

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
August 7, 2006**

**PRESENT:** HELEEN KURK, VICE CHAIRMAN; DONNA M. OSBORNE, SELECTMAN; JOSEPH M. FIALA, SELECTMAN; TOM CLOW, SELECTMAN

**TOWN ADMINISTRATOR:** Fred Ventresco

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Marge Burke, George Malette, Will Ottery, Helen Dutton, Elizabeth Straw, Paul Morin, John Ingraham, Paul Hague, Jenny Connor-Belcourt, Frank Bolton, Ernie Thibeault, Dennis Lydon, Naomi Bolton, Paul Marsh, Ray Kelly, Susan Morin, Chris Hague

**5:02 p.m. Vice Chairman Kurk called the meeting to order.**

**1. PUBLIC PARTICIPATION** – Mr. John Ingraham told the Board he had read in the Weare Free Press about the reworking of the intersection of Route 114 and East Road. Mr. Ingraham feels like he wasn't informed of the need of the intersection redesign and the cost to the taxpayers. Ms. Marge Burke, School Board Vice-Chairman, informed Mr. Ingraham that they were asked by the DOT to perform traffic studies on Rte.114 and East Road when requesting the driveway permit for the new WMS. They held public meetings with the traffic engineers with public input and then submitted a plan to DOT for approval. Then the Selectmen had a meeting with DOT and another plan is being proposed. Vice Chairman Kurk explained the engineer working on the study came to the BOS to explain the plan. The Board was not satisfied because of the effect on the green space. Then they proposed a new plan to the DOT but were basically told DOT wanted the original plan, so the BOS went to DOT to explain why the design of the road was not in the best interest of the town. The engineer said they could submit an alternate plan and go through the approval process again at a cost of \$4,000. Now they are moving forward with the new plan to modify East Road but leave Rte. 114 alone, and it appears it will be accepted. Vice Chairman Kurk said she feels they have resolved some of their concerns.

Mr. George Malette, Planning Board Secretary, told the Board he feels the Master Plan is not being used as a guide and this is a requirement. Mr. Malette explained Rte. 114 is part of a regional and state bike path to make the town more pedestrian friendly. Feels the bike and pedestrian path fits the school plan and should be included now while the construction is underway. Mr. Malette told the Board he attended a meeting with DOT and told the Board the 30 mph speed limit allows them to change the width of the lanes on Rte. 114 from 12 feet to 11 feet and feels there is space there to incorporate the bike path. This idea would use less asphalt and would cost the town less money. Mr. Malette feels the money is there and this is the time to include the bike path reflected in the Master Plan. Vice Chairman Kurk told Mr. Malette if this discussion should be held first with the School Board. Mr. Malette said he did go before the School Board. Ms. Burke said Mr. Malette came to a meeting and asked them to consider the bike path.

Selectman Clow commented that the area Mr. Malette is proposing the bike path would impact such a small piece of the town center. Selectman Clow said it bothers him there has been controversy between the School Board and the BOS and feels they should all be on the same page and feels they are getting closer with their plans. Selectman Clow said there will be money saved if Rte. 114 is left untouched and taking another plan

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which includes the bike path to DOT at this time after the approval process would cost more money. Mr. Malette feels the money would be used properly because it is what is requested in the Master Plan and the School Board has said they have the money to allocate to the road construction. Mr. Malette said the shoulder space is 1 foot wider in the design than required. Selectman Fiala said the location of the crosswalk will technically have the kids needing a walkway to the crosswalk. Mr. Malette said it connects some vital locations in our town center WMS, Center Store and the Library. Mr. Malette said erosion of the road costs money and when you have this shoulder it balances out and doesn't cost anymore to have this because the road maintains better. Mr. Malette said the \$100,000 is there for the plan that is on the shelf and said the new design will cost much less, so he is saying utilize that money as much as you can and build the path now with what is provided.

Selectman Osborne said he should not have brought forth this plan at such a late hour because she feels the Boards have compromised and worked things out. Selectman Clow said it is ultimately the School Board's decision because it is their bond and they have the authority to spend it. Mr. Malette is asking for safe conditions for bicycles and pedestrians and with the old plan there was not enough space and now with the new design there is enough space to include the path. Vice Chairman Kurk believes the Center of Town Committee is going to get back together because they really deal with the Center of Town and encourages him to go to the School Board. Mr. Malette said they need the final information on the design of East Road and feels this is the time to add this to the plan. Vice Chairman Kurk will share Mr. Malette's concern with Woodland Design and encourages him to go before the School Board.

Ms. Elizabeth Straw said she is still trying to find the lost piano and has been talking with Doug Clegg. Ms. Straw is looking at another piano to see if it will be suitable for the town. The cost to have a piano expert come out will be \$60.00 and she will pay the fee if the town is unable. Mr. Clegg told her the piano that was in the Town Hall was chained to the stage; the keyboard was locked and had some damage because it was located under a leak in the roof.

**2. COMMITTEE ITEMS** – Mr. Will Ottery, Cable Committee reminded the Board there are 2 community access channels in town. Mr. Ottery said the school's cable channel, channel 17, was set up by someone no longer available and feels they should be operating combined. Said there was a warrant article passed in 2001, which designated the Cable Committee and the BOS as agents to expend money. Both channels lost their message boards, Channel 6 purchased a new board and feels Channel 17 should have a new board as well. Mr. Ottery said they are looking to have a duplicate of equipment at both locations. The Committee voted August 3 to purchase the same equipment for Channel 17 as Channel 6. Mr. Ottery informed the Board Mr. Peter Buono helped them get up and running. Mr. Ottery is asking the Board for \$2,695, to come from the CIP, to update the character generator and to appoint Mr. Buono to the Cable Committee. Vice Chairman Kurk is concerned that the CIP Subcommittee needs to plan for this but does not dispute the need of the equipment.

Vice Chairman Kurk informed Mr. Paul Morin the Cable Committee has authorized spending for the schools cable channel bulletin board and she is concerned with the CIP Subcommittee not having knowledge of the spending. Mr. Morin asked if this was an unforeseen circumstance and if so then the Board would not be out of line to expend the funds if they are available. The equipment the Cable Committee has recently purchased was with funds from their budget and franchise money. Mr. Ottery said the Committee lost volunteers that were very important. Selectman Clow said this is different because it is an emergency situation and this changes the decision making process for the Board. Mr. Morin said the request of under \$3,000 falls under the amount of \$5,000 for the CIP. Selectman Osborne said she feels very strongly about the need of the equipment for Channel 17 and said it was unforeseen that the Character Board caught on fire. Vice Chairman Kurk asked Mr. Morin if the Board approves the \$3,000 expenditure does the CIP need to be notified. Mr. Morin said not to turn the Cable Committee away because they were unaware of the need of this equipment. The equipment is set up at CWES.

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**Selectman Clow moved, Selectman Fiala seconded to approve the expenditure of \$2,695 to purchase the necessary equipment to get the School's Cable Channel up and running with the money to come from the CIP Fund. Passed 4-0-0.**

Ms. Marge Burke thanked the Cable Committee for all their hard work to solve the problem.

The Board said they need to have a letter of resignation from Mr. Fuhrmann.

**Selectman Fiala moved, Selectman Osborne seconded to appoint Mr. Peter Buono as a full member of the Cable Committee pending a resignation from Mr. Craig Fuhrmann from his full time position. Passed 4-0-0.**

**4. Discussion of forming a study committee for Weare to be part of the Southern NH Planning Commission or the Central NH Planning Commission** – Vice Chairman Kurk asked why look into changing Commissions. Mr. Frank Bolton said because we have the option and feels looking further into the Commissions could benefit the town. Mr. Morin has been Weare's Southern New Hampshire Planning Commission Representative for 5 years and said personally he would like to stay with the SNHPC because he has been involved with the people and the Commission. Mr. Morin said it would be difficult for him to say whether there should be a committee formed to review which Commission would better serve the Town. Vice Chairman Kurk said she has thought about this and wonders how you could gather people who had an interest but didn't have an opinion on which Commission. Vice Chairman Kurk said perhaps not to form a Committee but ask Mr. Fred Ventresco to look into the Commissions and see what they have to offer. Mr. Morin said the regions were developed with thought put into them because it has to do largely with labor markets. Mr. Morin said the transportation and labor of the town all points to Southern New Hampshire not Central New Hampshire so that should be understood in looking for a decision.

Vice Chairman Kurk feels the idea of looking into this further would do no harm. Selectman Fiala said he has heard from both sides and feels he would really need overwhelming evidence that we should change but feels researching would do no harm. Selectman Clow asked if they are going to do this as a Board with Mr. Ventresco researching the Commissions. Vice Chairman Kurk said it is worth looking into the options. Selectman Clow agrees this is part of their obligation to look into the options. Mr. Ventresco said he has sat on some Planning Commissions in Maine. Selectman Fiala asked if the Planning Commissions have some sort of Mission Statement. Selectman Clow agrees to investigate the differences and Selectman Osborne as well. Vice Chairman Kurk asked Mr. Ventresco to get back to the Board by October. Mr. Morin asked if the process could include information being submitted to the Planning Board. Mr. Bolton says Mr. Morin is correct about most people commuting to the South but so do residents from Deering and Dunbarton. Vice Chairman Kurk said Mr. Bolton and Mr. Stephen Najjar have a vested interest in the Commission and she would like the process done impartially. Mr. Ventresco would like to research first and then speak with residents that are knowledgeable and have an opinion.

Mr. Najjar said his concerns and interests lie on what support they get from either Commission. GIS is a concern of his and data quality with data to back it up. Vice Chairman Kurk said Mr. Ventresco will gather the facts and then contact people to gather further information.

**Selectman Kurk opened the Public Hearing at 6:30 p.m.**

**5. PUBLIC HEARING – To hear public testimony and comment on gravel pit transfer from Aggregate Industries to Thibeault Corp.** – Mr. Dennis Lydon from Aggregate Industries informed the Board he was here to ask to transfer gravel permits to the Thibeault Corp. pending sale of the property.

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Ms. Jenny Connor-Belcourt, an abutter to the gravel operation, received a notice and wonders why the abutters are contacted. Vice Chairman Kurk said abutters are always notified when a gravel pit changes hands.

Selectman Clow asked Mr. Ernie Thibeault what changes will occur when the operation changes hands. Mr. Thibeault said he spoke with Chairman Methot and was told the permits go with the land and any terms and conditions (hours of operation and truck limitation) Aggregate Industries will apply to Thibeault Corp. If in the future Thibeault Corp. requires any changes to the permit they would have to come back before the Board. It was discussed Aggregate Industries removes just enough material every year to keep the permit active. Mr. Lydon said prior to Wakefield owning the land there was no truck limit and when Aggregate Industries took over a truck limit was placed on the permit from 10 to 40. Vice Chairman Kurk asked Mr. Thibeault if he would be taking just enough loads to keep the permit alive or would the operation be removing more. Mr. Thibeault said it would be more active than in the past.

Vice Chairman Kurk asked if this purchase was to expand Mr. Thibeault's own gravel pit and asked when the last time was he graveled his pit. Mr. Thibeault said he graveled his own pit a month ago, removing 3 or 4 loads. Mr. Thibeault is aware the permit is separate from his current permit and at some time in the future he could come back and request the permits be merged together. Vice Chairman Kurk asked if the 3 properties were merged together what difference would this make. Mr. Thibeault said it really wouldn't make a difference except to simplify the permits to one landowner.

Mr. Ventresco said Chairman Methot wanted to make sure Thibeault Corp. was aware they will need to operate per order of the permit from Aggregate Industries. Selectman Clow asked Ms. Naomi Bolton if this was typical in changing ownership. Ms. Bolton said Mr. Thibeault is aware he assumes the guidelines to the permit and if he wants to expand the loads he has to come before the Board to request any change. Ms. Bolton said Aggregate came before the Board in 2000 to go to 40 loads so now the permit is good until December 2006 and is good for one year it rolls over unless the Board makes a change. Mr. Lydon said he was one of the first permits on River Road and feels Mr. Thibeault will be more considerate to the conditions of River Road. Mr. Thibeault said his current permit has no restriction on loads and with having the same owner at these pits it would limit trucking to one pit. It was discussed the loader at the pit keeps track of the number of loads. Vice Chairman Kurk said there have been many complaints about the trucks on River Road and it would be true to say there would be more trucks on River Road as there are currently. Mr. Thibeault said it is just a regulatory process but the permit does run with the land and they are just changing ownership. Mr. Lydon said Mr. Thibeault has to come before the Board in December to have his permit reviewed.

Ms. Connor-Belcourt said she is concerned with how this will affect her property. Mr. Lydon said there is land between her land and the gravel pit. Mr. George Merrill owns the piece of land in between and sees no problem with the changing of the ownership. Selectman Clow said it seems to him it is just procedural and thinks there is nothing they can do to change that.

**Vice Chairman Kurk closed the public hearing at 7:00 p.m.**

**Selectman Fiala moved, Selectman Clow seconded to authorize the transfer of the gravel pit operation from Aggregate Industries to Thibeault Corp. and permits at the sale of the property. Selectman Osborne abstained, Vice Chairman Kurk abstained. Failed 2-0-2.**

Ms. Bolton said both properties need to have a bond. Mr. Thibeault said he will be given a letter from Ms. Bolton to transfer the permit and then he would hand the Reclamation bond to the Town. Vice Chairman Kurk said the road is about to be resurfaced and said the increase of trucks could damage the road. Mr. Thibeault said if there ever was a problem with the road caused by his trucking he would work with the Town. Selectman Clow is concerned with not approving the transfer and the Board would be arbitrary and not following the past actions of the Board and feels these issues should be brought up when the permit comes up for renewal. Vice



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**9. TRAINING FOR NAOMI BOLTON** – Ms. Bolton informed the Board there is a Leadership Course she would like to take at a cost of \$770.00. The class starts August 17 and graduation is June 29. Ms. Bolton went to the State of New Hampshire to inform them of the Town's financial situation and inability to pay up front, they were agreeable to a payment plan with full payment to be made before graduation. She sent the paperwork into the state to save her seat in the class. Ms. Bolton checked with the Local Government Center and asked how she could get on a waiting list for their courses and was told there is a significant waiting list. The classes are held twice a month hours being 9-4 until May and 9-12 for comprehensive exam in June. Selectman Fiala asked Ms. Bolton what the Land Use has in its budget. Vice Chairman Kurk applauds Ms. Bolton for wanting to further her education but is not sure in following the personnel policy if this is a job related course. Vice Chairman Kurk said if Ms. Bolton could figure a way to pay for it on her own she would be supportive but is really uncomfortable with using taxpayer's money to fund the course. Vice Chairman Kurk said this is different than taking a course through the Local Government Center. Vice Chairman Kurk would be willing to have Ms. Bolton change her hours to accommodate the course. Selectman Fiala feels providing Ms. Bolton the time to take the course would show support from the Board of Selectmen. Selectman Clow feels Leadership Training is job related and beneficial to anyone and said the Land Use Coordinator's position is dealing with people. He does not have an answer to the where the funding would come from but does feel it is job related.

The Board discussed Ms. Bolton not being in the office during normal business hours would be a loss. Selectman Fiala would be supportive of reworking her schedule to take the course but the Town will be unable to reimburse her. Vice Chairman Kurk asked Ms. Bolton if they could continue this discussion at the end of the meeting. Vice Chairman Kurk let Ms. Bolton know she is a valued employee.

**10. LIBRARY TRUSTEES** – Mr. Ray Kelly spoke about the budgetary process and being more involved if there are any changes from the BOS to the Library budget they need to be informed. Mr. Kelly informed the Board the Library will be going through repair and construction and said it would make a lot of sense to purchase products together, with the Town Office Building, to get better prices. They submitted their needs to the CIP Subcommittee. Vice Chairman Kurk said they, the Selectman's Office, are behind on their CIP and seems that Mr. Ventresco would be a valuable link to receive information from the Library. Vice Chairman Kurk said it would be beneficial to forward the Library meeting minutes to Mr. Ventresco. Ms. Hague said it might be a good idea to have a Selectman to stop by their meeting so they can stay on the same path. Ms. Hague said she is not on the Board of Trustees and some of the budget questions she cannot answer. Ms. Hague said they did get their CIP in for the deadline. Ms. Hague thinks strategizing through their needs will keep them on the right path and keeping the BOS informed will help. The Library Trustees meet the first Thursday of the month at 6:30 p.m. Selectman Clow asked where the Library sees their needs going and if there is room to grow in that building. They had a report done and they are not ADA compliant and are 3,000 feet short and 10,000 volumes short, have major structural issues, bad air quality, and mold in the basement. Ms. Hague spoke to Mr. Chip Meany and asked him if they have room to grow at their current location, considering set back requirements and parking requirements will not allow them to stay at the current location. Vice Chairman Kurk said the Library is doing great research and doing their homework. Vice Chairman Kurk said they know they have issues at the Town Office Building and know that the Fire Department has said they will need another location and the Library needs to grow and has needed to do so for years. Unfortunately, money is the issue and we cannot explode the taxes, but need to provide the needs to the town.

Ms. Hague said keeping people informed of the needs is very important. Selectman Clow said the Town Center is gradually expanding so in saying the Town Center we have to expand our thinking of what our town center encompasses. The Library Trustees need to keep informed with the BOS and their needs.

It was discussed the Town Center Advisory Committee will be meeting on September 15, 2006. Discussion on contacting different groups to become members of the Town Center Advisory Committee.

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Ms. Hague said the will of Eben Paige says the Library occupies the building for as long as needed and after that the building reverts to the town. Vice Chairman Kurk asked if they have contact with the Finance Committee. It was discussed the Trustees have the final say but the Finance Committee could advise.

**11. CORRESPONDENCE** – Vice Chairman Kurk said they need to move forward on the CIP because they have missed the deadline. The CIP Committee gathers all the information on the needs of the Town and determines scheduling these needs.

Mr. Ventresco announced the School Board has agreed to pay for the redesign of the intersection at East Road and Route 114.

Vice Chairman Kurk read aloud the letter she will be sending to Jeff Woodland and then forwarded to Mr. Richard Radwanski at the Department of Transportation.

*Dear Mr. Radwanski,*

*Thank you for allowing the residents of the Town of Weare and the Weare Board of Selectmen the opportunity, in light of the new middle school, to retain as much of our town center as possible while at the same time keeping us, and especially our children, safe.*

*The alternate design would eliminate the previously proposed left-turn lane and associated widening along N.H. Route 114 at its intersection with East Road. The existing traffic island on East Road (a town road) would be removed and a separate right-turn lane along with a shared left turn/through travel lane would be developed. Minor adjustments to the widening of East Road would be made. As in the original plan, utilities from the traffic island will be relocated. A general pedestrian crossing (with appropriate advance warning signage) will replace the existing crosswalk on N.H. Route 114. The flashing beacon at the intersection would be preserved. The necessary signs and warnings associated with the presence of a school would be provided.*

*With the intersection as it is now, the Town has had virtually no accidents. Providing a passing lane on N.H. Route 114 would cause vehicles to go faster. Flanders Memorial Road traffic would be less safe and experience more difficulty entering N.H. Route 114. Pedestrians would feel less safe when navigating this intersection.*

*Aesthetically, we look to green space to hold our Town functions. The more asphalt the less greenery. Our new middle school already has impacted this, and we hope to minimize any further impact. We want to hold on to the green space lawn in front of our historic Stone Building and our town gazebo with their plantings and old trees. We strive to preserve our visual appearance as much as possible. In addition, the original proposed plan does not meet the provisions of Weare's Master Plan.*

*We truly appreciate the understanding and flexibility that you are providing the Town of Weare.*

*The letter will be signed by all Selectmen.*

Vice Chairman Kurk feels Mr. Malette is correct with pursuing the bike and pedestrian path and now is the time to look at this.

The Ethics Committee is made up of the following members: Carolynne Shinn, Lynn Crevoiserat, David Roy, Frank Fuggetta. John McCausland was on the committee but one of the stipulations of the committee is that you cannot serve on any other board and he serves on the Board of Trustees.

Selectman Fiala asked about posting a Public Hearing for the \$3,500 donation of a pad for the skateboard park. Selectman Fiala asked if they get the donation is everyone comfortable with accepting. Discussion on the future expense of putting a top coat on the skateboard once removed to make a basketball court and the purchase of hoops and resurfacing. Vice Chairman Kurk asked if there was trash pick up there. Selectman Clow said he

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would like to see it done. Selectman Osborne said do it. It was discussed Selectman Fiala will get the donation amount secured and the pad will be poured.

Mr. Ventresco clarified the fire department radios did not come with cases.

Mr. Ventresco said the following people have keys to access the Town Hall:

Carl Knapp	Valerie Eaton White	Merry Rice has 3 keys
Fire Department	Malcolm Wright	
Chuck Metcalf	Catherine Martin	

Selectman Fiala feels Ms. Bolton understands the Town cannot pay for the course. Selectman Clow feels the availability of the money is the issue. Mr. Ventresco said in reading the personnel policy it states the Department Head makes the decision. The Board all agreed there are no funds available to fund her course.

**Vice Chairman Kurk moved, Selectman Clow seconded to enter into nonpublic session @ 9:40 p.m. pursuant to the authority granted in RSA 91-A:3II(a&b). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

**Vice Chairman Kurk moved, Selectman Fiala seconded to come out of nonpublic session @ 9:44 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

**Vice Chairman Kurk moved, Selectman Clow seconded to seal the minutes. A roll call vote was taken: Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

**Vice Chairman Kurk moved, Selectman Fiala seconded to re-enter into nonpublic session @ 9:46 p.m., pursuant to the authority granted in RSA 91-A:3II (e). A roll call vote was taken. Selectman Clow -yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

**Vice Chairman Kurk moved, Selectman Fiala seconded to come out of nonpublic session @ 9:55 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

**Vice Chairman Kurk moved, Selectman Fiala seconded to seal the minutes. A roll call vote was taken: Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk - yes. Passed 4-0-0.**

## 12. ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary