

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
February 19, 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: Robert Richards, Frank Campana, Mike Atkinson, Loren D. Clement

6:08 p.m. Chairman Kurk called the meeting to order.

1. PUBLIC PARTICIPATION – Mr. Frank Campana would like to encourage the Board to explain, to the taxpayers, the situation regarding the default budget and the employee raises in the Town Mailer.

Mr. Campana said he has an issue with percentage increases within departments. Mr. Campana highlighted the Police Department budget increase of 12% and said logically you can't do that. Mr. Campana said the budget is comprised of what people voted on in previous years. The budget is the budget no matter how it is derived; from his standpoint to be honest you cannot separate the proposed and the warrant articles pertaining to the budget. Mr. Campana said he gets one tax bill and it does not separate out each department's budget it is one bill and encourages the Selectman to have a bottom line percentage increase.

Mr. Richard Butt thanked Selectman Slattum for filling in as interim Selectman. Mr. Butt informed the Board he has a problem with the Capital Improvement Program, related to discussion that took place at Deliberative Session. Mr. Butt informed the Board of the problem with the Capital Improvement Fund listed on the ballot as Recreational Field and Development Fund; he said this fund was done away with in 2004 because they wanted to expand the scope of the fund. Mr. Butt referred to the 2004 Town Report, which asked voters to do away with the Recreational Field and Development Fund. Mr. Butt said because of this the Trustees wouldn't allow funds to develop Bolton Field. The following year they did away with this fund and created a new fund, Recreational Field Development and Improvement and it was rejected by the voters leaving PARC with no funds. Then a request for \$13,000 for complete the playground at Bolton Field and a suggestion by Selectman to create a new fund known as Recreational Development and Improvement Fund in 2005. At that time \$25,000 plus and an additional \$13,000 for playground was put into this fund.

Mr. Butt thanked Selectman Clow for speaking up to this fund at Deliberative. Mr. Butt said the tennis court funds could come from this fund. Mr. Butt commented on the 2006 request for \$15,000 for the irrigation at Ineson field, which was part of the CIP, and for some reason nothing was done. Chairman Kurk said they received estimates and all the information was passed onto PARC. Vice Chairman Fiala said it was unsure if PARC knows they have the permission to spend the funds. Mr. Butt commented on the biggest problem with this fund is getting the balance. Mr. Butt said the Board hesitates to transfer the funds until the end of the year. Mr. Butt said every member of the Capital Improvement Committee is also on other committees and everything is all done by volunteers and at some point he feels the Board needs to have a paid position to oversee. Mr. Butt said they are stretching volunteer resources very thin. Mr. Butt stated the problems that arose at Deliberative Session wouldn't have happened if something was in place beforehand.

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Mr. Butt commented on the town's website telling the Selectman he is really embarrassed on the condition of the website. Mr. Butt stated the minutes have not been updated on the website since fall of 2006. Mr. Butt said they spent money on having an employee trained for the website and feels the Selectman should take responsibility for this. Vice Chairman Fiala said Tina Pelletier is responsible for the website and she has been adjusting to the Finance position. Vice Chairman Fiala said he does not think this is a time consuming fix. Mr. Butt also said the Ordinances and Ethics Committee information is not up to date.

Mr. Butt said the Ethics Committee is a fiasco; the committee was put together in 2005, the Town Moderator was supposed to be appointing the members, now those positions are supposed to be elected and there is nothing on the warrant. Mr. Butt feels the Board of Selectman need to take control over this and step up and take responsibility. Mr. Fred Ventresco said the Ethics Committee is meeting tomorrow night and they have things they want to bring forth to the Town Attorney and he wants to know how to proceed. The Ethics Committee has questions on forms and will pose questions to the Attorney at the same time. Vice Chairman Fiala said the Board tries not to get involved with the Ethics Committee.

Mr. Butt asked what the hours are for the Town Administrator. Vice Chairman Fiala said there are no specific set hours scheduled other than meetings. Mr. Ventresco said he usually gets in 8:30 or 9:00 mostly 9:00 and often stays late at night. Mr. Butt asked why not until 9:00 or after. Mr. Ventresco said usually because of night meetings. Mr. Ventresco said sometimes he is here at 7:00 or 8:00 a.m. as needed. Mr. Butt said Mr. Ventresco is in a HR position. Mr. Ventresco said it was negotiated in his contract.

2. DEPARTMENT HEADS – Chief Richards told the Board the Fire Department is ready to purchase the new Jaws of Life Rescue Tool for \$15,500 to be expended from the Fire Equipment Fund. Chief Richards said the old fund was closed 2-3 years ago, and a motion was made at a deliberative to purchase the tool. Chairman Kurk said she was looking at CIP from 2006 and it states the tool would be purchased in 2008. Chief Richards said it changed to 2007 because the current equipment is 25 years old and in need of repair with the system purchased in 2001. Selectman Slattum asked if this should wait until after elections in March for funding. Chief Richards said there is no money going into the Fire Equipment Fund this year. This did go to the CIP Committee and Chief Richards never heard back from them so assumed everything was fine and said this is the time to make the purchase. Selectman Slattum asked how many units of Jaws of Life they have in town. Chief Richards said there are two. The unit that is 25 years old they use as a backup. Chief Richards commented on the thermal imaging camera being \$12,000 less than expected. Chief Richards said the new Jaws of Life unit will be \$15,500 but he originally requested \$20,000. Chairman Kurk asked what the anticipated life of the tool would be. Chief Richards said possibly 25 years.

Selectman Osborne moved, Selectman Slattum seconded to expend up to \$15,500 to purchase a new Jaws of Life for the rescue truck. Passed 5-0-0.

3. ISSUE OF MARKERS MISSING BETWEEN DUNBARTON AND WEARE – Ms. Margo McLeod is the Town of Weare's Perambulator and Mr. Fred Mullen is Dunbarton's Perambulator. Chairman Kurk said Mr. Mullen wrote a letter asking Congress to request the new markers. Ms. McLeod said when bulldozing was done in Clough Park the marker was destroyed. Ms. McLeod said they have been trying for many years to get these markers replaced. Mr. Mullen said Ms. McLeod and himself have been checking the town line boundaries since 1997. Mr. Mullen said these markers disappeared sometime after 1953. Mr. Mullen informed the Board that Dunbarton's State Representative will be contacting Congressman Paul Hodes. Mr. Mullen wrote the letter to the Congressman.

This particular marker which is missing is important because it is also the county line between Merrimack and Hillsborough County and is important for fire and flooding purchase to know which town gets billed. Mr. Mullen said reimbursement from flood damage and need to know the town's boundaries and they need to be accurate. The Army Corp of Engineers has their own surveyors and the cost would be their burden. Mr. Mullen said if the Town of Weare is in agreement he will hand deliver the documentation to the State Representative.

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Selectman Slattum asked what the markers were made up of originally, Mr. Mullen said stone, they were pushed out of the way due to construction. Selectman Slattum asked what they will be made of now. Mr. Mullen said stone or granite marked the same way as the original markers. Chairman Kurk said they get \$40,000 from the state which should come from Massachusetts to help protect from flooding.

The Board agreed to sign the letter along with Mr. Mullen and Ms. McLeod. A signed copy will be placed in the file for the town's records. Ms. McLeod said she has walked 5 town lines out of 7 this year.

4. DISCUSSION REGARDING MILITARY EQUIPMENT ON THE STONE MEMORIAL BUILDING'S LAWN – Mr. Loren Clement gave Chairman Kurk the following letter:

This letter's intent is to show that the Weare Historical Society, The American Legion Post 65, The Sons of the American Legion Post 65, and the Selectman of the Town of Weare are in support of granting Loren D. Clement permission to remove paint from the numbers and data plates that are on the piece of military equipment that resides on the Stone Memorial Building's front lawn. In order to identify exactly what the piece of equipment is, where it was made, and when and where it was in service prior to arriving in the center of our town. After removing the paint it will promptly be replaced with an appropriate paint to preserve the integrity of the piece of equipment.

Mr. Clement informed the Board they have been trying to get more information on the military equipment and the data plate will give them the numbers needed to research the equipment. Chairman Kurk asked how they will get the paint off. Mr. Clement said they will be removing the 2 data plates and using chemical strippers and sandblasting. Mr. Clement informed the Board he will have assistances from knowledgeable individuals in removing the plates. Mr. Clement said they are not looking for any money from the town; it will all be done by donations. No one has any record of the equipment arriving or its origin or decommission. Selectman Osborne asked who will be writing up a summary when all the information is gathered. Mr. Clement said he will be participating and the Legion and Historical Society as well and Sons of the Legion.

Vice Chairman Fiala moved, Selectman Slattum seconded to authorize Mr. Loren Clement, on behalf of the Weare Historical Society and Sons of the Legion, to restore the data plates on the military equipment located at the Stone Memorial Building as presented. Passed 5-0-0.

Mr. Clement will contact the Garden Club regarding the flower pots around the cannon. When he gets the information from the garden club he will contact Mr. Ventresco for final approval.

5. MEETING MINUTES

Vice Chairman Fiala moved, Selectman Slattum seconded to accept the minutes from February 3, 2007 as submitted. Passed 4-0-1. Selectman Osborne abstained.

6. CORRESPONDENCE – Mr. Ventresco said he received the contract back for the Town's septic. It was discussed Allentown is a backup location and does not require all haulers to go there but just provides a backup for disposal. Mr. Ventresco checked this with DES. Mr. Ventresco will also search out other towns for disposal sites for backup.

Selectman Slattum said the Cable Committee will be touring a facility in Bedford and said Will Ottery is looking to get a program, for Weare's cable access channel, from Londonderry at minimal cost. Chairman Kurk said other towns are putting that program on their cable channels as well.

Selectman Clow said there were issues that came up in public participation and said they need to encourage clarification within the requesting departments and the CIP Committee to know the decision from the CIP Committee. Selectman Clow said if they had sent the requests to the CIP and then to the Trustees then errors could be eliminated. Selectman Clow said they are always talking about communication and feels if the process is clear this would help.

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Chairman Kurk said the CIP Committee works very hard but they are advisory to the Board of Selectman so they can agree or disagree to what they bring forth. Selectman Clow said he is only talking about the process not the amount of the funds. Selectman Clow commented on the Recreational Field and Development Fund which might not exist but is in the warrant. Selectman Clow said if this had been sent through the Trustees of the Trust fund then this error might have been caught. Chairman Kurk agrees with Selectman Clow that they need to take more time for clarification and they will make more of an effort to do so. Selectman Clow suggested a form be created to acknowledge the acceptance of an item by the CIP Committee so the requestor is informed of the acceptance.

Vice Chairman Fiala told the Board there was damage from ATVs at Chase Park on the new grass area. Selectman Osborne said the ATV club has posted signs. Vice Chairman Fiala said PARC has opened bids for the Bolton Field survey and will be making a decision soon.

Selectman Osborne asked if the lot line adjustment regarding Bolton Field and an abutter (Buxton) has been completed. Mr. Ventresco will confirm if it has been completed.

Chairman Kurk asked the Board if they all get the Local Government Bulletin via email. Chairman Kurk wants to make sure all the Selectman receive it so they have the opportunity to respond to the issues.

Chairman Kurk said they received something from Lynn Ryenecker concerning the golf course. She wants to start a program for recreation at the golf course which is currently for sale.

Chairman Kurk said they need to make a schedule for 2007 so it can get posted. The Board set Selectman's meetings for March 5 and March 19 with a coffee hour and call-in show on March 12. The Board decided to set the schedule for the remainder of the year after the elections.

Chairman Kurk told the Board they need to have a discussion regarding a written email policy. Chairman Kurk said she received a right to know request for all emails. Chairman Kurk reminded the Board that one of their charges is to clarify policies. Chairman Kurk said she receives town email on her personal email address as well and is trying to sort out what is public and what is not. RSA 91A:4 does not talk about access to emails. It was discussed emails that qualify as a quorum should be public. Selectman Clow said available to a quorum is key. Selectman Slattum said he asked when he came on board if there was a computer available for Selectman to check there .gov email. Selectman Slattum suggested to the Board not to have any emails from .gov to their personal accounts. Chairman Kurk wants to make sure they comply with the law. Selectman Osborne commented that any right to know, even if emails should be specific to a certain request. Chairman Kurk said she has written a letter to gain legal assistance with this issue.

Motion to adjourn at 8:20 p.m.

7. ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary