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WEARE BOARD OF SELECTMEN
MEETING MINUTES
July 30, 2007

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

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Joanne Johnson

GUESTS: Carl Knapp, Sara Crane, Gene Propper, Andy Fulton, Val King, Chuck Metcalf

6:05 p.m. Chairman Clow called the meeting to order and led the group in the Pledge of Allegiance. Chairman Clow thanked the BOS members for the opportunity to be Chairman of the BOS.

1. PUBLIC COMMENT – There was no comment.

2. DEPARTMENT HEADS –

Carl Knapp – Salt bids

Mr. Knapp informed the BOS that there were no salt bids. He believes that distance was a factor. Selectman Kurk asked about the price from Granite State Mills, which Mr. Knapp indicated is \$47.73/ton (\$5 more than last year). He also indicated that Eastern's price is in the \$50's. Selectman Kurk asked how much salt is in the shed. Mr. Knapp replied that there is 30-40 tons. Selectman Clark asked when he needs to order. Mr. Knapp said that it doesn't matter, because once the price is set, it is fixed at that price, as long as the contract is signed. Selectman Kurk asked if he could get one load from other company. Mr. Knapp said he needs a signature. **Vice Chairman Osborne motioned, seconded by Selectman Kurk, approval for Chairman Clow to sign with Granite State Minerals at \$47.73/ton. Passed 4-0-0.** Mr. Ventresco asked if he needs to commit to a certain amount. Mr. Knapp replied that they just need to provide an estimate, and the price is guaranteed price up to the estimate.

Carl Knapp – Recycling

Trash is down 250 tons. Recycling is not up, as much as you might think. Paper is up 30 tons. Cardboard and plastic is up, aluminum cans are down. Scrap metal is down, but was high. Overall, revenue is up. Things they want out of the trash is up. Mr. Knapp indicated that the new trailer hauls 99 tons, versus 80 with the old trailer. Selectman Kurk feels that it is wise to get this information in the newspaper. Mr. Knapp said he will put it in report form this week. All figures are charted, he just needs to compile the information in one report. Chairman Clow asked about the revolving fund; will it balance out for the year, since it wasn't implemented until 4/1? Mr. Knapp indicated that it will hold its own., at a breakeven, at least this year. The money goes

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back into payment for disposal and there will be enough for that. He said the containers will have to be replaced. Selectman Kurk said that they could advertise the recycling improvements by including a flier with each tax bill. The other BOS members thought this was a great idea and they will work with Diane. Vice Chairman Osborne asked for an update on the compactor. Mr. Knapp said he has been actively negotiating, and got about \$12,000 off the price, down to \$52,560. Next Monday they will come in and do temporary repairs to make it last eight weeks, at no charge. They can pay it off at any time. Since they will be financing only \$34M, the monthly payment will drop, too. Mr. Knapp mentioned that they are still waiting for the \$30,000 from the last flood, from FEMA. The federal government gives the money to the State promptly, but they are waiting for the State to pay the Town. Selectman Clark asked if there is a position open. Mr. Knapp said that there is an opening in sanitation and it has been posted on the website. Selectman Clark asked how this position is paid. Mr. Knapp indicated that it won't be much different than the other truck drivers and he will have to plow snow. Selectman Kurk asked how the Thurs evening hours are affecting Sat. Mr. Knap indicated that there hasn't been much of an impact. Approximately 30-40 people are taking advantage of the opportunity to come in before the weekend. Some are still coming in on Thurs. morning and being turned away. But there haven't been any complaints. Chairman Clow asked Mr. Knapp to state the hours, which are 10-6 on Thurs. and 7-3:30 on Tuesday, Wednesday, Friday and Saturday

3. Approval of minutes: Selectman Kurk noted one correction to be made on the 7/2/07 minutes. A discussion on the procedures for BOS meeting minutes from draft to final form, ensued, including when the minutes should be posted on the website. Chairman Clow indicated that the final minutes need to be on the website, not the draft form. It was decided that the final minutes will replace the draft form, on the website and that the minutes that have been edited by the BOS, and corrected by the recording secretary, will then become final minutes. **Selectman Kurk moved, seconded by Vice Chairman Osborne, to accept the 7/2/07 meeting minutes, with one amendment. Selectman Clark abstained. Passed 3-0-1.** Chairman Clow and Selectman Kurk reviewed the 7/16/07 minute changes. **Selectman Kurk motioned, Vice Chairman Osborne, seconded, to approve the 7/16/07 minutes as amended. Selectman Clark abstained. Passed 3-0-1**

4. MANIFESTS

Chairman Clow moved, seconded by Selectman Kurk, to authorize the Board of Selectmen to sign Manifests and order the Treasurer to sign checks dated 8/2/07. Passed 4-0-0.

Accounts payable	\$491,528.84
Gross Payrolls	<u>\$44,954.36</u>
Total	\$536,483.20

Selectman Clark questioned the percentages, stating that some depts. are at less than 34%, which is lower than the expected 44%. She said that it's hard to know what is included in payables. Chairman Clow noted that the Finance Clerk will be at next meeting and she would be a good person to ask. Selectman Kurk noted that some things are paid in the beginning of year, which sometimes throws off the bottom line, percentage-wise. She mentioned that she has questions too, such as: Are all insurances paid up? How come we don't hold the line? Selectman Kurk stated that they need to find out if depts. have paid certain expenses. Selectman Clark observed that some Town officers appear to be in the negative and asked if this was an error. Mr. Ventresco said that there are a lot of negatives, in individual lines. Selectman Clark asked why there are negatives. Selectman Kurk indicated that depts. have the discretion to move things within their budgets. Selectman Clark questioned how they know what they are budgeting. Mr. Knapp reviewed his procedures and indicated that hell run a line over before charging it to another line. For example: If he has a fuel budget of \$50,000, he'll still

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charge it to the fuel line, even if bringing it over budget. Otherwise, he wouldn't know what to budget the following year. Mr. Ventresco will check with other depts. to be sure they are charging to the correct line. Selectman Clark said that in office supplies, for example, she would hate to see that go over and then someone would buy more supplies and charge to another line because there was room. Chairman Clow said they won't go into a totally different account. The negative balance tells you that you need to do something about it in subsequent years. Selectman Clark feels that if there is a way not to go into the negative, they should do that. Chairman Clow noted that some lines would be almost impossible, such as fuel. Mr. Knap shared his practice: if overspending one line, he looks for a place to make it up to stay within his bottom line. Selectman Clark asked if everyone is on that same schedule. Mr. Ventresco will check.

Selectman Kurk motioned, seconded by Vice Chairman Osborne, to nominate Terry Knowles to a three year term on the Southern New Hampshire Planning Commission. Passed 4-0-0.

5. Administrative report - Mr. Ventresco:

- Jan is sending credit card report over to go over next week.
- Sugar and Spice Repair of Day Care cost – The Town is in a three year contract with the Day Care, but they can only enter into a one year real estate lease contract, without town meeting approval. The lease runs out 9/20. Research shows that the school did get the necessary approval, whether it carries over, he doesn't know. Vice Chairman Osborne asked him to make copies for all BOS members. Mr. Ventresco will do this and bring it up next week, along with the insurance issue.
- 2005 audit will be taken up next week. Selectman Clark asked if they can keep the agenda small when they discuss the audit. Chairman Clow noted that he doesn't have a history with an audit and that it will be a learning experience for all of them. The current procedures in place will shore up the 2006 audit. Mr. Ventresco noted that two-thirds of the recommendations have already been implemented by Tina. Chairman Clow said that the recommendations were a blueprint on how to improve things. Mr. Ventresco noted that there will be a presentation to the BOS by the auditors.
- Cable contract - ddr prices are being raised by a few dollars.
- Will the job description for the custodian, approved at the last meeting take effect immediately? BOS replied that it does.
- Inventory Equipment of is rolling in.
- There has been a request by Tom and Marjorie for the prison inmates to repair the horse shed/tramp house for \$1,400. The horse shed is town property, but the tramp house is owned by the historical society. Mr. Knapp noted that they can cut brush and they have lumber they can use. Chairman Clow noted that priorities are established in different ways and that the horse shed is a significant piece of history. Selectman Clark asked about asking the Building Committee. Mr. Ventresco agreed and noted that he was thinking that he should shoot it by the Building Committee. Selectman Kurk suggested that he contact Sherry, from Historical Society, to see if they have money.
- Contract with minute taker – Mr. Ventresco gave the draft of a contract to the BOS. He noted a concern is whether the minute taker should be a private contractor or an employee. LGC's opinion. Selectman Kurk mentioned that the BOS didn't finalize the contract because Selectman Clark wasn't here and Joanne Johnson hadn't seen it. Selectman Clark feels that general liability would be required. Chairman Clow noted that the cost of adding her to workmen's comp plan would be miniscule. He also noted that the minute taker was always handled as a 1099, essentially a private contractor. He

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tabled the issue until August 20, 2007. Selectman Kurk noted that Joanne Johnson will look into the cost of general liability insurance.

6. Andy Fulton - Chair of Conservation Commission. Mr. Fulton reviewed his participation in the Commission, which includes being chair since last year and vice chair since 2003. He gave a brief history of members. He came to discuss many items, including:

- The minutes have not been available to the public on a timely basis. They need help in meeting the 6 day rule and don't see that happening under current conditions. Selectman Kurk asked if they are technical minutes in nature. Mr. Fulton indicated that what is of most concern is their recommendations to the Planning Board, which meets two weeks after the Conservation Commission's meets. They are looking for help. Selectman Kurk noted that Naomi is taking the minutes now, and how she has she been getting them in in 6 days. Mr. Fulton replied that she has been taking about two weeks. Mr. Ventresco noted that the law states that the minutes must be available to the public in 5 working days now. Chairman Clow asked how the long meetings run. Mr. Fulton replied that they are a minimum of three hours long. Currently, they are being transcribed from tape, which requires at least a half day's work. Selectman Clark suggested checking the job description for the land use coordinator to see if it was incorporated in there. Chairman Clow indicated that they probably won't have a solution for him tonight. Mr. Fulton said that an alternative would be to look to hire someone. Selectman Clark suggested possibly someone from one of the colleges. Chairman Clow said that consistency is an issue. Selectman Kurk asked if the audio could serve as a draft. Mr. Ventresco said just getting the nature of discussion would suffice as a draft, and saving the embellishment until the final version. Chairman Clow suggested to note just the decisions made and that it was a good question to pursue. Selectman Kurk replied that brief summary minutes wouldn't help the Commission and asked Mr. Ventresco to find out if the tape would suffice as a draft. Selectman Kurk asked if there is money in budget. Mr. Fulton responded that there isn't. Chairman Clow indicated that the five day rule is an absolute. He also noted that the Town Clerk maintains the records. Mr. Fulton: Asked about the procedure for getting them posted to web. Mr. Ventersco said that when they are ready to send them (in Word) to Merry Rice.
- Mr. Fulton asked for clarification between ex officio representation between the BOS and the Conservation Commission. He noted that there was none in 200 and it hurt the Town and the Commission, feeling that the BOS didn't know what the Commission was doing. He doesn't want to end up there again and asked if any BOS member wanted to be more actively involved, and become a voting member. Selectman Kurk said that it isn't required, by statute. She said that she couldn't bring anything to the. Commission and thinks it is preferable for someone from the Commission's Board to come and talks to the BO.S. Selectman Fulton suggested that they e-mail the minutes to keep BOS informed. Selectman Kurk indicated that she has requested that. Chariman Clow feels that a liason, rather than ex officio member, is preferable, because someone on the Commission's Board would have to lose a seat. Mr. Fulton confirmed this, stating that they can have up to seven members. Selectman Clark said that she would like to go to one meeting of each committee. The Commission meets the 2nd Wed. of each month, normally at 7, but the next one is at 6.
- Wood Family Forest – Mr. Fulton wants to interface with parks and rec. He asked about keeping Bolton Field plowed. He asked how can they help the public enjoy the natural environment responsibly. Chairman Clow asked there is a trail system in the Wood Family Forest. Mr.

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Fulton confirmed that yes, there are trails maintained and kept open. Selectman Clark asked about a gate to Bolton Field, to restrict motorized vehicles. Chuck Metcalf spoke and indicated that they could lock the field, but not the long trail. He noted that they are in the midst of the working on the master plan. Mr. Fulton indicated that he would be glad to work with parks and rec on this cause. A draft of the master plan for Bolton Field's future development is expected within 2-3 weeks.

- The Conservation Commission is not involved with Lake Horace.
- Brown Conservation Easement and Hall property purchase - They will open bids at the regular meeting on 8/8 at 6 p.m. Chairman Clow indicated that the BOS needs to approve the hiring of a forester. Mr. Fulton said that he will develop recommendation for the BOS.
- The Open Space Committee is busy working with a number of people. They are trying to build larger natural areas. The conservation funds are primary mechanism for these kinds of projects.
- Conservation easement for \$150,000 – a portion is matching. Total is around \$500,000.
- There is a P&S on the property located on Henniker line off of Rte. 114, which is a 10 acre wooded property with no structures on it, in the vicinity of Chipmunk Falls. The Commission is hoping to lump together with other larger parcels to protect the open space. It is within 75-100 feet of conservation areas. Chairman Clow asked if there is available anywhere a complete listing of all of their parcels and whether they are encouraged for people to use. Mr. Fulton indicated that they are working on an interactive Web link to include a map of the Town – which will allow users to click on parcels. They are half way through the development of this link.
- Public hearings on the Brown conservation easement and Hall property purchase will take place on 8/8. Chairman Clow asked if they were looking for easements to find frontage. Mr. Fulton responded that conservation value is determined in a number of ways. They are not looking to acquire property that would be off limits to recreational enjoyment. They are supporting a Lake Horace marsh preservation structure to hold back water.
- Doing survey work with NH Natural Heritage Bureau on Town owned property.
- They are working towards consulting services and equipment, which will integrate with website in 2008. The needed \$5-\$10,000 will come out of the conservation fund.
- Mr. Fulton asked if the BOS had received the comments from last meeting, concerning the Southern New Hampshire Planning Commission. Since the BOS members hadn't received it, Mr. Fulton will resend.
- Mr. Fulton asked what the status is on tree cutting violation. Mr. Ventresco noted that the BOS had asked him to send a certified letter and the certified card came back today, but there has been no response yet. He further indicated that they can't put a lien on the property because it's a fee, not a tax.
- Disruptive atv use – users are ignoring signs and moving boulders. Mr. Fulton indicated that previously, resources were not available from the Police Dept. Selectman Clark noted that there are also people camping out, leaving open bottles everywhere, so it is not just thee atv riders. Chairman Clow asked about the recovery from acid rain. Mr. Fulton said he hasn't heard anything. Chairman Clow suggested that the appropriate riders report inappropriate users. Mr. Fulton asked about involving the fish and game officers. Selectman Kurk suggested that the boy scouts get it cleaned up. Selectman Clark suggested a neighborhood watch group.

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Carl Knapp: John Brown and Sons has been requested to trim branches to power lines on a class 6 road. Mr. Knapp is concerned with making much more of a clearing because of the potential for more traffic. He is seeking the opinions of BOS and Conservation Commission. Mr. Fulton said he is not terribly concerned.

- Mr. Fulton noted that the Commission is working on wetlands, in a non-disturbed area.

Selectman Kurk said that she is trying to clean up the conservation room. Large cabinets from the school are in the horse shed. She asked if they can meet with Park and Rec. and the Conservation Commission to make it more attractive, usable and organize it to make the room more usable.

8:35 Chairman Clow called for a 5 minute break.

7. Chuck Metcalf, Val King (Park and Rec.) and Carl Knapp: repair of recreation grounds and Public Works- Chairman Clow mentioned that the issue is finding time to do everything. Mr. Knapp said that they have to decide whether to do Park and Rec. or Public Works, and that plowing the safety complex takes time. Chase Park needs to be plowed, which creates another whole plowing route without any additional funding or personnel. Mr. Ventresco said that the main issue is day to day maintenance of Park and Rec. grounds. Mr. Knapp is the only person to go to and that they need to hire someone to handle the additional work load. Mr. Ventresco indicated that this subject has come up before and the BOS determined that it is more cost effective to have Public Works do this work rather than contract it out. Chairman Clow asked Chuck Metcalf what his issues are. Mr. Metcalf said that when unforeseen circumstances occur, he calls Mr. Ventresco, not Mr. Knapp and Mr. Ventresco decides who gets called. He confirmed that they were hiring projects out but BOS wanted Public Works doing the work to save taxpayers' money. Mr. Knapp does do most things that are asked. This week, for example, the boat ramp locks at Chase Park were locked because it was raining. They put rocks between gates. Mr. Knapp said that they haven't added new employees and they need resources. Selectman Kurk asked if they are talking about adding more than another man or woman. Mr. Knapp replied that yes, he had put a proposal together previously, including lots of issues, such as lawn care. However, it never went to the voters. Mr. Metcalf suggested adding another person for lawn care in the summer and snow plowing in winter. Selectman Kurk suggested that maybe it was time to revisit it. Chairman Clow asked about the fire systems, which were in the Fire Dept. budget, and asked if they got the work but not the funding. Mr. Knapp confirmed that that was the case. Selectman Clark asked about money in budget for repairs. Mr. Metcalf indicated that there wasn't much, Selectman Clark asked why Public Works can't bill Park and Rec, Mr. Metcalf said that they pay for materials, but not labor. Chairman Clow explained that there are very diverse projects. Mr. Metcalf said that Mr. Knapp is usually involved because of the equipment needed. Chairman Clow explained that some projects are short term such as the rocks needing to be moved, and some are long term, and they need to find someone else to do it. Selectman Osborne asked why Chase Park is being plowed every storm. Mr. Knapp asked if that was a liability for town. Mr. Metcalf explained that they don't plow right away. They usually start in Jan/Feb. Mr. Knapp said that that involves a change in vehicle rotations Chairman Clow recommended that he dust off the proposal. Selectman Kurk asked Mr. Knapp to touch base with Park and Rec to see if their needs would be fulfilled. Selectman Clark asked Mr. Knapp to keep track of how much time is spent elsewhere. Chairman Clow explained that chargebacks are used in larger communities, in which one dept. that does another dept.'s work is charged back. Mr. Metcalf asked about the rocks. Mr. Ventresco suggested that he report the damage of boat launch to Police. Val King, Secretary of Park and Rec. explained that it involves more wear and tear on the park.

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7. COMMITTEE ITEMS

Selectman Clark: She had asked for a list (of committee members) and was confused when she got it. She asked how Merry knows that it is official and to update the list. Mr. Ventresco said that he lets Merry know or she reads the minutes and takes care of it. Selectman Kurk noted that the board members come from the BOS but that changes in the membership need to come from the chairperson. Chairman Clow suggested waiting until they get past the elections, around 5/1, and update the list each year. Merry should contact chairs for updates. Chairman Clow also suggested updating it now and to put it on the calendar to update on 5/1. Selectman Clark asked for clarification on why some committees require ex officio and some don't. Many selectmen sit on other boards and she doesn't see what she is adding to the boards that she sits on. She doesn't think it should be required. Selectman Kurk agrees with certain boards, such as the Conservation Commission. But, she noted that the BOS is an integral part of some boards. The selectman is the BOS' voice. Chairman Clow reviewed a dangerous situation at a mobile home park, which required an evacuation. Selectman Kurk and Chairman Clow played a role for that housing situation. The whole issue is public safety. Selectman Clark felt that sitting on other boards might give them a pre-set judgment, because they are sitting on these boards. A discussion regarding various boards with BOS members sitting on them took place.. Chairman Clow said that he doesn't see anything being out of balance. Selectman Kurk thinks it is a good thing and that the buck always stops here.

Selectman Clark brought up an item from the 7/16 meeting, in which she was absent. The subject was a vote for a new chair and vice chair. Her concern is Selectman Osborne being vice chair and working for Chairman Clow. She feels that there may be a conflict and questioned why that vote was taken without her being present. She said that she is not discounting the ability, it is just the potential conflict issue. Chairman Clow said that it deserves an explanation. He went on to explain that Colburn's store is a retirement business for he and his wife. . On Mondays, he is there and Donna is not. Thursday is the only day that they are both there. He has never had a conversation about Town business at the store and feels it is a non-issue. Selectman Clark said that if she thought it, other people might think it, too. Selectman Kurk said that it is good to bring it forward, when it is on her mind. She asked what Selectman Clark sees as a conflict. Selectman Clark indicated that it is because of the employee/subordinate relationship. Selectman Kurk asked how that differs from the selectman/vice chair relationship. She doesn't see how this is a conflict at all. The chair doesn't have any authority over any of the BOS members. She asked if Selectman Clark is saying that it is an ethical conflict. Selectman Clark said she didn't know. She can only compare it to the private sector in her experience with lending. Chairman Clow said that he doesn't see it as the same way. Selectman Kurk said that she doesn't see it as any ethical problem. Chairman Clow said, regarding the timing of the vote, that there was no intention of exclusion. He and Selectman Kurk discussed it about six weeks ago. There was no thought to who would or would not be here. Selectmen Fiala and Osborne are the senior members of the BOS. It seemed like a logical move. Selectman Osborne thanked Selectman Clark for calling her and letting her know how she felt. Any dispute at her job will stay at her job.

Selectman Clark noted that she didn't go to the local energy meeting. She sent a letter asking for clarification. Tina gave her copies of the GL a/c's and she is going to go through them before budget time. She asked how they can monitor the timely submission of meeting minutes of committees and boards. Chairman Clow suggested including a reminder of the minute deadline to the chairs, when they request a status update on committee members. It will show a good faith effort on BOS' part. Selectman Clark thanked Merry for doing such a good job with the website.

Vice Chairman Osborne indicated that she would like to meet with dept. heads to go over the line items, since they are halfway through the year. She wants to see their budgets. Chairman Clow would like to start this at

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the second meeting in Aug. He asked how assessing company is coming along. Mr. Ventresco said that they are done. The issue is how to distribute them to the BOS. It is important for them to see the proposals. Selectman Osborne was in favor of any methods that would save the Town money. Mr. Ventresco mentioned that most of the companies use the same software. Vice Chairman asked who they will get to take the minutes at the next meeting. Mr. Ventresco said that he can get a temporary, or ask a woman in New Boston. Re: letter from Malcolm, the repairs at Town Hall will be fixed a little at a time. They can do the small ones like plumbing. The bigger issues will require the Building Committees to work on. Vice Chairman thanked the dept. heads for their monthly reports.

Selectman Kurk noted that the Town Clerk's office will be closed on 8/8 and 8/9, for training. She asked that it be announced at the next meeting. She asked if they have a fuel contract yet. Mr. Ventresco indicated that it would be foolish to go out now, because prices are high. He thinks they should stay on rack. Selectman Kurk indicated that she cannot attend the excavation workshop on 8/15. . She would like to set some work sessions without anything else going on.

Chairman Clow discussed the auditor's letter, re: audit procedures, and noted that everything presented to them was to the best of the Town's knowledge/ability. **Selectman Kurk moved, seconded by Vice Chairman Osborne, for Chairman Clow to sign the audit letter, and including this clause: *...to the best of our ability, without fraud*, Passed 3-0-1. Chairman Clow abstained.** They will focus on the audit report at the next meeting, when Tina is here. Chairman Clow discussed an e-mail from Tina re: Microsoft Office purchase for Don. Selectman Clark stated that if they buy software it is licensed to the Town. She doesn't think they should buy it for individual people. Selectman Kurk asked for information re: treasurers in other towns. Chairman Clow said that they need the information in a timely manner. Mr. Ventresco will find out what exactly is needed.

10:30 p.m. Chairman Clow moved, to enter into non public session at under RSA 91-A:3 II(e) – legal issue. A roll call vote was taken, Selectmen Clark – yes, Vice Chairman Osborne - yes, Selectman Kurk – yes. Passed 4-0-0.

9. ADJOURNMENT

A True Record.

Joanne Johnson, Recording Secretary