

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
October 2, 2006**

**PRESENT:** HELEEN KURK, VICE CHAIRMAN; DONNA M. OSBORNE, SELECTMAN; TOM CLOW, SELECTMAN

**TOWN ADMINISTRATOR:** Fred Ventresco  
**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Frank Campana, Jon Osborne, Richard Butt, Donald Burke, Carl Knapp, Forrest Esenwine, Ginger Esenwine

**5:01 p.m. Vice Chairman Kurk called the meeting to order.**

**1. COMMITTEE ITEMS** – Mr. Donald Burke informed the Board there was damage done to Oil Mill Cemetery during the spring and summer flooding. Mr. Burke is requesting \$9,000 to be taken from the Cemetery Maintenance Fund to pre-purchase materials needed to make the repairs next year. Mr. Burke said the cost of the materials will increase if they wait, so they would like to purchase the material now to save the town money. Vice Chairman Kurk said according to the records there is currently \$18,000 in the fund. Mr. Burke said the prisoners have done a great deal of the work this year, which saved the town an extensive amount. The material Mr. Burke needs to purchase is aged granite.

**Selectman Osborne moved, Selectman Clow seconded to expend \$9,000 from the Cemetery Maintenance Fund for repair for at Oil Mill Cemetery. Passed 3-0-0.**

**2. DEPARTMENT HEADS** – Mr. Carl Knapp informed the Board the pipe for the culvert on Peacock Hill has arrived and he would like to repair the culvert this fall. The residents have not been informed the road will be repaired this fall. Mr. Knapp said he received permission to retrieve the old pipe, which is on private property. Vice Chairman Kurk asked if the money from FEMA will cover the full cost of the repairs. Mr. Knapp said FEMA estimated the pipe for the culvert would cost \$11,000 (then FEMA reimburses 75%) but actually cost \$16,000. Mr. Knapp said by using town forces to perform the repair he hopes to cover the cost. Mr. Knapp said \$25,000 came from FEMA, which is 75% of what FEMA estimated the project to cost. A lot of the material will come from the town's gravel pit but Mr. Knapp will have to rent a large excavator to install the culvert. Clough Park Road is scheduled to be paved Wednesday, October 4, 2006.

Mr. Knapp told the Board he had done some research on the mandatory recycling ordinance. Mr. Knapp said in June 1985 the town held a special meeting to enter into an agreement with Wheelibrator to accept the town's trash. Article #2 of that meeting was to have the Selectmen implement mandatory recycling. On April 21, 1992 the Solid Waste Flow Control Ordinance, which is part of The Resource Recovery Recycling Program, made recycling mandatory in the Town of Weare. Mr. Knapp said they have been recycling and trying to keep it voluntary without enforcing the ordinance, but recently people have been commenting on the mandatory

## **FINAL**

recycling sign. Vice Chairman Kurk said they need to get information out to the residents to inform them of the mandatory recycling and listing all the items that are recyclable.

Vice Chairman Kurk asked why they don't recycle plastic #3 and #4. Mr. Knapp said because those plastics have already been recycled and we don't send those out. Mr. Knapp would like to send out a flyer with general information. Mr. Knapp said the transfer station revenue was previously \$9,000 a year and now they are at \$94,000. Mr. Knapp said they really don't want to get into separating the plastics too extensively. Mr. Knapp said they would really like to see the paper recycling amount grow and it works out best to have it come into the transfer station in brown paper bags. The schools are not recycling what they should be. John Stark is the only school whose trash goes to the transfer station. Discussion about trash being disposed in a blue or clear bag, Mr. Knapp said it is irrelevant what kind of bag the trash comes in. Mr. Knapp said they would like to keep going the way they are and keep the recycling growing. Recycling saves the town money because if it is being recycled then it is not in the trash which we have to pay to dispose of. Vice Chairman Kurk said they would like to develop a flyer and have the flyer available at different locations. Vice Chairman Kurk asked Mr. Knapp if there is anything not on the original ordinance that he would like included in the ordinance.

### **TOWN OF WEARE, NH RECYCLING RULES & REGULATIONS**

#### **I. PURPOSE**

The purpose of these rules and regulations is to establish and promote a mandatory recycling program in the Town of Weare as allowed by the Solid Waste Flow Control Ordinance. All recyclables generated within the Town shall be delivered to and deposited at the Recycling Facility.

#### **II. DEFINITIONS**

- a. Recycling: Shall mean separating specified materials from the waste stream for recovery value and benefit from their reuse.
- b. Materials: To be recycled shall include aluminum cans, tin and steel cans, plastic soda, milk, and detergent bottles, glass food and beverage bottles (clear, green, blue and brown), aluminum pie plates and foil, brown corrugated cardboard, office paper, computer paper, envelopes including window envelopes, "junk mail" as received by households or businesses, brown grocery bags, newspaper, motor oil, and wet-cell batteries.
- c. Blue Bags: Recycling bags shall mean Glad brand "Blue Bags" or equivalent which are constructed totally of recyclable plastic and are clear or translucent so that the contents may be seen. Various sizes are available and may be purchased locally.
- d. Recycling Facility: Shall mean the structure and equipment at the Weare Transfer Station designed and designated to receive and store recycled materials.

#### **III. PROCEDURES**

- a. Recycled materials from Weare residences and businesses, separated as per regulations and procedures and transported by residents, business persons, and commercial haulers shall be deposited at the recycling facility. The recycled materials when accumulated in sufficient quantity shall be marketed for reprocessing and reuse and revenues derived from this shall return to the Town of Weare. Materials not acceptable for recycling shall not be deposited at the recycling facility.

#### **IV. COMPLIANCE:**

Separation of designated materials is mandatory effective April 21, 1992. Failure to comply with the Recycling Rules and Regulations shall be considered a violation of the Town Solid Waste Flow Control Ordinance and shall be subject, after warning, to penalties as listed in the Transfer Station Rules of

## FINAL

Operation, Section V and CII, i.e., loss of disposal privileges and/or \$500.00 fine per day of occurrence. The Transfer Station Manager and attendants shall direct handling and placement of materials and shall monitor compliance with the ordinance; they shall be empowered to issue warnings and notices of violations.

3/30/92

**Selectman Clow moved, Selectman Osborne seconded to strike the line in the original ordinance dated, April 21, 1992 that states trash needs to be in blue bags. Passed 3-0-0.**

Selectman Osborne asked how to make it easier for residents to get to the transfer station. Selectman Clow said hopefully next year they can have the transfer station open late one night a week. Selectman Clow said it was budgeted for but with the budget cuts it was lost. Vice Chairman Kurk said there must be a time during the week that they can cut back the hours to use those hours to keep open later on Saturday's. Mr. Jon Osborne said they need to be consistent with their hours. Mr. Knapp is concerned with people being turned away during the week just to gain longer Saturday's.

Mr. Knapp just wanted a feeling from the Board on how strict they want recycling to be in town. Vice Chairman Kurk asked how they are determining who is not recycling. Mr. Osborne said he can hear glass and tin cans going down into the hopper and informing them they need to recycle. Mr. Knapp said they are really trying to increase recycling awareness because the cost to get rid of the trash will become more and more expensive.

Selectman Clow discussed fining residents who do not recycle. Vice Chairman Kurk said they need to start out educating and informing residents of the mandatory recycling. Selectman Clow said maybe the employees at the transfer station can do spot checks. Mr. Knapp said the commercial haulers are bringing in the majority of the materials. Vice Chairman Kurk asked Mr. Knapp to work on the flyer and somehow explain to residents their responsibility of recycling.

The Board discussed contacting the schools to educate the children on recycling.

Selectman Clow discussed the Cable Committee and how the new equipment can have public shows and this is a great opportunity to inform the public about recycling.

Mr. Knapp said paper is the biggest of all the waste products and he would like to make it easier for residents to recycle paper by possibly purchasing an open top container so they can just throw it in. Mr. Knapp estimates the open topped container could cost \$4,500 to purchase and could possibly be a CIP item.

Vice Chairman Kurk told Mr. Knapp he has the support from the Board in recycling.

**Vice Chairman Kurk opened the Public Hearing at 6:00 p.m.**

**3. PUBLIC HEARING – For the purpose of hearing public testimony and comment on accepting approximately 1,290 LF of Winterberry Lane as a Class V town maintained road.** Mr. Knapp said Winterberry Lane is a side road off of Holly Hill Lane. Mr. Knapp said as of September 25, 2006 there are still a few items outstanding; establishing grass around basins, pavement stop lines, granite bounds and pins and the record drawings. Mr. Knapp said if the Board was to accept this road he encourages the Board to hold some of the bond. Mr. Knapp said it is possible that some of these items could be completed. The Board discussed they do not have to accept this road at this time, but they are holding the public hearing now. Selectman Clow said

## FINAL

he walked the road with members of the Planning Board and the road looked very nice to them. Vice Chairman Kurk commented on Mr. Knapp saying that the Board can accept the road now and keep some of the bond until the items are completed. There is a \$219,000 bond on this road and the town holds 25% of the warranty bond, totaling \$81,275, for 2 years. Mr. Knapp said the town does not accept any maintenance on the road until the items are complete and the road is accepted.

Mr. Frank Campana asked what obligations would the Highway Department and tax payers have if the punch list was not completed. Mr. Knapp said the Highway Department would not perform the completion on any of these items. The road would be accepted upon the completion of the punch list.

**4. PUBLIC HEARING – For the purpose of hearing public testimony and comment on accepting \$172,344.39 for Disaster Relief for road reconstruction/repairs from the Federal Emergency Management Agency to the Weare Department of Public Works.** Mr. Knapp said there is a discrepancy in the amount they actually received in 2 separate checks was \$175,198.79 to repair the landfill and the culvert on Peacock Hill. They sent 50% of the landfill repair money so the town can move forward on the repairs \$22,611.44 is designated to repair the landfill and there will be more to come. The check in the amount of \$127,121.52 and the check in the amount of \$48,047.27 will be posted as a credit line to the Highway Department.

Mr. Frank Campana commented on the money being credited to the road reconstruction line and wants no misunderstanding by the Board or DRA that when the tax rate gets set that this money is not revenue. Mr. Knapp said it is not considered revenue, it is a reimbursement. Mr. Campana said it is still revenue. Mr. Knapp said DRA stated it is not revenue. Mr. Campana said the FEMA money is only a portion of the money needed for the repair projects, so what is the tax burden on the tax payers. Mr. Knapp said he is trying to keep the cost down. Mr. Knapp said they will receive 50% of 75% of the funds until the landfill is complete. Technically on paper the cost to the town will be 25% of the 100% but Mr. Knapp will not know what the final cost will be, but he is trying to keep the cost down as much as possible. FEMA is the one who sets the dollar amount not Mr. Knapp and FEMA bases it on their cost estimates. Vice Chairman Kurk said they have been warned that the landfill will cost the taxpayers money. Mr. Campana would like to have the figure provided at some point. Mr. Knapp said he is only allowed to argue hazard mitigation otherwise they set a price and that's what you get.

Mr. Dick Butt asked how many projects Mr. Knapp has done this year. Mr. Knapp said he will have to get him the figures. The landfill is an open ended project. Mr. Butt asked how the money will appear in the operating budget. Mr. Knapp said it won't because it is being deposited into the Highway Department for road reconstruction. Mr. Butt is not sure what the impact will be on the taxpayers. Mr. Knapp does not anticipate any burden on the tax payers. The engineering for the design of the landfill is \$11,000, and then it has to go to DES for approval and then go out to bid. FEMA wrote this project so it was open ended because of the size of the project. Because Mr. Knapp does not have the equipment to perform these repairs therefore the repair might cost the town additional monies.

Mr. Butt wants to know what projects were not complete in road reconstruction. Mr. Knapp said Quaker Street has not been completed. Therefore there are significant funds available in the fund to complete every project that was set out for 2006 as well as all the flood damage.

**5. PUBLIC HEARING – For the purpose of hearing public testimony and comment on accepting \$1,000.00 donation from the Goffstown Fish & Game to reduce debt service on the Bond for Ferrante Property purchase authorized at last Town Meeting on Article #24.** Mr. Forrest Esenwine said the Goffstown Fish & Game is donating \$1,000 to help reduced the debt service of the bond. Mr. Esenwine said he

## FINAL

knows the amount is small but with their small organization of Fish and Game it is a large amount and hopes the town will accept the donation.

### **Vice Chairman Kurk closed the Public Hearing at 6:33 p.m.**

The Board discussed not moving on accepting Winterberry Lane until the punch list has been completed.

**Selectman Clow moved, Selectman Osborne seconded to accept \$175,198.79 for disaster relief from FEMA for road reconstruction with the funds going into the Road Reconstruction miscellaneous line. Passed 3-0-0.**

**Selectman Osborne moved, Selectman Clow seconded to accept the \$1,000 donation from the Goffstown Fish & Game to help reduce the debt service of the bond on the Ferrante Property. Passed 3-0-0.**

## **6. ADMINISTRATIVE REPORT**

Mr. Fred Ventresco informed the Board the latest budget brought forth by Tina Pelletier shows there is a balance of 19.22% remaining in the budget. Mr. Ventresco said the Town Office expense line is not doing well. Mr. Ventresco will speak with Department Heads to inform them of the remaining budget. The town will need to purchase fuels and pay insurances.

Selectman Clow said maybe the reduction of the fuel costs will help the town. Mr. Ventresco said they have a locked in price on oil. There are some lines like debt service which is already down to \$0 which might have them better off then they thought. Selectman Clow said the larger departments really need to come in on budget.

Vice Chairman Kurk said they agreed at the last meeting that \$725.00 would come out of the Capital Reserve Fund for the well at Chase Park, but is not reflected in the budget before them.

Vice Chairman Kurk said to keep in mind heating season is coming up and the Welfare line could increase.

Vice Chairman Kurk said in past years they froze the budget and is hoping if everyone is aware and more prudent they hope to avoid the freeze.

Mr. Ventresco said he received a call from Walt Alderman who would like to set up a committee to get the pathway for bikes and pedestrians moving. Mr. Ventresco advised him to establish a list of members and plans of their intent. The Board invited him to attend the next scheduled meeting.

Mr. Ventresco said the Conservation Commission voted not to recommend the Selectman accept the offer to purchase the property offered by SHB.

Mr. Ventresco said Chris Hague asked if a new position is requested does it have to go to town meeting. Mr. Campana said he is only familiar with officers but is unsure in this case. Mr. Campana said if a new position is created it only gets included in the operating budget not in the default budget. Mr. Ventresco informed the Board Local Government Center said it could go in an article or it can be budgeted for in the operating budget.

Mr. Ventresco said he received a letter from Margo McLeod regarding walking the town lines. Vice Chairman Kurk said the town that invites the other town is the town that was incorporated first, older town inviting the other town. The Board said Mr. Ventresco could sign the authorization.

**FINAL**

Mr. Ventresco said there is a lot of computer equipment upstairs and has received an offer from Absolute Computers stating they will sell everything and do all the work and give the town back 50% of what they receive. Selectman Osborne will check with the Cable Committee at the next meeting and an inventory will be taken.

Mr. Ventresco informed the Board all the reviews have been completed and all Department Heads have completed theirs as well. The Board requested to review the packages.

Selectman Clow said he would like the agenda for the Selectmen's meetings not to include specified times because he thinks this would facilitate the gaps. Public Hearings time will be set and all non publics will be at the end.

Vice Chairman Kurk said Mr. Elwood Stagakis would like to be appointed to the ZBA and has attended their meetings and Naomi Bolton has signed on behalf of the Chair.

**Vice Chairman Kurk moved, Selectman Clow seconded to appoint Elwood Stagakis to the ZBA if there is an opening as a full time member. Passed 3-0-0.**

Vice Chairman Kurk said she feels the needs assessment of the town should really be done by a professional. Selectman Clow said this committee would look beyond the Town Office Building and into other town buildings. Vice Chairman Kurk said she is unsure about having a committee and then asking a professional to create the needs assessment. Selectmen Clow said if they have this committee in place then the Board will need to work with them on a plan even if it is to hire professionals. Selectman Clow said the vision could come from the committee even if the needs assessment was done by a professional.

**Vice Chairman Kurk moved, Selectman Osborne seconded to appoint Donald Burke to the Building Committee as a full member. Passed 3-0-0.**

Vice Chairman Kurk said they received a letter from the School Board stating they would work with the town and absorb the cost from Woodland Design for Rt. 114 and East Road.

Vice Chairman Kurk reminded the Board that in previous years they met every week during budget season.

Vice Chairman Kurk mentioned moving ahead on bids for the town report and ballot.

Vice Chairman Kurk said they received letters from Chester Colburn and Carolyn Abott concerning the assessment of mobile home parks. Vice Chairman Kurk said this matter has gone to the state and to Avitar for review. Judy Rogers will respond to both letters. Selectman Clow said concerning the mobile homes, he feels they should clarify how it affects tax rates, commented how on a property doubled in assessment will not have a tax increase.

**7. MANIFESTS**

**Vice Chairman Kurk moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated October 5, 2006. Passed 3-0-0.**

Accounts payable	\$65,849.65
Gross Payrolls	<u>\$39,134.71</u>
Total	\$104,984.36

**8. MEETING MINUTES**

## FINAL

Vice Chairman Kurk said there are minutes from December 28, 2005 that were not brought forward. Vice Chairman Kurk read aloud the following letter from Chairman Methot dated September 25, 2006:

*To the Board of Selectmen:*

*It has come to my attention that minutes of the Board's December 28, 2005 meeting have not been previously approved. Based on my attendance at that meeting, and my reading of those minutes, I give my approval of the December 28, 2005 minutes.*

*This letter is in lieu of my personally attending and voting to accept the minutes of the December 28, 2005 Board of Selectmen meeting at the October 2, 2006 Board of Selectmen's meeting.*

*The letter is signed by Chairman Methot.*

**Selectman Osborne moved, Vice Chairman Kurk seconded to accept the Board of Selectman minutes from December 28, 2005 as written. Passed 3-0-1. Selectman Clow abstained.**

**Selectman Clow moved, Vice Chairman Kurk seconded to accept the minutes from September 11, 2006 as amended. Passed 2-0-1 Selectman Osborne abstained.**

**Selectman Clow moved, Selectman Osborne seconded to accept the minutes from September 18, 2006 as amended. Passed 3-0-0.**

**Vice Chairman Kurk moved, Selectman Clow seconded to enter into non public session @ 7:36 p.m. pursuant to the authority granted in RSA 91-A:3II (a&b). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Kurk - yes. Passed 3-0-0.**

The purpose of this nonpublic session was to interview applicants for the Tax Collector position. Diane Lamb, the only applicant, was interviewed.

Vice Chairman Kurk reminded Ms. Lamb there is no guarantee this position will be full-time in the future, and that her responsibilities will continue to be a two-part job: not only is she now Tax Collector, but she must still work under the Town Clerk performing all the counter responsibilities for which she has always been responsible. Ms. Lamb acknowledged understanding both of these facts.

Ms. Lamb mentioned that the only task she could not do on her own was vitals, but she will be getting training soon.

**Selectman Clow moved, Selectman Osborne seconded to come out of nonpublic session at 7:59 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Kurk - yes. Passed 3-0-0.**

**Selectman Clow moved, Selectman Osborne seconded to hire Diane Lamb as the Town Tax Collector for 30 hours per week at \$11.00/hr (Diane's current wage). Passed 3-0-0.**

**Selectman Clow moved, Selectman Osborne seconded to enter into non public session @ 8:00 p.m. pursuant to the authority granted in RSA 91-A:3II (a&b). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Kurk - yes. Passed 3-0-0.**

The purpose of this nonpublic session was in response to the request of Town custodian/maintenance person Malcolm Wright. Mr. Wright stated he wanted to discuss his job description, as he was not clear on exactly what it entailed.

The Board agreed that they would have to be allowed some time to look over his current description and other material in his file and would call him back in the near future if it needed to.

## FINAL

Mr. Wright also discussed the Town buildings and how he felt that they were not being maintained. He suggested that the town might possibly need a full-time person to cover all the duties. Mr. Wright also spoke about the Building Committee, of which he is a member. He stated the focus of this committee should be long-term care issues, and not verge on everyday maintenance issues. He maintained that it should be a “use” committee, not a “maintenance” committee.

**Selectman Osborne moved, Selectman Clow seconded to come out of nonpublic session @ 8:33 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Kurk - yes. Passed 3-0-0.**

## 9. ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary