

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
February 5, 2007**

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

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Gregory Begin, Mike Atkinson, Evelyn Connor, Richard Butt, Jon Osborne, Carl Knapp, Thomas Lewis

6:00 p.m. Chairman Kurk called the meeting to order.

Chairman Kurk moved, Vice Chairman Fiala seconded to enter into non public session @ 6:08 p.m. pursuant to the authority granted in RSA 91-A:3II (a&b). A roll call vote was taken, Selectman Slattum – yes; Selectman Clow – yes; Selectman Osborne – yes; Vice Chairman Fiala – yes; Chairman Kurk – yes Passed 5-0-0.

Chairman Kurk moved, Vice Chairman Fiala seconded to come out of non public session @ 6:18 p.m. A roll call vote was taken, Selectman Slattum – yes; Selectman Clow – yes; Selectman Osborne – yes; Vice Chairman Fiala – yes; Chairman Kurk – yes Passed 5-0-0.

1. PUBLIC PARTICIPATION – Mr. John Lawton would like to clarify and get answers from the Board regarding Article 29 – Elderly Exemptions. Mr. Lawton said the Article refers to 401K and bank annuity being assets and the total asset limit is \$80,000 for age 65 and older. Mr. Lawton said the problem is 2 fold and thinks it is discriminatory among a lot of people in town. Mr. Lawton compared two couples with a working life of 35 years, couple A working for State or Federal Government and couple B whose employment provided them no retirement. Couple A had an income of \$40,000-\$50,000 a year therefore retirement of \$20,000 a year and Social Security \$20,000 annual giving them an income of \$80,000. Couple B is only having Social Security taken out and getting \$20,000 but also putting funds into 401k and retirement so to accumulate \$40,000 a year they would have to have assets of \$500,000 and therefore would not qualify for the exemption. Mr. Lawton said a \$250,000 home would cost \$2,860 a year for taxes and the other couple paying \$4,000 a year in taxes. Feels this article really needs to be looked at and is unsure if it should be income only and not take into consideration assets. Wondering what affect this will have on the taxes. Mr. Lawton feels there are people of all ages falling under the annual income of \$44,000 who are paying mortgages and raising families and feels more effort should be put into this article.

Chairman Kurk said she picked up a NH study that speaks on the issue from all cities and towns in the state. This article attempts to bring the exemptions in line with the new assessments by doubling the exemptions. Selectmen Clow said the income levels to qualify increased from \$30,000 to \$33,000 and from \$40,000 to \$44,000 and asset level increased from \$75,000 to \$80,000. These are the first increases in many years. Chairman Kurk said in 2003 42 people qualified and Selectman Slattum said 44 people in Weare last year qualified. Discussion on how that number will increase substantially within the next 5 years. Chairman Kurk

FINAL

said what Mr. Lawton is saying is some people have worked hard their whole life and are breaking their backs now to pay their taxes. Mr. Lawton feels there needs to be discussion on how people qualify and said people who haven't saved are really going to be hurting.

Selectman Clow clarified what Chairman Kurk said is that the article has to stand the way it is for this year and will have to be looked at next year. Chairman Kurk said the asset limits differ substantially from town to town. Chairman Kurk said she will discuss the qualifications for this exemption with Judy Rogers.

Mr. Richard Butt said he has questions regarding default budget and the discussion at Deliberative. Mr. Butt commented on Selectman Slattum being an advocate for employee raises. Mr. Butt commented on the BOS holding a staff meeting and holding strong on raises being in the default budget and now wants to know what happened and why the raises are no longer in the default budget. Mr. Butt said Mr. Neal Kurk said the employees will still be getting raises. Mr. Butt said if the funding is removed from the budget then the employees cannot get the raises. Chairman Kurk said before she went on a leave she felt the raises were not in the default budget and when she returned it was brought back to the table and they had communication with the Finance Committee who was against the raises being in the budget. Mr. Butt said the BOS had discussion with the Finance Committee before on the raises and the Finance Committee felt the personnel policy was not a contract and they did not recommend the raises being in the default budget. Vice Chairman Fiala said the Finance Committee said they would not vote for the proposed budget because the raises were in the default budget. Vice Chairman Fiala said if the raises were in the default budget then he felt the proposed budget would not pass. Mr. Butt asked about the default budget containing the raises in the past, which he believes the raises have been in the default budget in the past.

Selectman Slattum said this debate has been going on since 1997; he has always been a supporter of putting salary increases in the default budget. Selectman Slattum said they have had split opinions from attorneys as to whether it should be in the warrant, since then many discussions have taken place. Going back to the 1998 warrant article, Selectman Slattum said he is unsure as to what raises the voters were talking about at that time and can't remember how the personnel policy determined raises; step or merit and commented on default budgets including the raises. Selectman Slattum said if asked what his job is, to make sure the employees get raises or to do what is best for the town, he said what's best for the town. Selectman Slattum said at the Deliberative Session they approved a bottom line budget and he is convinced that employees can get raises with the allocated money. Chairman Kurk said yes but they would have to do away with something else to get the money.

Mr. Butt said it is unfair that the town employee's raises wage on how the townspeople feel about the Selectman and feels this should not affect the ability of the employees in this town to get a raise. Mr. Butt said this is not private sector it is municipal government, there is always a profit and money always available. Mr. Butt feels a default budget penalizes the employees over something they have no control over, they did their jobs.

Selectman Clow said they had discussions with the Finance Committee but never got an official recommendation until the night before Deliberative Session in an email to Vice Chairman Fiala. Selectman Clow said this has taught him to make sure discussions on the Finance Committee recommendations should be held earlier to be clear. Selectman Clow said the BOS met prior to the Deliberative and decided to remove the \$44,000 from the bottom line of the budget and does not feel this will tie their hands on giving raises, because no position was made at Deliberative but prior. Selectman Clow said the Board was much divided on this but their goal is to get the budget passed so they came together to support the proposed budget. Selectman Clow said they don't feel if the proposed budget does not pass they are tied from giving raises. Selectman Clow wants to make sure in the future the Finance Committee and the BOS come together to know where each other stands well in advance.

FINAL

Mr. Butt feels the Board sold out to the Finance Committee and in taking the raises out of the default feels the Board will have a hard time giving the employees raises. Vice Chairman Fiala said he listened very carefully when Chairman Kurk said at Deliberative that they took \$44,000 out of the bottom-line of the default. Vice Chairman Fiala said Chairman Kurk did not specify the \$44,000 for raises was taking away.

Chairman Kurk commented on Mr. Butt saying it was unfair, taking Teachers and Police who have contracts then their raises are voted upon as well. Mr. Butt feels contracts are very different. Vice Chairman Fiala said that is true but part of the biggest arguments among the employees is they feel the personnel policy is a contract. Mr. Butt feels decisions made by the Finance Committee were done not in accordance with the RSA and does not see how legally the Board can include the Finance Committee's recommendations in the warrant. Mr. Butt said he understands the Board's desire to get the Finance Committee's recommendations in the mailer because they agree with everything the Board is trying to get passed. Vice Chairman Fiala feels the Finance Committee is just advisory. Mr. Butt said they are still required to abide by the RSA.

Vice Chairman Fiala commented on the discussion held Saturday morning by the BOS in which a vote of 4-0, with Selectman Osborne abstaining, was taken to remove the \$44,000 out of the default. Vice Chairman Fiala said he is not looking to gain the favoritism of the Finance Committee. Vice Chairman Fiala said putting the raises in the default will make people vote for the default and they are trying to avoid a default budget. Mr. Butt commented on the cost of living raise having nothing to do with the employee's performance and feels it should not make a difference if it is proposed or default they should get the cost of living increase. Vice Chairman Fiala said if they get a default it does not mean the employees won't get raises. Mr. Butt said everyone, including the Finance Committee, feels the \$44,000 removed from the default represents the raises no matter how you look at it and this statement is a problem for the BOS.

Chairman Kurk and Selectman Slattum said they do not see this as a problem. Selectman Slattum said he misspoke and he clearly does support the town employees and what's best for the town.

Chief Begin, speaking as a citizen of Weare, said this is what happened last year with the \$100,000 and encourages the Board in the future to hold discussions with the Finance Committee well in advance of the Deliberative Session. Chairman Kurk said to be clear it was the BOS who made the decision to cut the \$44,000. Chief Begin said last year they cut \$100,000 to get the Finance Committees support and this year \$44,000 to get their recommendation.

Vice Chairman Fiala said last year the \$100,000 came out of the Proposed Budget and this year the \$44,000 comes out of the Default Budget.

2. DEPARTMENT HEADS – Chief Begin told the Board he has an application he needs to have signed by the Board for the Police station to receive 7 portable radios; needs signature from Chairman of BOS or Town Administration. The 7 portables will replace portables that are 7-10 years old. Chairman Kurk reminded Chief Begin if grants were going to be applied for then the Board was to be informed before the application process to ask the necessary questions beforehand, like what this will cost the town in the future and what obligations the town will have. Chairman Kurk asked what will happen to the old radios. Chief Begin said they will give them to CERT or officers to bring home. There will be no added expense to the town, 0% funding. Chief Begin said the radios come with cases and the cases they have adapt to the radios as well. All programmed before they receive them and no matching funds needed for this grant. The radios they currently have will soon be obsolete. Chief Begin said this is one of the only things the Police can get from Homeland Security because they are fire oriented now. Chairman Kurk asked if 7 radios cover his needs. Chief Begin said the 7 fills the rest of their department. Chairman Kurk asked Chief Begin if he understands the policy for applying for grants. Chief Begin said sometimes time is an issue in applying for grants. Vice Chairman Fiala asked if this will change any maintenance contracts. Chief Begin said nothing will change and actually the parts for the newer radios are less expensive than the older radios would be.

FINAL

3. COMMITTEE ITEMS – Mr. Carl Knapp wanted it brought to the Board’s attention that the removal of funds from the default budget which removed the raises from the default budget has really affected the employees. Mr. Knapp said the meeting was not posted. Mr. Ventresco said it was posted. Mr. Knapp said he saw a posting for the Finance Committee and the Deliberative Session but not for the Selectman to meeting the morning of the Deliberative Session. Mr. Knapp will check for the posting. Mr. Knapp told the Board as a staff member and as a person this is extremely discouraging. Mr. Knapp commented on employees being told their raises were included in the default and then at the last hour to have the money removed is extremely discouraging. Mr. Knapp said the fact that Selectman Osborne abstained from the vote points directly at raises. Chairman Kurk said she never said raises were affected. Mr. Knapp asked if the default passes and the \$44,000 was cut can the Board commit that something else will be cut and raises will be given. Selectman Clow said he can commit. Chairman Kurk said they are focusing on the proposed budget getting passed. Mr. Knapp said he does not feel confident with that.

Ms. Evelyn Connor told the Board she needs final approval for the Ballot to get the Ballot to the printers. Selectman Clow commented on the tax impact being removed. Chairman Kurk said some articles needed wording changes. The Board reviewed the Ballot and Articles 12, 13, 14, 15, 16, 17 are all set. Article 18 - tax impact needs to come off. Articles 19, 20, 21, and 22 are all set. Article 23 had several word changes added “to fund” EMT positions to staff the ambulance for 6 months so people knew this would be 12 months for the following year. Articles 24, 25, 26, 27, 28, 29, and 30 are all set. Article 31 had wording changed. Articles 32, 33, 34, and 35 are all set. Article 36 added \$1 per year fee. Article 37 had spelling errors and removed names. Article 38 is all set. Article 39 had major changes and Article 40 is all set 40. Ms. Connor said when she sends the Ballot to the printer they send her back a sample ballot for approval.

4. TRANSFER STATION FEES – Mr. Knapp asked if the Board has made decisions on the transfer station fees. Mr. Knapp reminded the Board of the fee changes discussed.

Refrigerants are now \$7 each; proposed \$10 to cover cost.

Mr. Knapp said demolition is now charged by the yard with a minimum fee but problems have rises with small contested loads. Mr. Knapp proposes to get rid of the minimum and wants these weighed with a scale to charge \$.05/lb for demolition and \$.07/ lb for pressure treated and sheetrock. They would like to purchase a small scale to weight up to 4,000lbs with an approximate cost of \$2,500 to come out of the transfer station equipment line. Selectman Clow asked if he arrived with a small load of demolition and unloaded it into one place to have it weighed would he then have to move it again. Mr. Knapp said the resident would only have to move the demolition once and then the employees would dump the container with a forklift. Selectman Clow asked about commercial builders coming in with truck loads. Mr. Knapp said they have no issue charging by the yard for the large loads just the small loads. \$15/yd for demolition, \$30/yd for shingles and \$50/yd for sheetrock and pressure treated.

Mr. Knapp explained how tire sizes vary and wants no diameter limit. If the tire is from a passenger car tire then it will cost \$2 and pickup truck tires \$2 and heavy truck tires will be \$12 currently only \$4. Mr. Knapp said no charge is based on weight and he now proposes to weigh the heavy truck tires that are larger than 1,100 series truck tires and heavy equipment tires as well. The transfer station is charged by weight to dispose of tires. Mr. Knapp said they discussed a fee of \$.12/lb and this would cover the towns cost for disposal.

Mr. Knapp said electronics fees would be \$.12/lb for computers, televisions (anything with a screen) and microwaves as well and proposes weighing these items to remove conflict.

Mr. Knapp said 1 lb propane tanks will cost \$1 each, \$2 for 20lb tanks and anything larger is \$20. Fire extinguishers will cost \$10 and helium tanks will cost \$5.00.

FINAL

Mr. Knapp said since the last public hearing he has spoke with commercial haulers to discuss the fee. The fee is now \$50 for the first year and \$10 each year thereafter. Mr. Knapp proposes a \$100 annual fee, which is still substantially less than surrounding towns. Mr. Knapp said there is extra workload when these haulers come in but yet does not want to have residents not chose a commercial hauler because their fees are too high. There are currently 5 commercial haulers. Mr. Knapp said they periodically have these haulers dump their loads on the ground and spot check for recyclables.

Mr. Knapp said he discussed with Jon Osborne that when something is weighed it will never come up to an even dollar amount and they would like the ability to round it off to the nearest lowest dollar. Chairman Kurk asked what the Board feels with Mr. Knapp's proposal. The Board decided to give it a year to determine how it works out. Mr. Knapp said since they are adapting a revolving account this should work out easier to regulate.

Chairman Kurk would like Mr. Knapp to have a complete list drawn up so it can be voted on properly. The Board discussed the bidding of the scales. Mr. Knapp said you could buy a scale for \$1,600 but most likely will have to be replaced in 2 years. The scale will not be movable but will be self contained. Mr. Knapp said they will build the container at the transfer station.

Selectman Clow moved, Selectman Slattum seconded to accept the new transfer stations fees as discussed and recorded in the minutes to be implemented on April 1, 2007. Passed 5-0-0.

Mr. Knapp said he received a report from NRRA. The report gave some comparison savings from revenue based recycled items through the NRRA in 2006 from the Town of Weare:

Recycling aluminum cans conserved enough energy to run a television for 1,408,358 hours.

Recycling 242 tons of paper saved 4,114 trees.

Recycling 33 tons of plastic saved 49,500 gallons of gasoline.

Recycling 324 tons of scrap metal saved 324,000 lbs of coal.

Recycling 41,100 lbs of steel conserved enough energy to run a 60 watt light bulb for 1,068,600 hours.

Mr. Knapp said on top of this the town receives revenue. Mr. Knapp said the town recycles a lot more then this but these are some samples.

Selectman Osborne asked Mr. Knapp if they will be looking at serving fines for improper disposal. Mr. Knapp said the volunteer recycling went from 1-2% 5-6 years ago to 20% now. Mr. Knapp said he came up with these figures by taking the fee generated items against what went to the hopper to be burned and 20% went out towards revenue for the town and conserving energy. Mr. Knapp said if the town had a 40% recycling rate then the transfer station would have no tax impact to the town. Selectman Clow wanted it clarified this is all revenue for the town and does not go into the revolving fund. Mr. Knapp said half of the revenue received in 2006 is a tax savings for the town with a \$10,000 gain from 2005 to 2006.

Vice Chairman Fiala commented on the recycling from the school not being received. Chairman Kurk said she discussed this with a School Board Member. Mr. Knapp said John Stark's trash is the only school whose trash comes to our transfer station. Mr. Knapp said he has gone to the schools and discussed recycling. Mr. Knapp said the paper is the largest item.

Mr. Jon Osborne commented on the solid waste which needs to be amended for the commercial haulers ordinance amended in 1992. The fees need to be determined and collected by April 1, 2007.

5. REVIEW OF TOWN REPORT, CONTINUED – Chairman Kurk said they need to discuss which pictures to include in the Town Report. It was discussed they would like a total of 6 pictures of staff and the Town Hall.

FINAL

It was discussed they will take a digital picture of the Fire wards at their next meeting. Mr. Fred Ventresco asked the Board if they saw the pictures and design submitted by Malcolm Wright.

Chairman Kurk commented on Articles 9, 10 and 11; need to remove proposed by the Planning Board. Article 12, needs to adjust the \$44,500 out of the default. Selectman Clow commented on Articles 9, 10 and 11. Chairman Kurk said Bill Drescher approved these. Selectman Clow asked how the public will know that Article 11 is petitioned. Selectman Clow said the public needs to see the differences in the articles and does not know how they can be shortened. Chairman Kurk told Selectman Clow he should discuss this with the Planning Board and include explanations in the mailer.

Chairman Kurk said Tina Pelletier is making adjustments to the default.

Chairman Kurk asked the Board about how they felt about the Cable Franchise. The Board discussed the tax impact for the Cable Franchise. Selectman Clow said this should appear in the Town Report. It was discussed the tax impact will not appear on the ballot but in the Town Mailer and Report.

It was discussed all expenditures have to be appropriated.

Chairman Kurk asked the Board what they felt they should do with the Finance Committee Report because they are not a legal committee. The Board discussed at the time the report was written the Finance Committee was made up of 8 members.

The Board decided to go with the design brought forth by Malcolm Wright for the Town Report.

It was determined they need to include a list of Notaries and the Justices of the Peace.

Chairman Kurk said they need to remember to number the pages and finalize the Table of Contents.

6. MANIFESTS

Chairman Kurk moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated February 8, 2007. Passed 5-0-0.

Accounts payable	\$503,068.80
Gross Payrolls	<u>\$30,281.74</u>
Total	\$533,350.54

7. MEETING MINUTES

Selectman Osborne moved, Selectman Slattum seconded to accept the minutes of December 16, 2006 as read. Passed 5-0-0.

Selectman Clow moved, Selectman Slattum seconded to accept the minutes of December 18, 2006 as amended. Passed 5-0-0.

Selectman Clow moved, Selectman Slattum seconded to accept the minutes of December 26, 2006 as written. Passed 4-0-1. Vice Chairman Fiala abstained.

Selectman Clow moved, Selectman Osborne seconded to accept the minutes of January 8, 2007 as amended. Passed 4-0-1. Chairman Kurk abstained.

Selectman Clow moved, Selectman Osborne seconded to accept the minutes of January 11, 2007 as amended. Passed 4-0-1. Chairman Kurk abstained.

Selectman Slattum moved, Selectman Clow seconded to accept the minutes of January 15, 2007 as amended. Passed 4-0-1. Chairman Kurk abstained.

FINAL

Selectman Osborne moved, Selectman Clow seconded to accept the minutes of January 22, 2007 as amended. Passed 4-0-1. Chairman Kurk abstained.

Selectman Clow moved, Selectman Osborne seconded to accept the minutes of January 31, 2007 as written. Passed 5-0-0.

Selectman Clow moved, Selectman Osborne seconded to accept the minutes of January 25, 2007 as written, Passed 4-0-1. Chairman Kurk abstained.

Vice Chairman Fiala moved, Selectman Slattum seconded to hire Thomas Lewis as a truck driver for the Highway Department at \$12.00 an hour effective immediately. Passed 5-0-0.

Chairman Kurk said she feels the majority of the town would still like to know the recommendations brought forth by the Finance Committee albeit unofficial. Selectman Clow disagrees because the RSA states the committee will be made up of 13 members with 7 votes to be a majority, and feels the recommendations were brought forth with 6 votes. It was discussed it is the opinion of Local Government Center that the quorum still needs to be the majority of 7 even if not all 13 positions are filled. Chairman Kurk said they should state it is the *unofficial recommendation of the Finance Committee*. Selectman Slattum said the 6 members did a great deal of work but still they were unofficial. Vice Chairman Fiala said his heart is with the Finance Committee but he sides with what is legal. Selectman Clow said his is following the legal opinion. It is the opinion of the Board to add a statement referencing there were not enough members of the Finance Committee to have a quorum.

The Selectman will host a coffee hour on March 12, 2007 from 6:00-7:00 p.m. and a televised call-in show from 7:00-8:00 p.m. to answer questions regarding the town ballot.

Chairman Kurk commented that a number of people requested a numbered sheet be placed in the mailer to list their votes on the ballot.

Selectman Clow wants to clarify the error regarding the trust fund and said it was a bank error for \$12,500. It was discussed the error was never in the books of the Trustees or the Finance Department but an error that came directly from the bank.

8. CORRESPONDENCE

Mr. Ventresco said Mr. Wright has informed him there are problems at the gazebo. It was discussed the gazebo is in need of repair because of a leaking roof the light fixtures have rusted and there has been some vandalism.

Mr. Ventresco informed the Board Mr. Wright brought to his attention there are groups with access to the Town Hall that are not leaving the building in the manner it should be left. Selectman Clow asked if the Cub Scouts were charged for the use of the Town Hall, it was discussed non-profit organizations pay \$50.00 a year. It was discussed all organizations should have a checklist of what needs to be done when leaving the Town Hall.

Mr. Ventresco said he received information from LGC regarding worker's compensation for CERT. Chairman Kurk asked LGC to state which volunteers are covered and which are not covered.

Mr. Ventresco informed the Board Merry Rice has requested to leave at 4:00 temporarily instead of 4:30. Chairman Kurk said if the Board supports this they need to make sure the public is aware of this change. Ms. Rice has been coming in a half an hour early to make up the difference.

Mr. Ventresco informed the Board All-Clear Septic will no longer be accepting sludge and DES suggests taking all sludge to Allenstown. Selectman Slattum said Weare should be on Manchester's list as well for back-up.

Chairman Kurk asked Mr. Ventresco as a courtesy to inform all employees at the staff meeting that the \$44,500 was removed from the default budget.

FINAL

The Board discussed the mailer needs to be sent to the printer on Friday, February 9, 2007.

The Board will meet again on February 19, 2007.

Motion to adjourn at 10:30

9. ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary