

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
August 1, 2011

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; LEE MARCROFT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

**GUESTS:** Frank Campana, Tim Redmond, Marty Fischer,

**RECORDING SECRETARY:** Cherry Palmisano

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

**PUBLIC COMMENT** – Mr. Frank Campana commented on the Board having some discussion regarding raises for the Police Officers at their last meeting. Chairman Clow said they did have a discussion regarding step increases that were in their contract. Mr. Campana asked the Board, that in the absence of an increase on the ballot last year, did the increase go in the proposed and did it also go into the default. Chairman Clow said that in 2010 when the police contract was presented there was a lengthy discussion on the contract and it was made clear by a member of the Board and a member of the Finance Committee that because of the Evergreen Clause and by what was said at the 2010 Deliberative Session that the step increase was put into default. The Evergreen Clause was still in effect at that time. Chairman Clow said that they have received a number of legal opinions, but they are not sure what they are going to do yet, and discussions are underway. Mr. Campana understands that the Selectmen did ask town council for advice, now that the Evergreen Clause is no longer in effect, as to whether they were obligated to give those raises or not. He said that the response from the attorney was that it was up to the Board. Chairman Clow said it was up to the Board and anything in future years will not be in the default. The Evergreen Clause was rescinded so there will not be increases unless something changes in the Legislature and increases can only be granted through governing bodies. Mr. Campana said now it is shifted down to the Board and the Board can bargain in their own version of an Evergreen Clause. Mr. Campana respectfully requests that when discussions of that nature take place in the future, even if held on an off night, that the meeting be televised. Chairman Clow said last week they did discuss the issue on an off night because it was their first chance to have four members present.

**Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 7:17 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; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

**Selectman Lacasse moved, Selectman Marcroft seconded to come out of non public session @ 7:25 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 purpose of the non public session was to interview a candidate for the Highway Department.

Mr. Tim Redmond recommends that the Board hire Marty Fischer effective immediately.

**Selectman Lacasse moved, Selectman Marcroft seconded to hire Marty Fischer as a full time employee working Wednesdays, Thursdays, and Fridays at the Highway Department and Saturdays at the Transfer Station at a rate of \$13.00 per hour. Passed 4-0-0**

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### **DEPARTMENT HEAD AND COMMITTEE ITEMS – Tim Redmond, PWD Award Winter Sand Bids**

Mr. Redmond informed the Board that he requested the winter sand bids be provided to the town, from the four in town bidders, under three different options:

- 1) let the town bring the town's equipment to the sand bank of the bidder, screen, and haul it to the town shed
- 2) the bidder screen and load it onto the town trucks and the town haul it to the town shed
- 3) the bidder to screen and deliver it to the town shed

Mr. Redmond told the Board that it is actually almost more expensive to screen and load it themselves.

Mr. Redmond recommends awarding the bid to Brownie's Sand and Gravel with option 2 at \$4.23 per yard. He plans to have a separate stockpile at the Transfer Station and they will mix it with the salt when necessary. Mr. Redmond would like to purchase up to a maximum of 5,000 yards to restore the town stock pile.

**Selectman Lacasse moved, Selectman Marcroft seconded to award the winter sand bids to Brownie's Sand and Gravel at a price of \$4.23 per yard up to 5,000 yards and for the town to go pick it up at Brownie's. Passed 4-0-0**

### **DISCUSS PSNH REQUEST TO RE-LOCATE POWER LINES ON MAPLEWOLD ROAD – Mr.**

Redmond informed the Board that on June 28<sup>th</sup> Asplundh Tree Service contacted him to inform him that PSNH plans on making a change involving moving the lines from behind the houses to bring them to the front of the houses on Maplewold Road. Mr. Redmond said that he told Asplundh that town approval would be needed because of all the trees coming down. PSNH called him to say that stakes were being put out marking tree removal and pole locations.

Mr. Redmond and Chairman Clow walked the site location. 2,700 feet of the road would be affected. Chairman Clow said that it is a beautiful stretch of road because of the tree canopy, stone walls, and mature trees and it is hard to vision how the poles could be installed without major cutting. Chairman Clow is not sure where their authority lies. The poles would be in the town right a way and he thinks the poles can't go there without the town's approval. PSNH wants the lines moved to where they are more accessible. Mapewold Road has a 50 ft right a way.

Selectman Lacasse asked if it is a fact that PSNH needs approval from the town. Naomi Bolton, Town Administrator, said that typically the town has to sign off on pole licenses. Mr. Redmond stated that he has only signed for replacement poles, not new pole and he wants to know the town's rights before signing. Naomi Bolton, Town Administrator, thinks that they should reach out to the residents of the road. Mr. Redmond said that PSNH has stated that, by way of Asplundh, all landowners are on board. He thinks they should have all stakes put in place marking the new pole locations and how each tree on the road will be affected for residents to review and comment.

Chairman Clow feels that even if the initial placement of the poles did not bring forth a lot of cutting, once the lines are there, severe trimming will need to be done in the future.

Vice Chairman Butt would like something in writing from PSNH with specific details and the reason why the poles need to be relocated; for ease of maintenance or power outages, etc.

There are concerns from members of the Board that there would be a significant change to the tree canopy of Maplewold Road.

Selectman Lacasse wants to know if the Selectmen have the authority to deny PSNH this change. He would be in favor of staking where the new poles would go, which trees will be affected, and walking the road with the residents.

Chairman Clow feels that because Maplewold Road is a scenic road they should also consider beyond how it affects the residents of the effected part of the road and how this would affect the town. He also feels that if there is significant change that will be made, there should be public input before the change is approved.

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Mr. Redmond will contact PSNH to determine why they want to make the change, find out what problems are they having to require the change, the location of the new poles, and the intensity of the trees to be cut. He will also get definite comments from homeowners in the area.

It was discussed that authority to grant or deny permission could lie with the Planning Board. Mr. Redmond does not feel he has the authority to give PSNH permission. Naomi Bolton, Town Administrator, will contact Laura Spector on who has the authority to grant or deny permission to PSNH.

Mr. Redmond mentioned an article that was in the Union Leader regarding the NH DOT considering changing some of their winter maintenance plans. Caleb Dobbins, State Engineer from DOT, is proposing to change their response to snow and ice controls, altering the maximum accumulation from 3-7 inches before they send their trucks out instead of 3-6 inches. The NH DOT is also considering not plowing state roads with average trips of 5,000 or less per day and not plowing 9:00 p.m. to 4:00 a.m. Mr. Redmond is not sure how Routes 114, 149, and 77 will be affected and is concerned about the downshifting of these services. Mr. Redmond will be attending a state wide road managers meeting in Meredith and he is certain this will be the hot topic of discussion. Mr. Redmond said that he will also speak with the three road patrol sheds in the area to see what they actually know and what they have been told. He will bring back more information to the Board at a later date.

Mr. Redmond told the Board that his department has reclaimed Sugar Hill, Beech Hill, and Sherwood Forest and will be repaving within the next two weeks. Etta Lane and Wallingford Terrace still need to be paved. He hopes to have most of the road work done by the first of September before school begins.

**2011 BUDGET REVIEW** – Chairman Clow said that as of June 30<sup>th</sup> there was 44.8% of the operating budget remaining, which is a little deceiving because there are some upfront payments that were made and road salt purchased.

*Highway* – 46.17% remaining and 17.23% in the salt line, a little shy at the half year mark. Building maintenance and meetings and seminars are over. DuVals big wrecker had to pull a truck off the embankment at a cost of \$3,500. The director line is at 83.7% remaining. Electricity has 8% remaining and the heat line has 14%. The vehicle fuel line has 40% remaining. The new hire is on a single insurance plan, which replaces a family plan. Chairman Clow said that in looking at the bottom line he is concerned with this budget, because it is one of the largest budgets. One concern is that fuel was estimated at \$3.35 for diesel and the prices were significantly higher.

Vice Chairman Butt said that he is concerned with the process and does not understand why the Board cannot fulfill the agreement they had that when a line goes over the department head comes before the Board. He would like to know if the Board is going to enforce this. He feels this never happens and that the department heads should be coming forth and telling the Board when they are going to overspend, where they will find the money in their budget to cover the over expenditure, and the reason for the over expenditure. Chairman Clow feels they should re-issue the memo reiterating the request from the Board to be notified of over expenditures.

*Transfer Station* – 53.51% remaining. Mr. Redmond told the Board that with the new hire was told that Saturday was part of his job, which will help reduce overtime on Saturdays. The door to the office needed to be replaced and he just had maintenance done on the balers and they will be getting a bill from an electrician for the repair. The heat line only has 12.4% remaining, there is \$1,224 in equipment maintenance, and the newspaper hauling line only has \$495 remaining.

Mr. Redmond said that he sold the whole wood chip pile at the Transfer Station. Every two loads they receive a check for over \$400. Chairman Clow mentioned that for several years there has been discussion about purchasing a tub grinder, this gives more credibility to purchasing the grinder to sell the chips. Mr. Redmond said that he would like to look into it and do the calculations before recommending purchasing a tub grinder.

The revenues will need to be reviewed when they set the tax rate.

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*Police* – 50.43% remaining. A longevity bonus and an education incentive were overlooked in the budget. The department's computer upgrade software is still having issues. The storage shed line is over by \$255 and the department has a new storage bay at Look-N-2-Store for evidence they need to have stored. There is 68.29% remaining in the animal control budget. Chairman Clow mentioned that the overtime is more under control, but still shows that they are under budgeted for overtime. Vice Chairman Butt said that the overtime looks like it could be over expended by \$40,000. The Board discussed that Chief Begin should be asked to come before the Board with explanations. Chairman Clow feels that Chief Begin has tried to control the overtime piece that deals with vacations and sick.

*Fire Department* – 55.61% remaining in their budget with the largest over expenditure having to do with the tanker repair, which is over by \$4,400. South Weare Station propane has been red flagged and they need to find out why.

*Forest Fire* – 89% remaining

*Building Department* – 53.9% remaining

*Clerk's Department* – there was a budget shift from a single plan to a family plan. There are paying Evelyn two weeks vacation.

*Elections* – \$4,200 remaining

*Finance* – 50.74% remaining

*Health* – doing well

*Welfare* – doing well – Naomi Bolton, Town Administrator, informed the Board that she went to WMS to speak with the Principal, and there is a classroom available to move the food pantry into.

*PARC* – just getting into season

*Trustees* – 68% remaining

*Cemetery* – 47% remaining

Naomi Bolton, Town Administrator, informed the Board that she is trying not to call the IT person or calling him as little as possible to keep the budget done. She is working with Granite State regarding the email problems. She has been working to get stuff together for CIP and would like to get started soon.

*Legal* – There is a large concern with this budget

Chairman Clow is concerned with other departments running so close. In past years larger departments were not running as close and they were able to get the money from those departments to cover other departments over expenditures.

*Selectmen's Office* – 50.96% remaining

Naomi Bolton, Town Administrator, informed the Board that she was awarded a scholarship in the amount of \$2,500 for a certified public manager's class at the state.

Naomi Bolton, Town Administrator, is asking to take \$3,501.83 for the renovations of the Town Office from the Government Building Maintenance Fund.

Selectman Lacasse said that the Stone Building mechanical unit is still being designed, with a price of approximately \$8,000.

*Insurance* – 7.6% remaining

*Advertising* – 3.09% remaining

*Library* – calculated quarterly

The Board will meet on Friday, September 2<sup>nd</sup> at 4:00 p.m. to sign Manifest and hold regular meetings on Monday, September 12<sup>th</sup> and Monday, September 19<sup>th</sup>. Naomi Bolton, Town Administrator, told the Board that she would like to have the bigger departments come before the Board in September.

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It was discussed that the town asked for an extension on the MS-1 until October 15<sup>th</sup>. Avitar is completing interior inspections this week and once done the mass mailings with the new assessments will be sent out, and meetings held.

**Chairman Clow moved, Selectmen Lacasse seconded to expend \$3,501.83 from the Capital Reserve Fund for the renovations done to the Tax Collector and Tax Assessing office. Passed 4-0-0**

**MANIFESTS**

**Chairman Clow moved, Selectman Marcroft seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated August 4, 2011. Passed 3-0-1; Selectman Lacasse abstained.**

<b>Accounts payable</b>	<b>\$335,562.67</b>	(John Stark \$250,000)
<b>Gross Payrolls</b>	<b><u>\$39,659.98</u></b>	(Includes taxes, credit union, police detail)
<b>Total</b>	<b>\$375,222.65</b>	

**APPROVAL OF MEETING MINUTES**

**Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of July 11, 2011 as printed. Passed 3-0-1; Selectman Lacasse abstained.**

**Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of July 18, 2011 as printed. Passed 3-0-1; Selectman Lacasse abstained.**

**Chairman Clow moved, Selectman Marcroft seconded to approve the minutes of July 25, 2011 as amended. Passed 4-0-0**

**ADMINISTRATIVE REPORT** – Naomi Bolton, Town Administrator, informed the Board that she has received no response for the town’s vendor/contractor list, other than one from a computer technician.

Granite State Communications is looking to see if the Board has any nominations for their hometown hero award. Last year the recipient of the award was Tony Sawyer. Granite State would like a response from the Board by August 19<sup>th</sup>.

**OTHER BUSINESS** – Selectman Lacasse asked the Board what they plan to do about filling the vacant Selectmen’s seat. The Board also discussed some restructuring changes in the Town Office. The Board will discuss the subject in non public session.

**Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 9:51 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 Marcroft – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0**

**Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 10:47 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**

**ADJOURNMENT**

A True Record.

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Cherry Palmisano, Recording Secretary