



WEARE BOARD OF SELECTMEN
MEETING MINUTES
July 2, 2007

PRESENT: HELEEN KURK, CHAIRMAN, DONNA M. OSBORNE, SELECTMAN, JOSEPH M. FIALA, SELECTMAN, WENDY F. CLARK, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco
RECORDING SECRETARY: Joanne Johnson

GUESTS: Frank Campana, Carl Knapp, Jon Osborne, Mike Atkinson, Janet Brown, Tina Pelletier, Richard Butt, Greg Begin

5:44 p.m. Chairman Kurk moved to go into nonpublic session, pursuant to RSA 91-A: 3, 11 (c). Selectman Osborne seconded the motion. A roll call vote was taken: Selectman Fiala - yes, Selectman Osborne - yes, Selectman Clark - yes, and Chairman Kurk - yes. Interview was performed by BOS regarding open position of minute taker. Applicant is Joanne Johnson. Resume and application is included in file. Fred confirmed that reference was favorable from the Town of Dunbarton. Selectman Clark requested that Fred place a written memo in her personnel file addressing the conversation with the TA at Dunbarton. It was decided unanimously by the BOS that the applicant be hired at \$15/hr. based on 10 hrs. every other week and will be a 1099 contractor, not an employee. Mrs. Johnson will need to sign a sub-contractor agreement stating no liability to the Town. A true record attest: Wendy F. Clark

6:15 p.m. Chairman Kurk welcomed and led the group in the Pledge of Allegiance.

Selectman Fiala moved. Seconded by Selectman Osborne, to hire Joanne Johnson as Recording Secretary for the Board of Selectmen, as an independent contractor. Passed 4-0-0.

PUBLIC COMMENT:

Janet Brown spoke regarding a topic from the Center Advisory Committee meeting last week, regarding the flagpole, which is in need of replacing. Ms. Brown wanted to know why the Board hasn't replaced it. She had asked of Vice Chairman Clow, who indicated it is due to the default budget. Ms. Brown feels that the Town should buy a new flagpole, out of respect and to honor the servicemen and women. She indicated that Vice Chairman Clow had received an estimate for the following size flagpoles: 20", 25" and 30", priced at \$975, \$1120, and \$1350, respectively, plus \$850 for installation. Ms. Brown noted that Vice Chairman Clow offered to donate \$100, to get started.

Frank Campana had a question and a comment. 1) Was the \$250,000 borrowed against TAN an accurate number? Chairman Kurk replied that it was not, that it was withdrawn twice. 2) Mr. Campana mentioned that the State will pass onto the counties the nursing home costs by 2008. He referenced a 6/26 Concord Monitor article. He would like a full discussion at budget time. He would also like the BOS to start advertising what the county portion will be, and add into any budget presentation. Mr. Campana wants the Board to pressure the State to obtain what the county portion of tax burden will be and noted that it is \$.92 now.

Richard Butt, of The Weare Free Press, spoke and is seeking an update on budget process/work session with the Deputy Treasurer. Chairman Kurk stated that they are working on the credit card issue. Selectman Fiala mentioned that the subject they were discussing was cash flow, and that the Deputy Treasurer met with Parks and Recreation Dept. to discuss the physical handling of the money/record keeping. Jan Snyder was planning on meeting with Carl Knapp. Selectman Fiala said that the Deputy Treasurer would like to be involved in the budget process, but hasn't been involved yet. Mr. Ventresco gave a website update. He said they are trying to get a time to meet and that Merry Rice will be updating the website. Mr. Butt feels that the Board is missing an opportunity to communicate with people through the website. Mr. Butt then asked about the cable negotiations. Chairman Kurk noted that Craig Slatum was on the Cable Committee when he was a Board member. Chairman Kurk: glanced at the 3/13/07 minutes from cable committee. Selectman Osborne has been to two cable meetings. Mr. Butt asked if there is a subcommittee. Chairman Kurk stated that there is a subcommittee looking at the contract they will bring it to the Cable Committee on 7/11 at 7 p.m. The contract will then be discussed. Mr. Butt said he doesn't know how the subcommittee was formed. He wanted to know if the contract is a result of subcommittee negotiations. Chairman Kurk said she wouldn't call it a negotiation; it was more of a discussion of what needs to be included in the contract. Mr. Christianson came back and another discussion took place and he put together a draft for the Board to look at. Mr. Ottery, Chairman of Cable, wants an attorney to look at things like the length of the contract, cost of equipment... Mr. Butt persisted with questioning whether negotiations took place. Chairman Kurk suggested that perhaps Mr. Butt could attend the 7/11 meeting. Mr. Butt mentioned that hiring a p/t director for cable was mentioned. Mr. Butt then asked about Integra Systems cost of \$32,000, the approval of \$17,000 to upgrade the studio, \$5,000 to have the ability to broadcast remotely, which he feels is a heck of a lot of money. He said that the Board took revenue out of operating budget to offset the \$10,000 cost to make a zero tax impact, to assure approval.

DEPARTMENT HEADS:

Tina Pelletier, Finance Clerk, updated the Board on the following:

- She has prepared voucher to pay down the TAN of \$502,447.71.
- Three bad checks from 2004/2005: entries were never made, so there is no way of knowing who they came from. The checks are in the amounts of: \$60, \$25 and \$62. She asked whether they should be written off.
- Stale dated checks: It was taken care of in 5/05. One was listed as \$20 higher than the check was recorded at the bank. The Board signed off on these, to get rid of these issues.

Escrow: \$28,721.12 was taken out and put in the general fund. Most of the items will be backed up. The items were dealing with offsite improvements. The account will be zeroed out. Selectman Clark asked whether the account will be closed. Ms. Pelletier indicated that next month the request to close account will be received. Chairman Kurk noted that she would like a copy of the memo for her records. Selectman Clark asked Ms. Pelletier to e-mail it to all the Board members.

- Two vouchers, representing bookkeeping swaps at the Transfer Station, to establish a routine. The first in the amount of \$6,779.81 is to move from the Transfer Station revenue account into the Town's

Account General Fund, covering the period 4/1-6/30/07. Ms. Pelletier noted that she'll have these types of items each quarter, to move revenue that came in, to keep it cleaner. The second voucher is to move \$12,290.50 from the Town's General Account to the Transfer Station Revolving Revenue Account. Ms. Pelletier also mentioned a Manifest. The Trustees' account was double requested, and paid out of the General Fund. The error was that \$118,550 was put into the general fund twice. Selectman Clark asked if they know how it happened to avoid it happening again. Chairman Kurk mentioned that it was human error.

- Ms. Pelletier also mentioned that \$360,334 will need to be available to the Trustees, in order for the Trustees to give it back.
- 1/07-6/07: \$15,000 in special details

Selectman Fiala asked Ms. Pelletier whether the Parks and Recreations Dept. checks for tennis court can be carried over to next year. Ms. Pelletier indicated that she doesn't see a problem; it will be a reclassification entry. Chairman Kurk asked Ms. Pelletier to double check on it and find out how many years it can be deferred.

Carl Knapp, Public Works Director, discussed the Transfer Station compactor issue and new truck wing. He noted that FEMA was there today and they are in good shape. Mr. Knapp discussed the many problems with the compactor. It can be temporarily repaired, although he is not suggesting that. He noted the CIP for replacing it in 2000 for a cost of \$40,000, is now a great deal higher, at \$65,000. He asked for \$30,000, has received \$25,000. Of that \$25,000, \$8,000 was used for repairs. The article stated that it will be replaced in 2008 and there is \$18,447 in the account now. He feels there is no choice but to replace it, although they might get through to the next town meeting, if it is repaired soon. Chairman Kurk recalled her conversation with Mr. Knapp regarding the capital reserve fund, which isn't working in a way to get money for repairs. Chairman Kurk asked Mr. Knapp where he thought the money should come from. Selectman Osborne noted that one can't always foresee something breaking down. Mr. Knapp noted that the compactor is 18 years old now. If they add another \$4,000 in repairs, they will have put \$12,000 into it. Chairman Kurk said the only option is to repair it. Selectman Clark raised the possibility of leasing it. Mr. Knapp said that it was possible and he'll look into leasing. He also noted that there is a trade in for steel. Chairman Kurk asked Mr. Knapp to check into leasing and get back to the Board. Selectman Fiala asked if the \$4,000 if the road reconstruction could be postponed. Selectman Fiala asked about the current staffing: Mr. Knapp indicated that staffing levels are at 48%. Selectman Clark asked if they are down a total of one full time person, to which Mr. Knapp said that was true. He said they can't hold off much longer in hiring. Selectman Clark: feels that they need to lease, if at all possible. Mr. Knapp said that they are taking chances, they can't put money into compactor and it takes 8-10 weeks to get a leased compactor. Chairman Kurk asked Mr. Knapp if he thinks it's a good idea to lease. Mr. Knapp said "Yes." Mr. Ventresco noted that they may be able to get an option to buy. Mr. Knapp noted that they have 1/3 of the cost between trade in value and \$18,000 in the account. Chairman Kurk asked how the repairs are handled. Mr. Ventresco indicated that it is part of the negotiations. Chairman Kurk noted that the operating budget for the dept. would go way up. She feels that they need the lease figures and wants Mr. Knapp to get back to the Board. Selectman Clark asked if they could work with surrounding towns. Chairman Kurk mentioned that they can have an emergency meeting with 24 hours notice.

Police Chief Greg Begin reviewed updated penalties from the Animal Control Ordinance.

P. 4, Section 7: Penalties:

- E: \$25 penalty and \$50 for a 2nd offense in 12 months,
- F: \$50 and \$100 for a 2nd offense within 12 months.

Chairman Kurk noted that there is not a leash law, but it covers keeping dogs under control. Selectman Clark asked if there have been many complaints. Chief Begin said there have not been a lot of complaints, for the number of dogs in the Town. Chairman Kurk noted that she has received several complaints recently after having received none for several years. She asked if there is no recourse to the complainers. Chief Begin indicated that it falls under the nuisance ordinance and a complaint would need to be filed, followed by an appearance in court.

Chairman Kurk reviewed the exclusions for requiring a license under the **Hawkers, Peddlers and Itinerant Vendors Ordinance**. Chief Begin read #7, section b.

Chief Begin discussed the Highway Safety grant, which he researched for 6 months, and worked with Highway safety. He indicated that they will use Digital Ally, and they have been using this company for two months, through a local representative. Highway safety will pay 50% of the cameras. Begin wants to purchase 3 cameras at \$3995 each. One will come out of the new cruiser account. Chairman Kurk said it's a safety issue for both the community and police. She asked if the Chief can dig around for some money. Chairman Kurk discussed the CRF, which has \$6-\$8,000 in hand, but she wants to leave as much as possible for the Expedition. **Selectman Osborne motioned, seconded by Selectman Clark, to accept the grant from the N.H. Highway Safety Project Grant in the amount of \$7,990 to purchase 2 car cameras. Passed 4-0-0.**

Carl Knap discussed the need for a new truck wing for the Transfer Station. He indicated that one truck doesn't have a wing. With the acceptance of several miles of new road, it will eliminate having to plow the streets more than once. They have a wing so what is needed is the frame, hydraulics, control and valves installed for a cost of \$8,100. If installed in the Town shop the cost would be \$6,000. Chairman Kurk asked if it would go out to bid. Mr. Knapp replied that it could. Selectman Clark said that any amount over \$5,000 has to go out to bid. Mr. Ventresco stated that the Board can waive that requirement. Mr. Knapp said that there are only a handful of companies in New England, so he doesn't think he can get a better price. **Selectman Fiala moved, seconded by Selectman Clark, for the Highway Dept. wing plow mounting on the truck at a cost of \$8,100, to come out of the Highway Truck and Equipment Fund. Passed 4-0-0.**

Mr. Knapp discussed the salt line costs for 2008, at a cost of \$13-14,000. Selectman Fiala stated that he needs to get more bids. Mr. Knapp indicated that they have until 7/31. Chairman Kurk questioned how they can be taking money from the contract for salaries. Mr. Knapp said that they didn't spend it all. Chairman Kurk is concerned that they not mislead themselves or the Town. Mr. Knapp stated that he can't predict the weather and will get some other prices.

Mr. Knapp updated the Board on the radio system. He informed the Board that the building is rat infested they won't install the radios, because the rats will chew up the wires. He said that they will need to house it somewhere else.

Mr. Knapp updated the Board on trash comparisons. Trash is down from a year ago May. Chairman Kurk congratulated Mr. Knapp and the Town and hoped it would keep up.

Mr. Knapp requested that the Board think about a retirement fund this year during CIP discussions. Chairman Kurk reminded him that the voters rejected it. Mr. Knapp said it is a big liability, and asked how much it would cost. Chairman Kurk said that Ms. Pelletier can figure that out. Mr. Knapp explained the CIP process. Chairman Kurk is concerned about the appearance of raising money and spending it because it looks like they are not spending much while they are raising the money, but in 4-5 years they will be. Selectman

Clark asked if it wouldn't it be better to reword some of the warrants. Chairman Kurk said that was not the issue.

Mr. Knapp discussed the default budgets. He would like the Board to think about cutting the maintenance lines by default. He said there is no money to maintain the equipment. Chairman Kurk indicated that the subcommittee has been talking about that. She said they have to figure out if it does fall in the default budget how that would happen.

MANIFESTS:

Chairman Kurk authorized, Selectman Fiala seconded, the Board to sign manifests and order the Treasurer (Deputy) to sign checks dated June 28, 2007 and July 5, 2007. Passed 4-0-0.

Accounts Payable	\$141,273.73
Gross Payrolls	39,395.46 (includes Credit Union and Taxes)
	<u>13,720.79 (Pol. Ins. Buyout)</u>
Total	\$194,389.98

Accounts Payable	\$109,107.53
	118,500.00
Gross payrolls	<u>42,759.42 (includes Credit Union, Taxes, Forest Fire)</u>
Total	\$270,366.95

8:15 p.m.: Chairman Kurk called a brief break.

8:25 p.m. Chairman Kurk provided an update on the earth excavation applications, which are not in compliance with RSA's. Chairman Kurk feels these applications should go to the Planning Board, not the Board of Selectmen, and should be put in a warrant, to see if the Town will approve it. She reviewed the changes that she felt were important to put it in the proper technical terms. Selectman Clark added her suggestions, including adding a page # on every page. . **Selectman Fiala motioned, seconded by Selectman Clark, to accept the revised application for earth excavation, effective immediately. Passed 4-0-0.**

Job description and Park and Recreation Dept. (PARC) policies. Chairman Kurk requested one change; change "maintains" to "oversees". Selectman Clark felt that this should that be a mission statement instead. Chairman Kurk said that it identified what the Dept. does. Selectman Fiala said that there wasn't a category for that section. Selectman Clark suggested including it under general policies, but not as a numbered item. Chairman Kurk said that she prefers "facilities". Selectman Clark asked for a timetable for things to be returned. She asked if it was posted when there wasn't a lifeguard at Chase Park (#3). Selectman Fiala indicated that it was posted, even when the lifeguard takes a break. Selectman Clark questioned the accuracy of the statement that swimming lessons are free for Weare residents. Chairman Kurk clarified that the entry is free if they are just coming for swim lessons. She suggested taking out "funded" to make it clearer Selectman Clark brought up the subject of alcohol and controlled substances. Selectman Fiala suggested changing it to "illegal substances". Selectman Clark brought up the subject of roller blades and other "wheeled" gadgets. **Selectman Fiala motioned, seconded by Selectman Osborne, to accept the Weare Park and Recreation Dept.'s general policies, as amended with revisions, 7/2/07, Passed 4-0-0.**

PARC Coordinator's job description. A discussion of the pros and cons of paying hourly vs. stipend took place. Selectman Fiala: feels that with a stipend there is no accountability. Chairman Kurk stated that employees need to keep track of their hours, even if on a stipend. Mr. Ventresco mentioned that there was an issue last year about reporting time on the phone, coming in with time cards... Selectman Clark recommended the following: A yearly stipend in \$400 monthly installments or otherwise agreed upon, not to exceed \$400 per month. Selectman Fiala said that it was never established how much time the job requires. Selectman Clark asked why there is an amount included in the job description; Chairman Kurk suggested the following a yearly stipend will be paid to the coordinator, in monthly installments. **Selectman Fiala moved, seconded by Selectman Clark, to accept PARC Coordinator description as amended 7/2. Passed 4-0-0.**

Custodial Job Description: Selectman Fiala amended and reviewed changes. Chairman Kurk said that she would prefer to read it and accept it at the next meeting.

Audio tape policy: Mr. Ventresco stated that the audio tapes are considered as part of records retention policy. The Municipal Records Committee should oversee it and include the Board, Town Clerk, Treasurer and Tax Collector, according to LGC. Chairman Kurk suggested that he find a date during the daytime, but that it can be decided here. Once the minutes are accepted, we don't need to keep audio tapes. Mr. Ventresco will find a time to meet together.

Town Hall Rental Policy: Mr. Ventresco stated that the issue was brought up and the Town Hall should only be rented by citizens/organizations of Weare, or if renting the Town Hall will benefit the Town. Selectman Fiala stated that they can make exceptions. Chairman Kurk: said the policy should include organizations that are sponsored by a local organization.

Administrative report: Mr. Ventresco:

- A \$600 fine was imposed for cutting trees on conservation land. The Johnson's cut on conservation land because they wanted a better view. They were required to pay the fine by 5/1. Mr. Ventresco said that they need an opinion on what can they legally do. Chairman Kurk indicated that they need to let conservation know. Selectman Fiala said to send a certified letter stating they may be forced to take legal action. Chairman Kurk asked Mr. Ventresco to draft the letter.
- Audit costs for 2005 audit: They spent a lot of the budge they would normally spend on next year's audit, as a result of GASB 34. Selectman Clark indicated that she is concerned about just finding out about this now. Mr. Ventresco said that the issue keeps going back and forth. The difficulty is in finding the information on real property. Selectman Clark wanted to know why the info. wasn't obtained back in 2005. Mr. Ventresco gave the background of how this happened. Selectman Clark questioned why the Town never kept a track record of when things were purchased and put into service Mr. Ventresco said that they can't go any faster. Finding items that were not recorded as a purchase that were included in Board minutes is time consuming. Selectman Clark stated that she wants to sit with Fred and understand what they have got because they can't allow it to linger. Mr. Ventresco said that they are down to the last few items. It will probably be August before they start on the 2006 audit. He doesn't know how they are going to pay for the audit this year.
- Cable public hearings: nothing in state/federal law requires that the Town hold public hearings. Chairman Kurk feels that they should have one anyway. Selectman Clark wants to hold two this time and then change it going forward. Chairman Kurk agreed that they will keep the two dates picked.
- Credit card policy: The authorization wasn't approved to actually apply for a credit card. A discussion about limits took place. Selectman Fiala suggested caps of \$5,000/month; \$500/transaction. Selectman

Clark would rather have a cap of \$3,000/month. Selectman Osborne prefers to start lower and go higher. **Selectman Fiala motioned, seconded by Selectman Clark, for Mr. Ventresco to procure credit cards for use by dept. heads as discussed. Passed 4-0-0.**

- Chase Park – There is a tree hanging that could fall, so they need a bucket truck. It is currently roped off, and is not in a major area. Selectman Fiala will call someone.
- A swing is broken. No one was hurt badly. Mr. Knapp said he can fix it. Chairman Kurk indicated that there is a playground folder upstairs.
- They have received the first two assessing estimates. Mr. Ventresco feels that if they give out estimates it will make it difficult to go out for bids afterwards. They are all expected to be received this month. Chairman Kurk said that he can give the Board a range.
- Installation cost for the computer for Merry's office will likely be about \$75.
- Manifests: There is a two week lag. The Board has to approve before checks are cut, but it is not necessary to have a meeting. Selectman Clark said the Board members could alternate coming in to sign checks, as long as there is a quorum. Mr. Ventresco suggested that they could go to bi-weekly paychecks. Chairman Kurk indicated that the subject was brought up a couple of years ago and some employees were opposed to bi-weekly paychecks. She would like to go on the side of caution. She is in favor of coming in the early morning, if three Board members can make it. Next Monday a meeting will be at 6 p.m. just for signing the manifests.

Selectman Clark brought up Integris (cable contract vendor. She indicated that she is looking at where the \$32,000 went, so it can be documented. The next meeting will be on 7/11, at 7 p.m.

Selectman Osborne mentioned moving the land line for Naomi for a fax machine. Mr. Ventresco will call granite state and get a price. Selectman Osborne also mentioned that the dug well in a private home across from the Legion. Mr. Ventresco said he can't reach the homeowner. Chairman Kurk mentioned that they have received new chairs from the middle school. She wants to go through the orange chairs and keep the best of them.

Selectman Fiala moved, seconded by Selectman Osborne, to authorize up to \$600 for redrilling of the well at Ineson field, to come from the Recreation Development and Improvement Fund. Passed 4-0-0. Selectman Fiala mentioned that he met with Geo Insight and is working on a timeline for getting those items done.

Chairman Kurk discussed the following:

- State of NH liquor commission sent a letter inviting public comment. Concerning a liquor license application from Cold Spring Campground. They can apply but need concurrence from the Board. Chairman Kurk would like public input. Mr. Ventresco will check to see if they have an ordinance. Selectman Osborne feels the Police Chief should be involved.
- Drescher and Ookmo rates are going up to \$175/hour, beg. Nov. 1st
- EEE west Nile virus reminder
- 7/6/7/8 patriotic celebration

Appointments:

- **Selectman Fiala moved, seconded by Selectman Osborne, to appoint Paul Marsh as a member of the Benefits Review Committee for a 3 year term, Passed 4-0-0.**

- **Selectman Fiala moved, seconded by Selectman Osborne, to appoint Malcolm Wright to the Zoning Board of Adjustment, as an alternate member for a 3 year term. Passed 4-0-0.**

Public comment: Richard Butt stated that Geo Insight should get a public comment

10:00 p.m. Chairman Kurk motioned, Selectman Fiala 2nded, to go into nonpublic session, pursuant RSA's: 91:3:11(a), 91: a-3, 11 (b) and (e), for the following purposes, respectively: reputation, hiring, lawsuits. A roll call vote was taken: Selectman Osborne-yes, Selectman Fiala - yes, Selectman Clark - yes, Chairman Kurk - yes.

Joe requested that on behalf of Parks and Re that the BOS hire the following as Gate Keepers for \$9.00 per hour. Kelly Hoyt is a bus driver for Weare and a background check has been completed by the School District. The background check will be in her file. Bethany Johnson is new to Weare and a background check is currently pending as she is a transfer from another state. Bethany's employment is contingent on satisfactory background check. Both are adults. All four members of the Board voted to approve.

Chairman Kurk moved to come out of non-public session at 11:11 p.m. Selectman Fiala seconded the motion. A roll call vote was taken: Selectman Fiala – yes, Selectman Osborne – yes, and Chairman Kurk – yes.

A true record attest:

Wendy F. Clark

A TRUE RECORD

Joanne Johnson, Recording Secretary