

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
January 22, 2007**

PRESENT: JOSEPH M. FIALA, VICE CHAIRMAN; TOM CLOW, SELECTMAN; CRAIG SLATTUM, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco
RECORDING SECRETARY: Cherry Palmisano

GUESTS: Frank Campana, George Malette, Richard Butt, Neal Kurk, Carl Knapp, Mike Atkinson, Jon Osborne, Matt Esenwine, Jon Dowst, Jerry Little, Bill Tiffany, Chief Richards

6:07 p.m. Vice Chairman Fiala called the meeting to order.

1. PUBLIC PARTICIPATION – Mr. Richard Butt asked the Board for clarification if the raises were merit based or cost of living with the same increase across the board. Vice Chairman Fiala said last year they went to cost of living and the year before it was merit. Selectman Clow said there is a system for performance based increases in its early stage of review in the Benefit Review Committee. Selectman Clow said the Board decided to go with a cost of living increase this year and the personnel policy allows either. Vice Chairman Fiala said it was merit or cost of living which ever is higher and the cost of living was higher and to get a 3.5% increase the employee would have to be above and beyond in performance. This increase is also included in the default.

Mr. Butt said he has questions on the budget and commented that 80% of the revenue budget projections have been reduced for some reason. Mr. Butt is questioning the Fire Department revenue for the fire ambulance fees and said that money goes into a special revenue fund for fire equipment. Mr. Butt said there is a significant loss in the state and federal revenue highway block grant and said that money is actually part of a warrant article to be voted on separately and feels it should not be included in the budget. Mr. Butt commented on the Cable Franchise Fees, \$10,000 is in a separate warrant article with \$38,000 in the budget; wanted to bring this to the Board's attention. Mr. Butt said the Current Use Change Penalty actual shown is \$378,374, this seemed high and he checked with clerk and they received actual \$169,200. Mr. Butt is unsure if the \$75,000 is too high; might want it to be a little lower.

Selectman Clow said he spoke with Tina Pelletier regarding the ambulance and she agrees it belongs in a separate fund. Mr. Ventresco wants the Board's recommendations on changing these items. Selectman Clow said this list is for all town revenues. Mr. Butt said there is over \$4 million in revenue throughout the town. Mr. Ventresco said DRA considers the articles as part of the operating budget. Mr. Ventresco said the road money is usually kept to itself. Mr. Butt said it should not appear in both. Selectman Clow asked Mr. Ventresco if he knew where the Current Use Change Penalty number came from. Mr. Ventresco said from Ms. Pelletier's accounting software and presumes she must have looked at the records. Selectman Slattum said this would come from people taking their land out of current use and maybe she has noticed people not utilizing current use.

Mr. Frank Campana informed the Board he attended the Weare School District Meeting last Tuesday. After discussing the 2 schools and the town operating budget it was brought to his attention he was wrong in the town

FINAL

portion. Mr. Campana said he used the projected increase of the Weare Schools and John Stark which is \$1.35 and used the \$1.81 from the operating budget with the town and was brought to his attention he was using the wrong number. Mr. Campana said he now thinks the increase over last year for the town operating budget is \$.46, therefore leaving an increase to \$1.81. The evaluation is \$882,000,000 million but has also seen \$893,140,000. Mr. Campana would like to know which number is being utilized. Mr. Ventresco said all warrant articles are based on the \$882,000,000. Mr. Campana said if they use the \$882,000,000 then next year use the \$893,000,000 then they are actually overtaxing and raising too much money. Mr. Campana said between the Board and the Finance Committee he would like to see the actual projected rate increases for the town. Mr. Ventresco said they got the \$893,000,000 from Judy Rogers who confirmed this with Chip Meany and Naomi Bolton. The \$11 million was confirmed by all three as well.

Selectman Slattum said the town and school should be consistent. Selectman Clow asked when the tax rate is set next fall will the number they choose during this budget season be used or will there be an adjustment on that with data collected through the Building Department between now and then. Mr. Ventresco said he would have to check with DRA.

Mr. Neal Kurk said the rate used to calculate next year will be based on the net evaluation on April 2007 which could change in the fall.

2. MANIFESTS

Vice Chairman Fiala moved, Selectman Clow seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated January 25, 2007. Passed 3-0-0.

Accounts payable	\$803,254.21
Gross Payrolls	<u>\$38,040.30</u>
Total	\$841,294.51

3. PUBLIC HEARING – Continuation of Public Hearing for Transfer Station Fees originally on 1/15/07.

Vice Chairman Fiala opened the public hearing for at 6:35 p.m.

Mr. Knapp said they are proposing changes on items they currently charge for not any new items.

Refrigerant items – currently \$7.00 a unit for quite some time through NRRA it is \$8.00 each plus handling charges. Mr. Knapp proposes \$10.00 an item which covers the cost and is still a lot less than surrounding towns.

Tires – a car tire used to be 14 inches and now most are 20 inches; 17-24.5 inches is currently \$4.00 each. The transfer station pays by weight to get rid of these tires so charging by size gets them into trouble when it comes to disposing. Mr. Knapp said truck tires are standard \$10.00 to get rid of and floatation tires can be \$15-\$20 each. \$20.00 for heavy equipment. Mr. Knapp said they had to take in a very large truck loader tire which was \$100 to dispose of that one tire.

Demolition – is the biggest item by quantity that they charge for. They have problems with people disposing of smaller loads of demolition not the larger because the smaller is harder to judge. Mr. Knapp said the only way to do this fairly is to weigh it. They currently charge \$.05/lb for demolition and \$.07/lb for pressure treated and sheetrock.

Electronics – currently \$10.00 each and sometimes very large console televisions come in and they still only pay \$10.00 but everything that gets taken away from the transfer station they pay by weight.

Propane tanks – would like to add fire extinguishers and helium tanks used for balloons. 20lb tanks \$2.00, 30-100lb tanks \$20.00, 11lb tanks cost a \$1 to dispose, fire extinguishers cost \$10 and helium cost \$5.00.

Commercial Haulers – the fee is \$50.00 for new haulers for first year and after that \$10.00 a year. Other towns charge a lot more. Mr. Knapp said he is hesitant to raise this fee because the resident will ultimately pay the increase and feels it is a fine line to figure the fair price. Mr. Knapp said by having the commercial haulers it

FINAL

helps to keep the traffic down at the transfer station. The real cost savings will come from pushing the haulers to force their customers to recycle. Mr. Knapp said they have reduced their tonnage by 100 tons and it is \$4,200 savings just in tipping fees. Mr. Knapp said we will all continue to save if the recycling increases. Mr. Knapp asked the Board to be cautious in figuring this fee because it will ultimately be a burden on the taxpayer.

Mr. Knapp said the easiest and most cost effective way to deal with some on these items that are contested is to get a set of platform scales to weigh of all the small demolition loads, electronics and truck and heavy equipment tires. These scales could weigh items up to 3,000 lbs and would weigh small loads using a small tipping dumpster. Selectman Clow asked Mr. Knapp if this would require an extra person. Mr. Knapp said they have to research where best to locate the scales to make it easily accessible and said the busiest day is Saturday and they have to figure out schedules.

Mr. Knapp proposes:

Refrigerant items increase from \$7.00 to \$10.00

Tires – suggests leaving car tires the same for standard passenger cars at \$2.00 each, truck tires \$2.00 will increase to \$12.00 and suggests heavy equipment tires and some truck tires be weighed. Mr. Knapp said with the variations of tire sizes it is very hard to determine which is a car or truck tire; it is the amount of rubber which determines this.

Demolition to be left the same except for the small loads that get contested. The problem is what constitutes a minimum load of \$5.00 and the scales will eliminate all of the conflicts. \$.05/lb for wood and demolition and \$.07/lb for sheetrock and pressure treated.

Electronics \$.12 a lb. always contested and understandable.

Selectman Slattum asked where the money for the scale would come from. Mr. Knapp said it is a capital item and would request it would come from the transfer station equipment fund. Mr. Knapp feels the scales are necessary and will cost \$2,500 for a scale that will last some time.

Propane tanks will stay the same but add fire extinguishers and helium tanks.

Commercial Haulers – will take sitting down with the haulers themselves to determine a plan, Mr. Knapp said the haulers really need to get their customers to recycle and then the fee won't matter.

Vice Chairman Fiala closed the public hearing at 7:08 pm.

Selectman Slattum said he agrees with Mr. Knapp's recommendations. Vice Chairman Fiala said he would feel comfortable with voting on the scales after it is determined an exact price and where the money will come from.

The Board discussed continuing this discussion at the next regular meeting on February 5, 2007.

Mr. Knapp said even though the cost at the burner increased we are able to keep the cost down because of recycling.

4. DEPARTMENT HEADS – Mr. Knapp informed the Board the public sand pile at the Transfer Station is causing some problems. Mr. Knapp said there are people coming in getting truck loads and truck loads. There have been a lot of complaints that the sand keeps disappearing and he is unsure on how to handle the complaints that are coming in about the sand not always being available. It is hard to monitor who is taking advantage. There is no limit imposed at this time. Mr. Knapp said he is unsure of how the limit can be enforced. It was discussed a sign being posted requesting a limit or consideration of others be taken.

Mr. Ventresco mentioned there was a request that the town pay for signs for class 6 roads. The town never paid in the past and Local Government Center has not given a clear answer. The RSA says the town cannot expend money on class 6 roads. This case is a sign from a class 6 road connecting to a class 6 road. Mr. Knapp said the

FINAL

town did originally put the class 6 not maintained road signs up about 15 years ago. The town developed a policy not to maintain these roads and then put up the signs.

5. PUBLIC PARTICIPATION – Mr. George Malette distributed copies a warrant article he was approached to bring forth to the Board regarding the New Hampshire Climate Change Resolution. Mr. Malette informed the Board this warrant article gives the Board the opportunity to see how important this issue is to the citizens of Weare. Mr. Malette said years ago 190 towns in the state of NH adopted this resolution. This would only move forward if it was an important issue to the town of Weare. Mr. Malette said this will not cost the taxpayers any money and he is not asking the Board to recommend it just allow it to be on the warrant. Vice Chairman Fiala said he is not in favor of it being on the warrant. Mr. Malette said in most small towns it is the Health Officer and the BOS that make up the Board of Health. Mr. Malette said he is just asking the Board to bring it forward to the taxpayers to see how they feel. Selectman Clow asked if articles can even be added at this time. It was decided articles that have no money involved could still be added to the warrant. Selectman Clow said he does not have a problem with this appearing on the warrant. Selectman Slattum asked how many articles there are on the warrant. Mr. Ventresco said there are 29 articles not including the Planning Boards possible 12. Vice Chairman Fiala said he agrees that it is easy to support but does not know why it should be put on the warrant. Mr. Malette said it costs the town money to do surveys and this is a way of finding out how the town feels about this issue.

Mr. Kurk said he has a problem with this kind of thing going on the warrant because this should be a petitioned article. Mr. Kurk said if the Selectman put this on it the warrant it is suggesting it is there with the Board's recommendation. Mr. Kurk feels if the Selectman place this on the warrant they are setting precedence and feels this should be rejected because it is inappropriate for the Board to place it on the warrant and should be petitioned. Selectman Slattum and Vice Chairman Fiala feel Mr. Kurk is correct and it should be a petitioned article.

Selectman Clow said he would be in favor of putting this in the warrant article.

Vice Chairman Fiala moved, Selectman Slattum seconded to enter into non public session @ 7:35 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Slattum – yes; Selectman Clow – yes; Vice Chairman Fiala – yes. Passed 3-0-0.

Selectman Slattum moved, Vice Chairman Fiala seconded to come out of non public session @ 7:53 p.m. A roll call vote was taken, Selectman Slattum – yes; Selectman Clow – yes; Vice Chairman Fiala – yes. Passed 3-0-0.

The minutes of the non public are Sealed and Restricted.

6. REVIEW AND APPROVAL OF TOWN MEETING WARRANT – Mr. Ventresco said the Board needs to recommend all spending warrant articles for the operating budget. Selectman Slattum said if it is not a spending article the Board should make no recommendation. Vice Chairman Fiala agrees to only recommend spending articles. There will be no action on petitioned articles unless there is expenditure.

The Board discussed the Savaria Article. Selectman Slattum said someone will have to speak to this article and it will be hard to speak to if there is no recommendation.

Mr. Ventresco will run the warrant articles by the Attorney to see if the Board should put forth a recommendation.

Selectman Clow said there a lot of articles they worked hard on that he feels should have recommendations. Selectman Clow commented on the article that does away with special revenue fund for special details and then establishes a revolving fund. Vice Chairman Fiala asked Selectman Clow if he was suggesting the Board put forth recommendations on these articles. Selectman Clow said yes to all the articles that establish a fund and the

FINAL

Historical Society article because there is financial impact there. The Board agreed to recommend the article for the Revolving Fund and the Weare Historical Society.

The Board agreed to recommend the Disability Exemption.

Selectman Clow said looking at the article for Tiffany Hill Road it was recommended and feels the easement article should be recommended as well.

It was discussed last year only warrant articles that involved spending were recommended by the BOS.

Vice Chairman Fiala said he feels if the article is something the Board wants on the warrant then they should recommend, not including petitioned articles. Selectman Slattum said they would have to make a recommendation on the selling of the Savaria property (which was written by the Attorney).

Not recommending the EMT warrant article or the new officer for the Police Department.

Mr. Ventresco recommends the Board hold a special meeting this week to make the final recommendations on the warrant articles. The Board discussed meeting 7:00-8:00 a.m. Thursday morning. MS6 and default budget form need to be posted with the warrant by Monday.

The Board feels saying tax impact is better than saying tax rate. The denominator will be the valuation and the numerator is what needs to be raised. Mr. Jon Dowst said the denominator would be the current valuation. It was discussed this information should be in the mailer.

Mr. Matt Esenwine informed the Board it was brought to the attention of the Finance Committee, by a concerned resident of the town, the Finance Committee has not been operating according to the ordinance. The Finance Committee is supposed to have 13 members according to the ordinance. Mr. Esenwine asked how they will make recommendations. The ordinance does state a majority vote so they need 7 votes to have a recommendation. Mr. Esenwine asked the Board what the Finance Committee should do. Mr. Esenwine said they have 2 options, continue as they are and hopefully find a few more members for the remaining meetings before town meeting to increase the odds for recommendations and if they do not do that then they will disband because none of their recommendations would be legal. This ordinance was passed by the town and specifies 13 members with a 7 vote majority. Mr. Dowst said at Deliberative they will propose a change in the ordinance but for now are looking for guidance from the BOS. Selectman Clow said going out now looking for people to join the committee doesn't sit right with him, try to get the 7 members for the majority vote or just simply state the vote on the warrant. Mr. Esenwine said to get all 7 members to attend the meeting and having them all vote the same way is not realistic.

Selectman Clow asked what if at Deliberative Session the BOS opened it up to the Chair of the Finance Committee and have it explained as to how they have been operating and stating that people are welcome to accept their recommendations as unofficial. Mr. Dowst said if the Board decides to take the approach to discuss this situation at Deliberative then they will continue with their recommendations. Mr. Esenwine said they have been trying to perform the job they have been charged to but according to the ordinance it is not legal. Mr. Esenwine said if they don't have a 7 person meeting then nothing on the warrant will have a valid recommendation. Mr. Dowst said they were proposing adding 3 or 4 past members who are aware of the process of the Finance Committee. It was discussed it is up to the Moderator to decide. Mr. Esenwine said they want to be up front with the Board and the public on the issue. Vice Chairman Fiala said he would not object to approaching past members to attend the meetings.

Mr. Esenwine asked if the raise has been included in the default. It was discussed it has been included.

Selectman Clow said he thinks they left their last meeting on a mixed message on what the raise was going to be. It is a cost of living increase, all of the evaluations for the town employees were performed but it was the decision of the Board to go with the 3.5% increase across the board.

FINAL

Selectman Slattum said they do have some employees that are not up to the performance where they should be and he suggested taking 3.5% and using the rest of the money towards employees with above performance to bring them up to where the salaries should be.

Mr. Esenwine asked what would happen if the Police Contract was voted down. Vice Chairman Fiala said they would have to do it again next year. Mr. Esenwine said he was just comparing the raise increase for all other town employees and what happens if the police contract does not pass. Vice Chairman Fiala said they are not allowed to change salaries for the Police Department now that they are union.

Selectman Clow said the Benefit Review Committee is discussing all of these issues but are not ready at this time to bring them forward.

It was discussed it would be an option should this be defeated that the town be allowed to hold another town meeting without going to court. Vice Chairman Fiala would not be in favor of this option. Selectman Clow said if someone votes no on this article then they would also vote no on the article to hold another meeting on it.

Selectman Clow said they should revisit the issues that were brought up earlier on the tax impact. Vice Chairman Fiala needs more information before making a decision.

Selectman Clow said they still need answers on the Current Use Change Penalty, Highway Block Grant and the Cable Franchise Fees and how they will offset the total budget but not offset the operating budget. Mr. Ventresco will get DRAs decision.

Selectman Clow said that number will give taxpayers the anticipated tax impact. Mr. Ventresco will run this all by the attorney.

7. CORRESPONDENCE

Mr. Ventresco said she received an email from Chairman Kurk asking exactly who was getting the raises. It was determined the Emergency Management Director, Health Officer and the employees at Chase Park would not be receiving the raise.

The Board received a letter of resignation from Cable Committee member Derek Geddes.

Discussion as to whether it was necessary to hold a public hearing for the acceptance of the new police dog, the exchange was for equal value so it was decided a public hearing would not be needed.

Vice Chairman mentioned next Selectman's Coffee Hour and it was decided they will scheduled the coffee hour when all members are present. Selectman Slattum asked if they would be having a call in meeting for questions on the warrant.

Motion to adjourn at 9:15 p.m.

8. ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary