

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
January 9, 2012

PRESENT: TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; LEE MARCROFT, SELECTMAN; KEITH R. LACASSE, SELECTMAN (entered the meeting at 8:03 p.m.)

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Frank Campana, Steve Najjar, Jan Synder, Christine Hague, John Rauscher, Daniel Muller, Craig Heathfield

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

Chairman Clow said that the budget and warrant will be posted by midnight tomorrow and a budget hearing will be held at the next meeting of the Selectmen on Monday, January 16, 2012.

MANIFESTS

Chairman Clow moved, Selectman Marcroft seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated, January 12 2012. Passed 3-0-0

Accounts payable	\$72,755.02	
Gross Payrolls	<u>\$45,016.18</u>	(includes taxes, credit union, police detail)
Total	\$117,771.20	

MEETING MINUTES

Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of December 19, 2011 as amended. Passed 3-0-0

Selectman Marcroft moved, Chairman Clow seconded to approve the minutes of December 23, 2011 as printed. Passed 3-0-0

Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of December 30, 2011 as printed. Passed 3-0-0

Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of January 4, 2012 as printed. Passed 3-0-0

DRAFT WARRANT – Naomi Bolton, Town Administrator, informed the Board that Tim Redmond informed her today that there will be a retirement in the Highway Department at the end of 2012. It was discussed that the retirement payment accrual total is \$18,353.

There is a last minute decrease of \$875 in the Library budget, which is reflected in the budget.

Vice Chairman Butt commented on the revolving account for the Fire Department per diem EMTs. One of the conditions of the per diem was that any revenue over \$90,000 generated from ambulance billing would go into the Vehicle Replacement Special Revenue Account. Vice Chairman Butt thinks that it is important to know that only \$10,357 went into the account after paying the per diem EMTs. They are putting a lot of money justifiably into the per diem EMTs, but they are not putting money into the Vehicle Replacement Special Revenue Account for vehicle replacements. Chairman Clow said that possibly next year it may be possible to put EMT

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service into the operating budget. Vice Chairman Butt said that they are losing \$90,000 per year for vehicles because of the per diems utilizing 90% of that revenue and he feels it needs to be discussed.

Vice Chairman Butt said that there is one article on the warrant requesting two police cruisers with \$24,000 being used to offset the tax impact on the vehicle purchases. The article is for \$60,000 and Vice Chairman Butt asked if it would be possible to offset the total purchase. Mrs. T. Connor said that there will be \$49,000 remaining in the fund. A \$10.00 vehicle usage fee is charged on police details. Chairman Clow thinks there is \$45,000 that could go towards vehicle purchases. Chairman Clow said they could rewrite the article to reflect \$45,000 coming out of the fund towards the vehicle purchases.

PUBLIC HEARING – To hear public testimony and comment for the purpose of accepting approximately 1400 LF of Fessenden Lane (off River Road) as a Class V town maintained road.

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

Naomi Bolton, Town Administrator, informed the Board that she has verbal approval from the Highway Director. The road acceptance was approved by the Planning Board.

Craig Heathfield explained to the Board that this is a new development and the road was put in two years ago with final coat of pavement being applied this fall. Twelve out of the fourteen houses have been built and sold. It is a cluster development with twenty-eight acres of conservation on a total of forty-five acres. There is a 30,000 gallon cistern.

Naomi Bolton, Town Administrator, told the Board that there is a bond that needs to stay in place for two years and the acceptance of the road should be contingent upon receipt of the bond.

Mr. Heathfield said that Chip Meany told him that there was more money in the account than what was required for the bond.

Chairman Clow said that the Planning Board approved the acceptance of the road. There was some discussion of the driveways having enough swale to keep the runoff off the road.

Chairman Clow closed the public hearing at 7:40 p.m.

Vice Chairman Butt moved, Selectman Marcroft seconded to accept approximately 1400 LF of Fessenden Lane as a Class V town maintained road contingent upon a satisfactory 25% warranty bond. Passed 3-0-0

PERMISSION TO BUILD ON PONDVIEW ROAD – Attorney Daniel Muller informed the Board that he is requesting, on behalf of Glen and Charlotte Price, that 43 Pondview Road be approved as a buildable lot. The lot was part of an old subdivision and a plan that was approved for this lot was done at that time. There are private covenants that restrict use to a single family. Attorney Muller told the Board that they are looking for the right to build so that the Price's can sell the property as a buildable lot. Attorney Muller said that they went to the ZBA because the town's building ordinance states that there must be frontage on a Class V road; they obtained a variance in November. The state zoning statute requires going to the governing municipality body to see if they will allow a building permit on a private road. Attorney Muller said that if the Board grants permission to build on the lot, the town is not required or responsible for maintaining the road. There is also a marking condition to indicate that it is a private road.

Attorney Muller said that they are generally asking for a building permit so that if someone wanted to build in the future it is deemed as a buildable lot and in the future the owner would have to come back to the town to show plans. A building permit would need to be applied for and if the plans submitted do not comply with town regulations it could be denied. At this time they are just looking to be able to sell it as a buildable lot.

Mr. Steve Najjar, 138 Pondview Road, told the Board that Pondview Road is a private road and residents are on their own to maintain the road. Mr. Najjar told the Board that the land is steep and the driveway would need to be engineered. He feels that they would be setting someone up in the future if the Board says it is buildable

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without it being engineered. There are wetlands to either side of where the driveway would be and there are set back requirements for septic and wells. Mr. Najjar has a significant concern with how the driveway will enter the road.

Attorney Muller said that those issues would need to be taken care of when someone goes to build on the property.

Naomi Bolton, Town Administrator, said that the current owners are asking for the property to be approved as buildable and whoever purchases the property will knowingly be informed that it is a private road and they will need to meet requirements. At this time the Board would only be approving the ability to use Pondview Road to access 43 Pondview Road.

It was discussed that authorizing the issuance of a building permit according to the RSA could be done subject to variances at the time that a building permit is applied for. Attorney Muller told the Board that approving only means that the lot is buildable on a private road, but does not waive other requirements

Vice Chairman Butt moved, Selectman Marcroft seconded to grant relief from RSA 674:41 to allow the issuance of a building permit on Lot 108-43 (43 Pondview Road) subject to state and town regulations. Passed 3-0-0

DEPARTMENT HEAD AND COMMITTEE ITEMS

Selectman Lacasse entered the meeting

JOINT LOSS MANAGEMENT UPDATE – Ms. Christine Hague distributed the annual report of the Joint Loss Management Committee, which is required every two years. Every year the Joint Loss Committee conducts safety inspections on all town buildings. Ms. Hague told the Board that the spreadsheet is done because they want to bring out life safety issues that are not minor. On the spreadsheet the committee feels that there are issues that go beyond department fixes, such as the alarm system at the Town Hall. They also need to look at emergency strobe lights in the restrooms and outside of the building. Last year the Library was written up for not having child proof receptacles and the Town Hall receptacles are not child proof. There is not an emergency light in the downstairs bathroom at the Town Office. Chairman Clow told Ms. Hague that a contractor has been selected for the Town Hall doors and things are moving forth. Ms. Hague mentioned the Public Works Department buildings and said that the townspeople need to be made aware of potential liabilities. Tim Redmond and Benji Knapp are both on the Joint Loss Committee and will be having Phil St. Cyr out and to review the facilities at the Public Works Department.

There are many other things in the safety report that are being handled by department heads. Ms. Hague told the Board that at the last meeting of the Joint Loss Committee it was discussed that morale can be a safety issue and morale is not good because employees have not had increases in many years. Employees have also been given more work and not much encouragement, which wears people down and that is when mistakes are made. The committee feels that raises make a difference in performance and safety.

Ms. Hague informed the Board that there was a warrant article that was passed in 2008 for the alarm system at the Library and the article was non-lapsing. Ms. Hague told the Board that the alarm panel was replaced in December and she thought that because the article said non-lapsing it meant just that, but it actually meant that the money was available for one year. The balance of that account is in the town account and cannot be spent by the Library. Ms. Hague asked the Board if the \$957 to repair the fire alarm panel might be available through the Government Building and Maintenance Fund. Chairman Clow said that another alternative would be to take it out of the Library's 2011 operating budget.

FINALIZE 2012 WARRANT ARTICLES

It was discussed that all petitioned articles are due tomorrow, Tuesday, January 10, 2012.

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Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 8:22 p.m. pursuant to the authority granted in RSA 91-A:3II (a). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

The Board discussed the Collective Bargaining Agreement for the Public Works Department.

Chairman Clow moved, Vice Chairman Butt seconded to come out of non public session @ 8:44 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow said that the reason for the non public was because the Board had copies of the warrant to go over and there were figures that related to the union agreement that the Board needed to review.

Proposed 2012 Budget

Total expenditure proposed \$4,787,860.00 default \$4,685,778.00

Less anticipated revenue \$2,492,240.00

Total to be raised by taxes \$2,295,620.00

Town's net assessed evaluation is \$797,978,495

If 1% was added to the town's net assessed evaluation \$805,958,280

If .5% was added to the town's net assessed evaluation \$801,968,387

The school will use which ever figure the town uses for the next assessed evaluation.

The Board agreed to add .5% to the town's net assessed evaluation. To support the 2012 operating budget using \$801,968,387 as the town's net assessed evaluation the tax rate will be \$2.86 per thousand for the proposed and \$2.74 for the default.

Chairman Clow said that the projected revenue for 2012 is very conservative.

Draft Warrant Articles dated January 9, 2012

CIP Fire Truck – \$374,900 to be withdrawn from the Weare Fire Department Vehicle Replacement Special Revenue Fund. Vice Chairman Butt commented that they will lose the ability to utilize that fund for vehicle purchases in the near future because only \$10,000 is going into the fund annually.

CIP-Defibrillator – \$30,000 to be raised by taxation

Road Reconstruction – \$400,000 of which \$151,586.06 to be raised by taxation

CIP-Highway Department – \$155,000 to be raised by taxation and added to the Highway Truck and Equipment Capital Reserve Fund

CIP-Transfer Station – \$42,000 to be raised by taxation and added to the Transfer Station Equipment Capital Reserve Fund

CIP-Police Cruisers – \$64,000 of which \$40,000 to be raised by taxation

Mrs. T. Connor told the Board that \$31,297 in the fund is earmarked for cruiser purchase. According to the wording of the established fund the balance can't all be applied to vehicle purchase and a vote would be needed by way of a warrant article to change. Chairman Clow thinks they are within their rights to use more of the fund to apply towards vehicle purchases. Naomi Bolton, Town Administrator, will have legal opinion on the use of the fund available at the budget hearing. Vice Chairman Butt said that if there is no justification on the second cruiser purchase they can remove the article and just utilize the fund. He feels that the more they can apply towards the purchase, the more likely it would be approved by voters and less that would need to be raised and appropriated. The Board agreed to take \$48,000 from the Police Department Revolving Fund and raise \$12,000 by taxation. Mrs. T. Connor said that there is money available in the fund to purchase one cruiser. Vice Chairman Butt said that they can put the balance of the fund towards the purchase of a second cruiser.

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CIP-Police Department Communications – \$9,200 to be raised by taxation and added to the Police Communications Capital Reserve Fund

CIP-Computers Police Department and Town Office – \$30,000 to be raised by taxation and added to the Computer System Capital Reserve Fund

Highway Union – \$18,863.78 to be raised by taxation

Accruals – \$15,000 to be raised by taxation and added to the Employee Retirement and Accrual Capital Reserve Fund

Employee Raises – \$22,200 to be raised by taxation; waiting for verification if raises would also include the Library

Library Adding Hours – \$4,346 to be raised by taxation. Chris Hague told the Board that they are not adding any new positions, but adding additional hours to one Page position, one Aide, and for cleaning.

Cy-Pres – \$20,000 to be raised by taxation and fund this appropriation by authorizing the withdrawal from Cemetery Trust Funds Cy Pres Account

Hazardous Waste Day – \$6,000 to be raised by taxation

Fireworks – \$8,000 to be raised by taxation

Chairman Clow moved, Selectman Lacasse seconded to approve the appropriation warrant articles on the warrant as amended for posting. Passed 4-0-0

The Board discussed approving the Manifest bi-weekly instead of weekly. Mrs. T. Connor will let the Board know when the change will take place.

ADMINISTRATIVE REPORT – Naomi Bolton, Town Administrator, stated that due to voting tomorrow, the Town Clerk's office will be closed.

Mrs. T. Connor's AP software package will be updated tomorrow and it could take up to four hours.

Selectman Marcroft attended the election training on Saturday in Bedford and was informed that the checklist states that two Selectmen must be present at the elections. The Selectmen received no warning of this change brought forth by the Attorney General.

The football team will be contributing community service and dismantling the voter booths.

OTHER BUSINESS – Vice Chairman Butt mentioned that he noticed hockey being played on the ice skating rink which is supposed to be used for free skate. It was discussed that PARC will be notified.

Chairman Clow moved, Selectman Lacasse seconded to adjourn at 10:06 p.m. Passed 4-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary