



WEARE BOARD OF SELECTMEN
MEETING MINUTES
Aug. 20, 2007
FINAL

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

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Joanne Johnson

GUESTS: Evelyn Connor, Richard Butt, Jon Osborne, Chip Meany, Carl S. Knapp, Greg Begin, Neal Kurk, Will Ottery, Brad Macauley, Peter Buono, Jayne Landry, Stephen Flanders, Marci Burke, Paul Levandowski, Raymond Eaton, Craig Slattum, David Abrams, Walter Bohlin

6:10 p.m. Chairman Clow called the meeting to order and led the group in the Pledge of Allegiance.

1. PUBLIC COMMENT –Richard Butt discussed the last Weare Center Advisory Subcommittee minutes, in which it was decided not to televise the meetings. He is disappointed and confused and asked who decides whether to televise the meetings. Chairman Clow said there are groups that don't televise meetings, mainly subcommittees. Mr. Butt is looking for guidance on which committees should or should not televise meetings, and what are the ground rules for deciding. Chairman Clow said to put it on the agenda for a subsequent meeting. Mr. Ventresco will put it on next meeting's agenda.

2. DEPARTMENT HEADS – Budget Discussions - Chairman Clow invited the first three dept. heads to come in tonight to discuss their budgets.

Chip Meany, Building Dept. reviewed the percentages left on individual line items from the print out of his department's 2007 budget. Mr. Meany indicated that it was a barebones budget and they are sticking to it. Vice Chairman Osborne complimented his accounting method. A Q&A took place. Mr. Meany would like to have a laptop in the future. He saved money on maintenance because he has a relatively new truck. He said that happiness is a full time secretary.

Evelyn Connor, Town Clerk reviewed current events, noting that they will be online Wed. She reviewed what the Town Clerk's office can and cannot handle. Some registrations that they can handle include registrations up to 26,000 pounds (up from

8,000 pounds), vanity and moose plates. She asked for patience as they transition to this new method. Residents won't be able to process their registrations themselves online yet. She is submitting this request for next year's budget. She reviewed the 2007 budget in general, and the requirements for the upcoming election, in particular. A Q&A took place. She reviewed the percentages left on individual line items from her department's 2007 budget. The Clerk Office Supplies line is already over by \$34. She said everything else seems to be in line. Ms. Connor is going to need more help in the office soon, but she is doing ok for now.

Greg Begin, Police Chief reviewed the individual line items, including the percentages left, from his department's 2007 budget. A Q&A took place, specifically as it relates to salaries, including sick time, over time and court appearances, as well as vacations. A discussion concerning the possibility of setting up revolving accounts and available grants took place. Promotions/resignations were discussed.

3. PUBLIC HEARINGS – to hear public testimony and comment on the renewal of the Cable Franchise with Comcast, with the Town. Chairman Clow invited public comment from residents in attendance tonight and noted that residents not in attendance may submit comments to the Town Administrator, within the next two weeks. Chairman Clow said the BOS is looking to the future when all areas of Town are served by cable with full compliance with terms of the current contract. A second hearing is scheduled for 9/10.

Will Ottery – Cable committee Chairperson said that full compliance is important and they would like to hear about problems with compliance. There were none. Mr. Ottery indicated that he had a complaint the screen cuts out and goes blank. He invited Steve Flanders, Cable Committee member, to address this issue. Mr. Flanders indicated that the voltage is increasing from 200-400 to improve the picture and they are replacing the air conditioning system, which will reduce movement on the screens. Mr. Ottery stated that there are 2,570 subscribers currently. Chairman Clow asked if he could highlight the changes with the proposed contract, versus the former contract. Mr. Ottery presented the following:

- 1 This contract is for 10 years, with a 5 year extension with the existing contract.
- 2 Ninety percent of the Town is hooked up to cable, presently.
- 3 Prices will not go up.
- 4 Cable drops are at Center Woods gym, John Stark High School gym, Library, Town Hall – coat hook area, safety building.
- 5 Cable in every school classroom is **not** in current proposal: needs emergency override approval, but was in the former contract.
- 6 \$30,000 for 3 years.
- 7 Performance bond - \$25,000 should be adequate.

Peter Buono was recognized and questioned the adequacy of the performance bond. He feels it should stay at \$50,000. Chairman Clow has given the contract to the Town's attorney and expects some recommendations. Richard Butt asked about the terms of the agreement, whether it will be for five years. Chairman Clow indicated

that no decision has been made but the contract is on the table as a ten year contract. Chairman Clow mentioned that they can make a counter proposal for a lesser term. Selectman Kurk stated that the BOS has been advised for this meeting to present only what Comcast has proposed and get public input into that. Chairman Clow reviewed the two pieces which include Comcast's proposed contract and the Cable Committee's recommendations. Mr. Ventresco indicated that they are gathering information tonight. Mr. Butt noted that he has not had any problems with Comcast. He is happy with the service. He questioned the limit of 125 feet. He called Comcast and they indicated that they would go 300 feet without additional charge. Peter Buevo questioned why they are charging an additional fee for the school. Neal Kurk feels that Comcast's prices are expensive, so he thinks they should try to negotiate lower prices. Chairman Clow noted that this public hearing strictly deals with the cable franchise. Mr. Kurk recommended that they find out what other communities are being charged and require a clause offering the Town the best possible provisions, or a *most favored town* clause. Mr. Kurk also suggested keeping the term as short as possible. He thinks five years is ok, but that 10 years is too long. Lastly, he suggested that they require a provision allowing them to get another supplier quickly. Selectman Clark suggested that an extension from 9/17 be obtained. Selectman Kurk mentioned that their attorney has suggested asking for a two month extension. Selectman Clark wants to make the public aware that the charge for the school is being looked into. Selectman Kurk stated that they need to be clear that the 2nd hearing is for information gathering as well. Chairman Clow: would like to have a fact sheet with the proposed changes highlighted available at the 2nd hearing. Selectman Kurk noted that an inspection of records right was in the former contract and it is important to retain. Walter Bohlin was recognized and said that the two Spanish channels fall under FCC regulations and they cannot be removed. He also said that they are required to wire at least to the school. He said that Comcast has been very difficult and has tried to include many clauses that are not in the contract. He said that they need to threaten to take them to court. He also noted that there is a drop in the high school. He knows what the problems are. He said they shouldn't be paying for the hardline running into the buildings. Chairman Clow gave a deadline of Fri., 8/31, for written comments to be submitted to the Town Administrator, including problems or service issues that residents would like addressed. Selectman Kurk would like a blurb in the Goffstown News. Mr. Ventresco will do that, and get it on the website. Mr. Ottery read a letter from Comcast. **Chairman Clow closed the public hearing at 8:07 p.m.**

Peter Buevo was recognized and said that Comcast is to provide physical cable from the poles to the public buildings. He said that getting the signal into the building is decided by the School or town. Selectman Clark said that if the monies are coming out of the Cable Committee's budget, then they have to make sure they are getting the absolute best price, since the taxpayers are paying for it. Chairman Clow stated that there will be no resolution tonight regarding where the funding is coming from, but that they will find out

8:14 p.m. - Chairman Clow called for a 5 minute break.

Carl Knapp – DES water requirements and PW's garage repairs:

1 **Treatment of the drinking water** – He is meeting with DES and with 2nd Wind

(water company), The cost to treat the drinking water is around \$3,500, and is mandatory, because of the daycare. There are traces of arsenic (.15), which was the limit, but now it is .10. There is a drain in the media room. The water bubbler will be brought over to the Town Offices. There is another bubbler that is available, which was purchased by the School, but it needs to be installed. Chairman Clow asked for clarification. Mr. Knapp explained that the water headed to the bubbler will go through a filtration system – probably reverse osmosis. Selectman Kurk noted that they knew it was coming for the past two years, but they need to know the maintenance costs and where the money will come from. Mr. Knapp will meet on Wed. and will have an exact number then and bring it to the 9/10 meeting.

- 2 PW's garage repairs** – The electrical system is hazardous. The building is not adequate for his needs, but he could use it for cold storage for recycling. A new steel building (80x260) would cost approximately \$360,000 for building plus \$120,000 for the concrete work. Electrical work would be on top of that. The cost to evaluate the whole system to bring it to code would be \$3,000. On 9/4 there will be a BOS meeting at 8:30 a.m. for the manifests. Hazardous household waste day is 9/29. Selectman Kurk asked if there has been a newspaper article yet. Mr. Knapp noted that there is an article about recycling in this week's Goffstown New. Selectman Kurk asked if the FEMA money has been received yet. Mr. Knapp replied that it has not been received yet, despite repeated calls. He hopes it will be received soon.

MEETING MINUTES –

- 1 July 30, 2007 minutes** – reviewed changes to be made. **Selectman Kurk moved, Vice Chairman Osborne seconded, to approve the 7/30/07 minutes, as amended. Selectman Fiala abstained. Passed. 4-0-1.**
- 2 Aug. 6, 2007 minutes** – reviewed changes to be made. **Selectman Fiala moved, Vice Chairman Osborne seconded, to approve the 8/6/07 minutes, as amended. Selectman Kurk abstained. Passed 4-0-1.**
- 3 Aug. 13th manifest meeting** – **Selectman Fiala moved, Selectman Kurk seconded, to approve the 8/13/07 minutes, as amended. Vice Chairman Osborne and Selectman Clark abstained. Passed 3-0-2.**

MANIFESTS -

Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifests and order the Treasurer to sign checks dated 8/23/2007. Passed 5-0-0.

Accounts payable	\$329,196.75
Gross Payrolls	<u>\$39,460.46</u>
Total	\$368,657.21

Contract for minute taker – Chairman Clow has difficulty seeing it as a contracted position since the meeting time is set and the minute taker uses the Town's equipment. Selectman Clark said that she uses her clients' equipment and has required hours, at

times, and is still an independent contractor. A discussion took place about whether to go on a contract basis/employee basis and the financial impact of making the position a Town employee. **Chairman Clow moved, seconded by Selectman Fiala, to hire the minute taker as an employee. Failed. 1-4-0.** Vice Chairman Osborne asked about the salary. Selectman Clark read the minutes from 7/2/07, in which the BOS offered to hire Joanne Johnson as an independent contractor for the position of minute taker, at \$15/hour. Selectman Kurk asked who pays for the cost of insurance. Selectman Clark cited the IRS regulation which states that the control of the day determines the status of employee/independent contractor status. Mr. Ventresco will check with other towns for employment status and salary.

Administrative Report – Fred Ventresco:

- 1 The Town Hall is starting to get up to code. The sinks need to be replaced. Selectman Fiala said to get an estimate to put in a filter.
- 2 There is a coded lock/alarm system on the Town Office and Fire Station, and the code can't be changed without a cd. Chairman Clow suggested using a key lock system. Selectman Kurk recalled the reason they switched to the coded system was to have tighter controls. Previously, keys were everywhere and were never returned. Mr. Ventresco will call again and if he has no luck, Chairman Clow will knock on his door.

Chairman Clow:

- 1 Asked for an update on whether the minutes from Committees are being turned in on time and the process for getting them on the website. Selectman Kurk said they always have to go to Evelyn, then to Merry. Currently, Merry gets them, but Evelyn still needs to get them. She can check off when the minutes are received. Mr. Ventresco will run it by Evelyn.
- 2 Cub Scout issue -using the Sawyer room at the Library, if open. Until it is reopened, they need an alternate space. Selectman Kurk said that if they say yes to the Scouts, they have to be prepared to say yes to other nonprofits. Chairman Clow noted that other groups have been denied.
- 3 Budget and finance workshop on 9/25 at CR. Sparks – Chairman Clow and Vice Chairman Osborne are registered.
- 4 Marge Burke asked him to announce the ribbon cutting ceremony on Sat. at 11 a.m., 8/25
- 5 Old home day is 8/25.

Selectman Fiala:

The bill came in at \$975 for the previously approved \$600 Recreational Improvement Development Fund. **Selectman Fiala moved, seconded by Vice Chairman Osborne, to appropriate \$375 from the Recreational Improvement Development Fund, for clearing the well at Ineson fund. Passed 5-0-0,**

Selectman Kurk:

- 1 Mr. Ventresco will check on forester

- 2 Asked for an update on the illegal tree cutting. Mr. Ventresco indicated there has been no response to the registered letter. He asked if the BOS wanted to wait any longer. He will review and put it on the agenda. Selectman Fiala asked Mr. Ventresco to find out about small claims court process. Selectman Clark asked Mr. Ventresco to bring the letter in.
- 3 Asked if a tape will suffice for the draft of minutes from the Conservation Commission. Mr. Ventresco thinks they have to be written, but he will double check
- 4 Asked when the Auditors are coming in for 2006. Chairman Clow said that he would like to sit down with Tina and the auditors. Selectman Clark thinks the supervisor should be called or the BOS should write a letter. Mr. Ventresco said the auditors are ready to seal it up. Selectman Clark said the auditors need to come in and have a meeting with the BOS.
- 5 Asked what the next step is for the Forestry truck with plow. Mr. Knapp said it would be handy to have in an emergency.
- 6 The Land Use Coordinator job description has been found.

10:20 p.m. Chairman Clow moved to enter into non public session under RSA: 91a:32 (b) & (c) regarding hiring and reputation. A roll call vote was taken, Selectmen Clark – yes, Vice Chairman Clow - yes, Selectmen Osborne - yes, Selectmen Fiala – yes, Chairman Clow– yes. Passed 5-0-0.

ADJOURNMENT

A True Record.

Recording Secretary