

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
December 10, 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: Elizabeth LaRocca, Maria Letourneau, Jason Yergeau, Jan Snyder, Jeff Spring, Tina Connor, Gary Shelto

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

TRAFFIC CONTROL ORDINANCE DISCUSSION – Chairman Clow stated that the Board has been reviewing the Traffic Control Ordinance and they invited representatives from Asplundh and PSNH to give them the employer side. Elizabeth LaRocca, Community Relations from PSNH, introduced Jason Yergeau, Line Supervisor that serves the Town of Weare. Ms. LaRocca explained to the Board that they require their employees to work safely. They manage operations and maintenance costs, including traffic control. There are thirty-three roads listed and there are two other roads that the Police Chief wanted to consider. Ms. LaRocca explained that they do not have a lot of people in the office and would appreciate the Selectmen minimizing the number of roads requiring them to utilize police details for their crews.

Mr. Yergeau said that there is currently a large project on Twin Bridge Road and they are utilizing Weare Police details. He would appreciate the list being as minimized as possible. They need to be aware of their operating costs, but want to keep everyone safe.

Chairman Clow said that they are trying to determine whether flaggers or police detail are required. The roads not highlighted on their list were determined by the Police Chief and Director of Public Works as needing neither and a basic sign package can be used. Chairman Clow said that a complete list of roads was given to both the Police Chief and the Director of Public Works and they were asked to identify the roads that need human controls. They came up with near identical lists.

Mr. Yergeau was asked if he felt there was a difference in safety between contracted flaggers or uniformed officers. The Board stated that they are trying to be fair to contractors and public safety. Mr. Yergeau said that contracted flaggers come with their own sign package and can be ready sooner, but if the work site is located on a curve it is nice to have a cruiser with lights. They have had no issues with a flagging company not having beacons or flashing lights. They try to keep their budget down for details, it is not broken down by traffic control, but they are starting to look at that. Traffic control can account for up to 30% to 40% of the cost of a project. The PSNH facility in Bedford serves eleven towns and because of the density of the west side, Manchester requires police detail and the Town of Weare currently requires police detail.

Selectman Lawton asked if other towns have similar ordinances to the Town of Auburn. Mr. Yergeau responded that they do and the ordinance is fairly standard. The flagger company works out liability insurance with the town. They do notify the police department the day before and most towns require that they call before 4:00 pm to get a detail for the next day. Selectman Lawton asked if they can appeal if a police detail was

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required. Mr. Yergeau said that they have never had a situation where they have been closed down due to an appeal. Ms. LaRocca said that their crews have to follow fairly strict rules and safety regulations. Mr. Yergeau said that the customer would have a hard time if the town shut them down. They do what is necessary to make sure the customer is satisfied.

Selectman Lawton asked if it is PSNH practice to call the Chief of Police, who then calls the Director of Public Works and Selectmen. Mr. Yergeau said that when they request details they call an admin person, not the Police Chief directly. Most towns have their lists of roads and as long as they follow that there are no concerns. Chairman Clow said that one thing that the Police Chief brought up was that sometimes projects move during the day and one area may require less safety controls than another. Mr. Yergeau said that maybe half the roads are due to volume and the others are due to terrain and curvature of the road. Some towns are very vague and there is not really a standard. Ms. LaRocca told the Board that with other towns they have agreed with police detail on heavy traffic roads, but they have been able to work with towns. They do agree with the job moving to another location during the day.

Mr. Yergeau told the Board that it is nice in some instances to have the flashing lights. There are times when crews ask for police detail depending on the situation on a road. He said that sometimes the designers indicate the controls needed and make an assessment before hand. Vice Chairman Butt asked Mr. Yergeau if he disagrees with flaggers being just as effective as a police detail. Mr. Yergeau said that flaggers are just as effective and flaggers move with them. Mr. Yergeau said that sometimes police details are just a uniformed officer with no cruiser and they have to provide the signs. It is more efficient for them to have flaggers with a sign package, but they would opt for lights at night. Vice Chairman Butt noted that the Highway Department and state do road work along Route 114 and hire their own flaggers. He asked why they need police detail on roads that are less traveled and less congested. Mr. Yergeau said because it was the norm and it was not brought up.

Chairman Clow said that there are different opinions on the Board regarding whether or not a detail is needed and those who would benefit from the detail. They are trying to find a balance without putting too much burden on the companies involved or taking away all police details. They are concerned with everyone's safety. Mr. Yergeau said that is why he relies on the people in the field for traffic control. It costs \$60 per hour for a uniformed officer and a cruiser and \$20-\$25 per hour for a contracted flagger. It was discussed that there have been no incidents at a scene that they are aware of.

