

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 7, 2011**

PRESENT: TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; LEE MARCROFT, SELECTMAN

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Tim Redmond, Frank Campana, Art Siciliano, Jan Snyder, Maureen Bilodeau, Chris Hague, Jill Tacy, Stephen Najjar, Paul Marsh, Tina Connor

Chairman Clow moved, Vice Chairman Butt seconded to enter into non public session @ 7:00 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Chairman Clow – yes. Passed 3-0-0

Chairman Clow moved, Vice Chairman Butt seconded to come out of non public session @ 7:27 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Marcroft – yes; Chairman Clow – yes. Passed 3-0-0

7:30 p.m. Chairman Clow called the meeting to order.

Chairman Clow said that the purpose of the non-public session was to interview two candidates for the two Highway Department vacancies.

Mr. Tim Redmond, Public Works Director, said that he recommends that the Board hire Nathan Wilson of Weare as a full-time truck driver and Ryan Dicey of New Boston as a truck driver and Transfer Station attendant.

Vice Chairman Butt moved, Selectman Marcroft seconded to hire Nathan Wilson as a full-time truck driver at a rate of \$13.00 per hour. Passed 3-0-0

Vice Chairman Butt moved, Selectman Marcroft seconded to hire Ryan Dicey as a truck driver/Transfer Station attendant at a rate of \$13.00 per hour. Passed 3-0-0

PUBLIC COMMENT – Steve Najjar, Pond View Road, is asking for assistance from the Board to help resolve an issue on his road. Mr. Najjar explained to the Board that his neighbor has started a dog kennel in their residential neighborhood. Along with other neighbors he sent a letter to Chip Meany in June and has not received a response. The neighborhood is zoned residential and Mr. Najjar feels it should be kept residential and that the use does not fit into the neighborhood. Chairman Clow said that he did not see the previous letter, but he spoke with Mr. Meany today and he is still in the process of receiving legal opinion. Chairman Clow said that the issue has been dragging because of the legal budget for the year. Mr. Meany will contact the attorney again to seek opinion. Vice Chairman Butt is surprised it is still an issue because it did come before the Board a long time ago. Mr. Najjar said that he is still waiting to hear from Mr. Meany and he would appreciate any assistance in expediting the issue. Vice Chairman Butt said he was unaware that it was not resolved because at the time when this issue came before the Board it was under construction and they wanted to get the building inspector out there right away. Chairman Clow said there are two different issues; the structure and the business. Chairman Clow said that the owner applied for a waiver for the structure from DES and Mr. Meany

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did not know where that stood. Also the owner said that there would be no electricity in the shed. The other issue is the business and whether that type of business is allowed in the residential zone. Mr. Najjar said it is the whole scope causing the problem and said that the main issue is a commercial size dog breeding business in a residential neighborhood. Chairman Clow said that they will review the letter thoroughly and Mr. Meany will go back to Attorney Drescher.

Richard Housing, Pond View Road, owns the property adjacent to the property in question. He told the Board that he has no issue with the shed, his issue was the intended use of the shed and the commercial business. Mr. Housing is anxious to find out the next step and if they have any legal footing or if not what can be done. He said that this commercial business is infringing on his personal liberties and the value of his property.

Mr. Frank Campana told the Board that he was made aware that a police vehicle was in an accident three weeks ago. He understood it to be a police vehicle that got involved with a gate on town property. The way it was presented to him and the little he found out it seems poor judgment or lack of judgment. He is not sure if the town insurance covered the incident and maybe it should have been put on the person driving the car. Mr. Campana said that he is not sure if there was any will on the Board to make the person step up and take responsibility. As a taxpayer Mr. Campana does not want to see town vehicles treated that way and feels it is an accident that did not need to happen.

Chairman Clow said that the Town Administrator was made aware of the accident and shared the information with the Board. It was an accident. A police officer went to get gas in the middle of the night at the Highway Garage and the gate was partially closed and he hit it on the way out. Chairman Clow said that there is no indication that it was done on purpose.

Chris Hague, Chairman of the Joint Loss Committee, said that everything that is safety related is brought to the Joint Loss Committee. The members review all incidents and determine whether it was preventable and the steps that need to be taken. The committee will look into the incident, as they do for every incident.

DEPARTMENT HEAD AND COMMITTEE ITEMS

Elections Budget – Ms. Maureen Bilodeau informed the Board that there are four elections in 2012 and there are eighteen workers per election as in the past. Printing of the ballots for the four elections costs \$8,300. Postage is to cover absentee ballots for the four elections. The Presidential Primary is January 10th, Town Meeting is in March, the State Primary is in September, and the General Election is in November. Ms. Bilodeau said that the cost to hold four elections has decreased from the amount in 2008. *Total being requested for 2012 \$19,100.*

Town Clerk's Budget – Ms. Bilodeau said that there is an increase in the budget of \$4,177 with \$2,900 being for an employee insurance buyout and related expenses. There was a need to add an additional telephone line when the Tax Collector was relocated, which is an additional \$500 a year. There is an increase in postage; to date \$3,768 has been spent and there is only \$3,500 in the line for the year. Vice Chairman Butt commented on paying out almost \$20,000 in vacation and accrual time for the year to date. Tina Connor responded that it was Evelyn Connor's retirement pay out, which came out of the Capital Reserve Fund. The family buyout is higher than the single buyout and was figured into the 2012 budget for a full year. Ms. Bilodeau said that there are obligations that her department has that will increase the budget and are out of their control such as cost of postage. Ms. Bilodeau said that they do take in revenue to cover the postage, but the revenue does not go back into her department. Vice Chairman Butt said that they have to maintain the cost to provide the service and those increases should be included in the default budget. *Total being requested for 2012 \$122,158.74*

Library Budget – Chris Hague told the Board that there is no change in the wage line, retirement has gone down, and the health insurance figures may change. They are still paying \$.40 per mile and she thinks they should pay \$.50 per mile. The last time a wage increase was given it was under a default and they had to cut from other lines. Ms. Hague would like to get their book budget back up to where it was in 2007. They have no maintenance contract on their photocopier and they charge \$.10 per copy. There were two warrant articles

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passed that allow them to take donations and collect income generated from the copy machine. There is approximately \$1,000 in the fund and by law they are allowed to spend the fund on books and supplies. Ms. Hague typically deposits \$100 per month into the account. The Library Computer Capital Reserve Fund has approximately a \$2,000 balance. Ms. Hague said that the Library is a service institution and they offer services to the public. Students utilize the computers and printers as well as people looking for jobs. They charge \$2.00 per page for a fax. Ms. Hague does not want to charge more than \$.10 per copy because it will eliminate users that utilize their services. Ms. Hague said that it is very hard to pass a budget. They are operating on a twelve year old budget, but she did not want to include everything that they need. IT is fee for service based and not on a contract. Consortium fee for downloading books will be \$1,100 for 2012; every town in NH pays the consortium fee based on their population. There is a new software system going on line this week, which will allow the public to look up books, renew books, and see what the library owns all from home. This software is hosted off-site and will cost \$1,600 per year starting next November. Ms. Hague increased the building maintenance line by \$500. The Library is allowed to have a treasurer, but is not allowed to spend without holding a public hearing or by putting it before the voters.

Total being requested for 2012 \$176,908.30

Art Siciliano, Colby Road Landfill Discussion – Mr. Siciliano told the Board that he is representing Roger Hardy Construction Company. Mr. Siciliano said that they dug test pits last Friday and located the edge of the dump, which does go right to the road. Vice Chairman Butt asked how the land fill limits were determined. Mr. Siciliano said that they used a backhoe and started digging where they knew the dump was not and dug towards it until they reached the dump and recorded it. Their intention was to find the dump and not to do any development near it. The maps show that where they are going to do the developing there is no evidence of the dump.

Mr. Siciliano showed the Board a proposal for a lot line adjustment, which could give the town approximately three acres. Naomi Bolton, Town Administrator, thinks it would have to go to Town Meeting, although she has not contacted LGC. The parcel being given back to the town would be undevelopable, zoned industrial commercial, and must be at least two acres.

Vice Chairman Butt commented on knowing that there is a dump there and asked if it has an impact on it being an aquifer protection zone. Mr. Siciliano said that they would not want to develop the water and stop it from going into the aquifer. He was told that they should just leave the dump area alone. Mr. Siciliano said that they need to continue with their site plan. They located the edges of the dump and that is as much as they want to do. His client would like to develop the property and stay away from the dump, but has not yet got approval from the ZBA. Mr. Siciliano said that is was continued at the ZBA because they want the Selectmen to acknowledge the dump and ask if the Selectmen are ok with the development. Before Mr. Siciliano can go back to the ZBA he needs acknowledgement from the Selectmen that the dump and the perimeter of the dump have been properly located and that the Selectmen would be all right with the development. There are two lots; the dump is on one lot and not on the other. Chairman Clow said that the Board would be making a more informed decision if they read the entire report first. Mr. Siciliano said that the ZBA wants the Selectmen to say that what the developers have done is satisfactory and no further testing has to be done.

2012 FUEL BUDGET

Chairman Clow that they need to set the price per gallon on fuel; the departments calculated their usage. Naomi Bolton, Town Administrator, said that \$3.35 was used as a price per gallon for gasoline and diesel.

MANIFESTS

Chairman Clow moved, Vice Chairman Butt seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated November 10, 2011. Passed 3-0-0

Accounts payable \$;1,536.28

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Gross Payrolls	\$44,182.87	(Includes taxes, credit union, police detail)
	\$4,645.45	(Fire monthly)
	<u>\$6,822.36</u>	(EMT/Per Diem)
Total	\$117,186.96	

MEETING MINUTES

Vice Chairman Butt moved, Selectman Marcroft seconded to approve the minutes of October 17, 2011 as amended. Passed 3-0-0

Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of October 24, 2011 as amended. Passed 3-0-0

ADMINISTRATIVE REPORT

Naomi Bolton, Town Administrator, told the Board that she was contacted by Sherry Burdick from the Historical Society. The Historical Society would like permission to replace the sink and toilet and to purchase paint to spruce up the bathroom at the Stone Memorial Building. Ms. Jane Snyder told the Board that the Historical Society voted to spend an amount not to exceed \$1,000 to repair the bathroom. The plumber that will be installing the heating system will also do the bathroom repairs. It was discussed that since this was not on the agenda the Board could give the Historical Society the go ahead and put this on the next agenda for a formal motion. Work will start on the 21st. The Board gave permission for the repairs and will make a motion at their next meeting.

Naomi Bolton, Town Administrator, said that she is still working on the numbers to see where they are going to find the money to cover the overages in the 2011 budget.

The CIP Committee met for the final time this morning. The CIP Committee wanted to go with the department heads to make a joint presentation to the Planning Board and Finance Committee. Vice Chairman Butt said that the CIP Committee needs to go to the Planning Board first and get their approval before going to the Finance Committee. The Board would like the CIP Committee to go before the Planning Board on the 17th and the Selectmen on the 21st before going to the Finance Committee in December.

Other Business

Selectman Marcroft said that at the Zoning Board meeting the ZBA voted 3-1 to grant approval subject to going to the Planning Board and Board of Selectmen regarding an issue with a lot of litigation on Pond View.

The tax bills are almost ready to be sent out.

Chairman Clow said that the tax rate was set at their last meeting. The rate was set by the state. The town portion is \$3.26 per thousand with a total tax of \$20.60. This rate is very comparable for most taxpayers from their last year's bill. The tax bills will go out on Wednesday.

Chairman Clow moved, Selectman Marcroft seconded to adjourn at 9:42 p.m. Passed 3-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary