Supplemental Accounts Payables Manifest | \$6,052.81 |
| John Stark Regional Manifest | \$250,000.00 |
| TOTAL | \$363,671.83 |
| Passed 5-0-0 | |

7:28pm PUBLIC HEARING on Municipal Prosecutor Agreement between the Town of Weare and Alexander G. Gatzoulis, Esquire:

Chief Sean Kelly stated what the police do is useless unless there is a good prosecutor behind the department. Attorney Gatzoulis has been the town prosecutor since 2014. Formerly, he was the Assistant Merrimack County Attorney for two years, worked in private law firm and worked for Hillsborough County.

Alexander G. Gatzoulis, Esquire described the scope of work which included misdemeanors, violations and probable cause hearings which are a way to determine if a case should be sent to the Country Attorney office. The prosecutor also oversees juvenile cases. He also deals with domestic violence victims. Earlier in the day Mr. Gatzoulis submitted a written statement to Town Administrator Bolton with his viewpoint and fundamental beliefs.

The goal is to try to resolve the cases. He is objective in the approach to review cases unbiased.

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In 2015 the prosecutor worked on 180 new criminal arrests, 171 new motor vehicle summons plus follow-ups from 2014. The department can have close to 400 cases that appear in court that have to come to a resolution. Mr. Gatzoulis discussed with the diminished force the officers do a great job and added, "I'm proud to be their prosecutor and the town should be proud of them."

Selectman Lacasse asked for a typical work week scenario which was provided.

The floor was opened for discussion. The public hearing closed at 7:46pm

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to approve the contract for town prosecutor with Alexander G. Gatzoulis for the sum of \$68,029.24. Motion passed 5-0-0.

Maplewold Road

Yvonne and Mike Walton were present along with abutter Gordon Parker accompanied by Attorney Robert Howard.

Selectman Hippler, who is also a Planning Board member, informed the Selectman they made the recommendation at their last meeting the case can go to the BOS and that they have a list of conditions.

An agreement will be signed between the property owners who will use the road. Attorney Drescher has been consulted.

Mr. Parker has a camp at the end of the road and he needs the ability to get to his hide-a-way. The property was subdivided by owner Ruthie Coleman who entered into a road agreement with Mr. Parker which was recorded. When Ms. Coleman sold the property their agreement was not mentioned in the new document which was recorded. A maintenance agreement was outlined. The recorded deed from January 1998 can be submitted.

Issues to address presented by Mr. Parker's attorney.

1. Original road agreement allowed for over and underground utility lines.
2. Proposed gate across the road.
3. Issues with development, to what extent should Mr. Parker who goes to his camp every once in a while, should have to contribute to the major access to the building going on below him.

Mrs. Walton asked how they address it if Mr. Parker might retire on this property or move there fulltime. She also mentioned the gate access to the property is understandable because there is a working farm with livestock and all residents will have access and a key.

The parties left the meeting and continued discussing the situation to come to an agreement.

The Walton's will be on the agenda for the Feb. 1, 2016 Selectmen's meeting before the ZBA on Feb. 9, 2016.

FINALIZE AND SIGN 2016 TOWN WARRANT

Copies of the warrants were provided.

Article 15, Per Diem: The Department of Revenue wants the warrants split and that it's contingent on passing of article 16. Both have to be yes for both to pass. If no, both fail. A tax impact needs to be added. If Article 15 fails, the tax impact will not be zero. It was suggested to add, If the article fails X amount and if it passes Y amount.

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Town Administrator Bolton attended last week's Finance Committee meeting in which they recommended removing \$80,000 from the operating budget to keep the tax increase at 2%. The town administrator presented a proposed budget amendment based on a compromise. The discussion of the process ensued and some Board members felt it was important to have a budget the Finance Committee recommended but that the budget decision is the Selectmen's function.

Proposed budget reductions: \$27,000 to come from the highway department, \$23,000 to come from legal line and \$30,000 to come from police part-time wages.

VOTE: Vice Chairman Clow moved, Selectman Hippler seconded, to make the following reductions as recommended by the Town Administrator; \$23,000 in the legal fees Line F on the warrant; \$30,000 in the police department, Line 2 and \$27,000 in the highway Line W.

The floor was opened for discussion.

The process leading up to tonight's vote was discussed and the potential for a joint meeting while presenting a budget that would pass and is fiscally responsible was a primary concern.

VOTE: Motion passed 4-1-0. Yes: Selectman Bohl, Selectman Hippler, Chairman Lacasse and Vice Chairman Clow; No – Selectman Leary.

Chairman Lacasse read the warrants and the Selectmen signed the warrant.

Selectman Leary wanted to go on record he was not opposed to reducing the budget but to the process tonight. The budget can be discussed at the deliberative session.

The prosecutor contract was also signed.

ADMINISTRATIVE REPORT

-Advertisement for the DPW Director position was reviewed and the Board was okay with the ad as written.

-PRIME: Future risk management benchmarks are required. A Slip and Fall Prevention policy and a Temporary Alternative Duty (TAD) have a target date is 3-31-16. Police and Fire employees should attend Defensive Tactics which was suggested by Sept. 2016. Primex pays the fees. Ethics training is available online at the website or they can come to the town.

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to approve the PRIMEX Risk Management benchmarks as presented by the Town Administrator. Motion passed 5-0-0.

Presidents Day is Monday, Feb. 15, 2016. There will be no Selectmen's meeting that evening.

Standard Operating Procedure for Snow Removal was updated.

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, to approve the Standard Operating Procedures for Snow and Ice Control. Motion passed 5-0-0.

Chairman Lacasse will write the Selectmen's Report for the town report and send to members for review and comments.

PUBLIC COMMENT

None

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CORRESPONDENCE

None

OTHER BUSINESS

None

VOTE: Chairman Lacasse moved, Selectman Bohl seconded to adjourn at 8:52pm.

ADJOURNMENT

A True Record.

Kathleen Humphreys, Recording Secretary