Mr. LaRocca told the Board that they appreciate the town thinking this through because costs are something they need to be careful of. They appreciate the balance and deliberations between flaggers and officers. There are two hundred-twelve roads in the Town of Weare. Chairman Clow said that the town currently requires details on every road. There are thirty-three roads that are now highlighted, not necessarily as needing police detail, but needing human traffic control. There are only two roads that the Police Chief identified that the Director of Public Works did not identify. The Auburn Traffic Ordinance explains different levels of controls.

Gary Shelto, Asplundh, said that any costs incurred by them will be a pass through to PSNH. There is a \$2 million budget throughout the state and it breaks down into the users bills. Mr. Shelto told the Board that when trimming was done four years ago in town, Asplundh paid \$250,000 for police details, which was a huge impact to their budget. They have scheduled maintenance trimming for 2013 on ninety-three miles on the entire electrical circuit. Mr. Shelto thinks that it would be great to have a list of roads that require police details. He said that in other towns there is the same scenario with cost factor, but many other towns have backed off on police detail requirements. Selectman Lacasse asked if the ordinance was written so that it was up to the contractor would here be instances when they would request police detail with blue lights. Mr. Shelto said that proper protection is important. Mr. Shelto said that they generally have an incident or two when someone runs into the equipment and there have been times when an employee was involved in an incident.

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DEPARTMENT HEAD AND COMMITTEE ITEMS – Jan Snyder told the Board that she has borrowed \$300,000 on the Tax Anticipation Note (TAN). There is money to pay the County Tax. Warrant Article #6 for a \$1 million bond with the NH Municipal Bank passed in 1995. The bond covered the town's portion which was 20% of the cost. There is \$208,792 left on that \$1 million bond. Mr. Redmond is proposing to do the Peaselee Road project with a total project cost of \$1,603,552 of which the town's portion would be \$330,706. This would leave \$121,914 to be raised by taxation or by bond issue. The balance left is \$1,353,000 with \$516,000 coming from the state immediately so that the town would need a Revenue Anticipation Note or a State Anticipation Note for five years for a total of \$806,826. A State Anticipation Note can be paid off early and they are going to borrow what the state will be giving back to the town. The town has already paid \$169,000 in engineering costs. The Peaselee Road Project is a state approved project. Ms. Snyder told the Board that she went to Bond Counsel and they will not have to pay unless it is approved. She was given wording for a warrant article from Bond Counsel. Selectman Lacasse said that they are anticipating aid from the state, but what happens if they don't have the money. Ms. Snyder is hoping that Mr. Redmond has the letter of approval. They need to have approval in hand in order to bond. They can go out to five years on a State Anticipation Note for approximately \$806,000 and all but \$121,914 will come back to the town. The town will only pay on the portion that they are drawing and there is not a penalty for paying towards it. It was discussed that there would be a warrant article and the article will state that so much is to be raised by taxation and so much is to be raised by a State Aid Anticipation Note. They are anticipating drawing down \$806,000 and will pay interest only as they are drawing. Ms. Snyder is not sure how quickly the funds come in for reimbursement. This is only for one bridge, the other two are waiting. The town has state aid for Lull Road, but Old Francestown Road does not qualify. It was discussed that the bid for the bridge may come in less than the \$1,929,000 estimated amount. They are borrowing everything they need to put out, not only the town's portion. This amount could also include the Lull Road Project for \$59,000 which could be added on to the \$121,000. Vice Chairman Butt is concerned with how this will look to the taxpayers. It was discussed that it may be more appealing and cost effective to the voters to consider this over a bond. The town is still paying \$50,000-\$60,000 a year on the 1995 bond, which will be done in 2016.

2013 REMAINING BUDGET PROPOSALS FOR THE TOWN – The Assessing contract still needs to be decided. The increase in the town office salary reflects the raise given to the Treasurer for current full year in 2013. Town office expense for employee educate is \$1,200 for Microsoft training package and miscellaneous classes. Selectman Lacasse would like to see a breakdown as to who will attend classes and how much they costs. There is a reduction in the election budget total due to there only being one election in 2013, which is Town Meeting. The Tax Collector health insurance buyout was reduced. A discussion will need to be held on legal expenses. Bond Counsel fees will be \$5,000-\$7,500 for 2013. The Town Clerk insurance buyout was reduced.

Selectman Lacasse mentioned the Obama Care percentage being included in the budget for 2013.

State Retirement System – as of July 1 the town's portion for employees will go from 8.8% to 10.77% and the police will go from 19.95% to 25.30%. The rates are good for two years.

Cemetery – increase for contracted service and to fix the fence at the Eaton Cemetery. Vice Chairman Butt said that they could increase the warrant article to cover the cost.

Unemployment increased 9.9%

Worker's compensation increased 22.5%

General and Property liability increased 21.8%

Emergency Management – The Board will discuss a plan for a replacement Emergency Management Director.

Welfare – Vice Chairman Butt mentioned the possibility of making a change to the salary line.

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Parks and Rec – Selectman Lacasse asked for a representative to come before the Board. The Chase Park repairs line was reduced due to the removal of a one time expenditure.

There is a planned retirement in April in the Highway Department; the accruals need to be calculated.

Chairman Clow said that if the Board has specific budget questions for department heads they can rely their questions through the Town Administrator.

Tina Connor, Finance Administrator, told the Board that she sent an email out to all department heads regarding how important it is to let her know of any expenditure's for year end. There is \$463,773.25 remaining in the adopted 2012 budget. Chairman Clow asked if it would be practical for the town to create a list of major vendors and request that they not accept any orders without a purchase order. It was discussed that the department heads should be following the purchase order policy.

MEETING MINUTES

Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of December 3, 2012 as amended. Passed 5-0-0

ADMINISTRATIVE REPORT

Award Assessing Contract – Naomi Bolton, Town Administrator, told the Board that she checked Marazoff Assessing's references. They do not assess utilities. Hillsborough will be entering into a five year agreement with Marazoff Assessing. Marazoff Assessing's bottom line is \$346,000 and Avitar's bottom line is \$367,000. Avitar will also divide the expense into five year to eliminate a spike.

Vice Chairman Butt moved, Selectman Lacasse seconded to accept the five year contract with Avitar for Assessing at a cost of \$367,190.

The cost will be \$73,438 per year, for five years.

Passed 5-0-0

Selectman Lacasse requested that the unsuccessful bidders be contacted to let them know why they did not get the job. Naomi Bolton, Town Administrator, will tell them that they weren't awarded the contract and answer any questions they may have.

The next step with the Town Hall Report is to put it out to bid.

Server/Workstation – The server at the Police Department should be finished tomorrow. They ran into some trouble with working with IMC, but they have an appointment tomorrow. The Clerk's Office will be done on Thursday. Selectman Lawton asked where the three old workstations from the Police Department that were being replaced and the Notebook are currently located. Naomi Bolton, Town Administrator, will look into where the computers are. Vice Chairman Butt said that the reason he asked for the year end balance is to see if they can get computers for the Fire Department. Vice Chairman Butt asked if they can ask the vendor that is at Police Department to give them a price for the Fire Department. Naomi Bolton, Town Administrator, will speak with them.

Emergency Management Director – Naomi Bolton, Town Administrator, will get the ad from Paul King. Vice Chairman Butt would like to advertise the position in-house.

Cemetery Trustees – The current contractor has already been paid, but has not fulfilled his contract. Bigg Dawg's bid was more expensive than what was budgeted. Vice Chairman Butt said to see if Bigg Dawg will do it for the same price as the current contractor. He also feels a letter should be sent to the current contractor regarding fulfilling his contract.

Discuss CIP Items – Notice has to be posted if there is going to be a warrant article for over \$100,000. Naomi Bolton, Town Administrator, asked if there is any harm in posting two public hearings even if they go with the

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State Anticipation Note. The two bonds would be for the Highway Garage and the bridge bond. Chairman Clow said that they can post for the two public hearings. Chairman Clow said that if they are going to pursue the Highway Garage they need complete plans. It was discussed that there is a cost associated with an engineering design. They need to show the taxpayers what \$575,000 will provide. The professional drawings would need to be done for the end of January to post the warrant and will be needed for Deliberative Session on February 2nd. They need a recommendation from the Finance Committee. Selectman Lacasse asked for Mr. Redmond to provide him with specifications for the building.

Monday, January 14, 2013 is the public hearing for the budget as well as the public hearing for the bond.

January 8th is the deadline for cost submissions for collective bargaining.

There will be a public hearing to accept two pieces of donated equipment for the Fire Department Monday, December 17th.

Jim Blouin, PARC, will be asked to attend the Selectmen's meeting next Monday.

There is a department head meeting scheduled for Wednesday, December 12 at 9:00 a.m.

The Board needs to choose alternate meetings for Monday, December 24th and Monday, December 31st.

Chairman Clow distributed a copy of the cover letter that he drafted for the MRI Report.

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 9:56 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

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 10:08 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

Selectman Leary moved, Chairman Clow seconded to seal and restrict the minutes of the non-public session pursuant to the authority granted in RSA 91-A:3 III. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 10:09 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; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 10:25 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 pursuant to the authority granted in RSA 91-A:3 III. Passed 5-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary