

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
October 16, 2006**

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

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

**GUESTS:** Donald Burke, George Malette, Frank Campana, Matt Casey, Joe Kelley, Greg Begin

**5:00 p.m. Chairman Kurk called the meeting to order.**

**1. PUBLIC PARTICIPATION** – Mr. Frank Campana asked the Board if they had a scheduled time for setting the tax rate. Chairman Kurk said the Auditors have some internal problems and there has been a delay, she will let him know when it is scheduled.

Mr. Campana asked why there is no time attached to the agenda schedule. Chairman Kurk said they had a suggestion that the meeting would flow better without a time schedule. Mr. Campana said it seems odd not to have a time schedule and feels it is not consumer friendly. Chairman Kurk said some times they are often held up because there is a time schedule and it has slowed the whole process of the meeting down. Mr. Campana asked how people will know what time they are supposed to arrive for the agenda item they wish to speak to. Chairman Kurk said they are trying a different schedule to see if it works. The Board intends to follow the order in which it appears on the agenda. Chairman Kurk said they are trying to find an effective and efficient way to hold the meetings. Mr. Campana asked the Board to consider the public and feels a time schedule gives people more direction.

**2. DEPARTMENT HEADS** – Mr. Chip Meany informed the Board that the Building and Maintenance Committee solicited 5 bids for the replacement of the windows at the Town Office. The Committee narrowed the 5 bids down to the final 2. Mr. Ventresco said Mr. Meany wrote specific sections of the bids for the replacement windows for the Town Office Building. Mr. Meany excused himself from the discussion of the final bids. Mr. Meany said they started with a pre-approved bid process and advertised in the Union Leader. Selectman Clow commented on the selection of the 2 lowest bids and asked about quality. Mr. Meany said all bids were submitted using Harvey Windows and the 2 lowest bidders had the best qualifications. Mr. Meany said there will be at minimum a 4 week lead time for Harvey to manufacture the windows. Mr. Meany said the windows will be completed this year and as soon as possible. Mr. Meany said one of the bidders gave a longer completion timeframe which he feels is more realistic. Mr. Meany said there is one window in the Selectman's office that was not counted because it was walled over and will be an additional cost.

Mr. Donald Burke's recommendation is Danis Construction because he felt they are the best qualified. Mr. Burke said his references are from various towns in New Hampshire, the price is attractive and the timeframe is

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realistic. Mr. Burke said Mr. Malcolm Wright will be moving furniture and feels the 6 day schedule will be too aggressive and feels the office will be in disorder.

Mr. George Malette, commented Danis gave a good explanation of what was required, had the lowest bid, but he feels not only do you go with the low bid but Classic Sun Rooms completed all specifications. Classic Sun Rooms quoted for the Low-E windows requested on the west side of the building. Mr. Malette feels the low-E saves in all seasons. Low-emittance (Low-E) is a coating that saves on heating costs by reflecting heat back into the home in the winter and saves on cooling costs by reflecting the heat of the sun off the glass in the summer. Classic Sun Rooms offers a 2 year warranty as a standard item. Mr. Malette sees a great value in the 2 year warranty and said this is a 40 year, second generation company with 3 crews and they do not sub their work out. Mr. Malette said Danis states that all air conditioners have to be removed and all areas in front of the windows have to be cleared before the start of the project. Mr. Malette sees a value in the 6 day work schedule to have the disruption over in 6 days. He feels Classic Sun Rooms could have given more written detail, but met the standard, it was written in the bid that the palladium window would be tempered glass and it does not have to be.

Selectman Clow asked Mr. Meany if the windows are all the same. Mr. Meany said the windows are basically all the same. Mr. Meany said when you deal with professional contractors that bid specifically according to what is asked for in the bid. Mr. Meany said as far as the warranty, workmanship problems happen within the first year and the extra year is nice just in case, but warranty was not specifically asked for in the bid. Chairman Kurk asked if Classic Sun Rooms went beyond the specs. Mr. Meany said there were some things that went above and some things that were the same. Chairman Kurk commented on Classic Sun Rooms providing the extra Low-E. Mr. Malette suggested double Low-E on the west and east sides which Classic Sun Rooms included in the bid and Danis did not. Mr. Meany feels the double Low-E is not actually needed.

Mr. Meany said that he and Mr. Don Burke are recommending Danis Construction and Mr. Malette recommending Classic Sun Rooms. Mr. Meany said Mr. Malette has been in the energy business for many years and has formed his opinion. Mr. Meany feels that Danis's references are impeccable. Mr. Ventresco checked on the references and said they were positive for both sides. He checked on 3 for Danis and they were recommended highly. Mr. Ventresco said 2 of Classic Sun Rooms references were residential.. Mr. Ventresco said the legal important question is who complied completely with the specifications. Mr. Burke commented that Classic Sun Rooms did not give the proper references. Mr. Malette said the reason for having the option in the specifications to get the prices to see if the options are worth the value. Mr. Malette feels Classic Sun Rooms is more qualified to perform the job because they have 40 years of skill working with glass.

Chairman Kurk said the Board will make a decision before the end of the meeting. Selectman Clow said in the future it would be good for the Committee to come in with the bids and a single recommendation and make the decision on their recommendation before coming forth to the Board of Selectman. Chairman Kurk said in a sense it allows the public understanding on the specifications of the bid.

Mr. Malette spoke about the insulation of the frames and with his calculation all windows are proposed at Low-E glass and he would like them all to be double Low-E and argon gas at an extra charge of \$8.00 per window at 30 windows. The ability is there to have the windows filled with blown in insulation at the frame at an up charge of \$12.00 with a total of \$20.00 extra per window. Mr. Malette feels spending the additional \$600.00 up charge will potentially save the town \$5,000-\$10,000 over the 30 year life expectancy of the windows. Selectman Osborne asked what happens if the gas seal breaks. Harvey gives a 20 year warranty on the seals of the windows.

**3. COMMITTEE ITEMS – Discussion on setting up a committee to get the pathway for bikes and pedestrians** – Mr. Walter Alderman told the Board the committee consists of himself and he is currently

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recruiting members. Mr. Alderman said a lot of communities are incorporating pedestrian pathways into their communities for transportation and recreational purposes. He said they can tap into Federal funding. Mr. Alderman said it would be great if every point of the town was connected and connected to all surrounding towns, but feels they need to start out on a small scale. Selectman Clow invited Mr. Alderman to attend a Town Center Development Meeting on Wednesday, October 18, 7:00 at the Town Office and told him this might be the best place to start. Selectman Clow said at this time it is an unofficial group and just an advisory committee. Chairman Kurk said the town voted Article #44 to develop a bicycle pedestrian path committee. Anyone interested could contact Merry Rice and Mr. Alderman will post it on the bulletin board and newspapers as well as the cable channel.

**Selectman Clow moved, Selectman Fiala seconded to appoint Walter Alderman to spear head a committee to establish a pathway for bikes and pedestrians according to Town Meeting Article #44. Passed 4-0-0.**

**4. DISCUSSION ON ESTABLISHING A CANINE UNIT AT THE WEARE POLICE DEPARTMENT –** Chief Begin gave the Board some background on his experience as a canine handler in Lebanon and said is familiar with the dedication and hours needed to have a canine unit. Chief Begin said there have been at least 6 instances this year alone that a canine unit would have been beneficial. There have been a number of drug related incidents in which the canine unit would benefit the Police Department. Chief Begin said the proposal was prepared by Officer Joseph Kelley. Chief Begin said Officer Kelley's family is supportive of the canine. Chief Begin informed the Board the canine would be beneficial in tracking, building searches, as well as public relations. The dogs are trained to locate items. Officer Kelley has done research on canine school, it was discussed Working Dog Foundation is an hour away and holds training every Monday until the dog is trained. There will be no charge for the Working Dog Foundation training. The dog will be donated to the Police Department. Chief Begin discussed with the Board Officer Kelley would be put on 4 – 9 hour days instead of 4 -10 hour days to allow time for training.

Officer Kelley spoke with Dr. Dutton at the Weare Animal Hospital said he has agreed to take care of the health of the dog, free of charge, for as long as he is working for the Weare Police Department. Officer Kelley said the community has shown tremendous support. Officer Kelley went to Petco in Concord and Roccas in the Lanctot's Plaza and they are willing to donate. Rocco's has already donated leashes, collars, kennel and checks, and agreed to feed the dog for life as long as he is working for the Weare Police Department.

Chief Begin is here to ask for permission to hold a public hearing to accept the donations to establish the canine unit for the Weare Police Department. Chairman Kurk said she heard there is no overall cost but would like to have an overall cost to the town for the canine unit and Officer Kelley's compensation. Chief Begin said the hour Officer Kelley would not be there is when the shifts overlap. Chairman Kurk said if this can be cut back then why do we need the coverage doubled. Chief Begin said from 6:00-8:00 am they have 2 cars out in force because it is commuter time. There will be no increase in liability insurance as long as the dog completes his training. Selectman Clow asked if the dog is in the home and a child was to be hurt by the dog, would the town's policy cover this. It was discussed it would. Selectman Fiala asked what modifications would need to be made to the car. Chief Begin said there is a \$2,500 insert the car will need to be equipped with and this would mean the car is assigned only to the canine officer. The dog and the officer are on call 24/7 which means the car will go home with the officer.

Mr. Sweeney informed the Board the dog has lived with 4 children for the last 2 years. He is a trained family protection dog and has additional training as well. Selectman Clow asked if there is a distinction the dog makes for protection. The dog is a command driven dog, feels threats, strangers and will not instinctively attack

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without being instructed to do so. Vice Chairman Fiala asked why Mr. Sweeney he is not keeping the dog. He said they have several cats and to keep peace in his home he would like to donate the dog. Selectman Osborne asked Chief Begin if he would need to replace this car because it is being taken off the normal rotation. Chief Begin said they are scheduled for rotation. Chief Begin said they could perform spot searches at John Stark with the canine unit. Mr. Sweeney said you have to look at the savings benefit to the town to have the canine unit. The \$2,500 to equip the car will come from the Police Department budget. The dog's name is Ulf.

**Selectman Clow moved, Selectman Osborne seconded to hold a public hearing to accept the donations to move forward with the canine unit. Passed 4-0-0.**

Chairman Kurk would like to discuss with the Board the advertising of the public hearing in the newspapers to help keep the costs down.

Officer Kelley told the Board he has put in significant effort into this proposal and has received tremendous support from the community.

Chief Begin commented on the SUV being used with a private trailer hauling desks. He informed the Board Granite State Telephone was bringing desks and bookcases to the transfer station and contacted the Police Department to see if they were in need of any of the items. The trailer use was donated for the day by Mike McIntyre of Specialized Trailers.

**5. MANIFESTS**

**Chairman Kurk moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated, October 19, 2006. Passed 4-0-0.**

<b>Accounts payable</b>	<b>\$220,931.73</b>
<b>Gross Payrolls</b>	<b><u>\$35,269.08</u></b>
<b>Total</b>	<b>\$256,200.81</b>

Chairman Kurk said this brings the remaining cash account balance down to approximately \$600,000. Chairman Kurk said they need to make a decision on how low they want the General Fund Cash Account to go. Chairman Kurk spoke with the acting Deputy Treasurer, Jan Synder, and she has the necessary paperwork needed to go ahead with the TAN.

Chairman Kurk mentioned they need to look for auditors for next year because they have no contract in place.

Mr. Ventresco asked the Board if they need to approve the following holiday schedule for the year 2007.

New Year's Day	Monday, January 1
President's Day	Monday, February 19
Memorial Day	Monday, May 28
Independence Day	Wednesday, July 4
Labor Day	Monday, September 3
Veteran's Day	Monday, November 11
Thanksgiving Day	Thursday, November 22
	Friday, November 23
Christmas Day	Tuesday, December 25

*Floating Holidays*

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Martin Luther King Day    Monday, January 15  
Columbus Day                Monday, October 8

**Selectman Fiala moved, Selectman Osborne seconded to accept the recognized holidays for 2007 as presented. Passed 4-0-0.**

**Selectman Fiala moved, Selectmen Osborne seconded to approve the appointment of Tina Pelletier as Deputy Tax Collector. Passed 4-0-0.**

Chairman Kurk informed the public Diane Lamb was appointed Tax Collector at the last meeting.

Mr. Ventresco said he is trying to put together the bids for the Town Report and Mailer and asked the Board if they had any input. Chairman Kurk said they have had good and bad experiences over the years with printers and she would really like the information available to the public in ample time. Chairman Kurk said it would save money and time to fax the proposals to printing companies. Chairman Kurk said she would like the best price for quality work. Mr. Ventresco said they have received letters from companies requesting to be on the bid proposal list for printing the Town Report and Mailer. Mr. Ventresco spoke with Christine Tyrie and the school's feel it would be better to keep their report separated from the Town's.

Selectman Clow feels he is comfortable with the selected companies and not advertising in the media. Selectman Fiala said he is comfortable with contacting the companies directly. Mr. Ventresco said he is comfortable with either method. Selectman Osborne said because of timeframe she is comfortable with faxing the proposal requests. Chairman Kurk said 1,300 copies should be sufficient. Mr. Ventresco was concerned with the delivery dates on the proposal. Mr. Ventresco will get a confirmation from Evelyn Connor on the delivery date. The Board discussed the public receiving the information before the Town Meeting. Mr. Ventresco will start faxing the proposal requests.

Chairman Kurk requested the Board look through the Facilities Use Contract and Town Hall Sign Usage Rules and Regulations.

**Selectman Clow moved, Selectman Osborne seconded to accept the minutes of October 2, 2006 as amended. Passed 3-0-1. Selectman Fiala abstained.**

**6. DISCUSSION OF IRRIGATION AT INESON FIELD** – Chairman Kurk said she has heard from many individuals who feel if Ineson Field does not get an irrigation system then all the work done there will be a waste because they will be unable to keep the fields in the condition necessary for the requested sports. Chairman Kurk asked Mr. Ventresco to contact Chuck Metcalf and Tom Reynolds to help them write the proposal. Chairman Kurk said she recalls the estimate for the irrigation system being around \$15,000. Chairman Kurk established a list of irrigation companies to contact. It was discussed the funds are in Capital Reserve and have been part of the Capital Improvement Plan. Chairman Kurk said the specifications need to come from PARC to move forward on the proposal.

**Selectman Osborne moved, Selectman Clow seconded to appoint Selectman Fiala as Vice Chairman of the Board of Selectman and appoint Vice Chairman Kurk as Chairman of the Board of Selectman. Passed 4-0-0.**

Chairman Kurk read aloud the following RSA:

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652:12 Vacancy – A “vacancy” shall occur in a public office if, subsequent to his or her election and prior to the completion of his or her term, the person elected to that office:

- I. Either dies, resigns, or ceases to have domicile in the state or the district from which he or she was elected.

669:63 Selectmen – Vacancies in the Board of Selectmen shall be filled by appointment made by the remaining Selectmen. Whenever the Selectmen fail to make such appointment, the superior court or any justice thereof, on petition of any citizen of the town, and after such notice as the court shall deem reasonable, may appoint a suitable person to fill the vacancy.

Chairman Kurk suggested appointing Craig Slattum, a past Selectman, and stated she is not a personal friend of his. Mr. Slattum has no agenda, he is a businessman and he is willing to serve until March. It was discussed in March the vacancy will be voted on for a 2 year term. Vice Chairman Fiala said it does make sense to have a previous Selectman, and this would be his first choice. Selectman Osborne and Selectman Clow agree. Chairman Kurk will ask Mr. Slattum to attend the next meeting to be sworn in by Evelyn Connor.

**Selectman Clow moved, Selectman Osborne seconded to appoint Craig Slattum to fill the vacancy on the Board of Selectman until March of 2007. Passed 4-0-0.**

Mr. Ventresco will make sure Mr. Slattum has all budget information and any other necessary paperwork.

Selectman Clow would like to discuss changing the meeting start time for personal reasons as well as the benefit of the community. Vice Chairman Fiala discussed his reasoning for the earlier start time was to make it easier for town employees to attend the meeting. The Board discussed the meetings will start at 6:00 p.m. starting at the next meeting on October 23, 2006. Chamber of Commerce is holding a candidates night on October 30. The public hearing for accepting the canine unit will be scheduled for November 6, 2006 and posted in the Villager.

Chairman Kurk reminded the public the meetings are open to the public but not a public meeting and to speak at the meeting you need to be recognized by the Chair and approach the podium.

Vice Chairman Fiala said they have a recommendation from the PARC to appoint Jim Blouin as a full member. Vice Chairman Fiala said Mr. Blouin has knowledge of the commission and they are short 2 full members on the Board.

**Vice Chairman Fiala moved, Selectman Clow seconded to appoint Jim Blouin as a full member of the PARC for a 3 year term. Motion failed. Chairman Kurk and Selectman Osborne opposed.**

Chairman Kurk was asked to develop an ordinance for any one wishing to be a member of a committee or commission that they must be a resident for at least 1 year to fully understand the direction of the Town. Vice Chairman Fiala would not be in favor of the ordinance and would not like to discourage anyone from participating. Selectman Clow agrees. Chairman Kurk said it was brought to her attention that someone serving on a Board from another state might have a different understanding of Weare’s needs. Selectman Osborne does not feel the town needs to have an ordinance. Vice Chairman Fiala said he feels it would be a warrant article to get the view of the whole Town.

Chairman Kurk spoke with Judy Rogers regarding a letter from Chester Colburn. Chairman Kurk read a letter from Mrs. Rogers to Mr. Colburn. The Board agreed Mrs. Roger has their approval to send the letter to Mr. Colburn.

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Chairman Kurk reminded the Board Mr. Ventresco has the personnel reviews if they would like to see them.

Mr. Ventresco spoke with Tina Pelletier and she said they had a hard time getting the Benefit Review Committee to meet. Chairman Kurk said this Committee needs to get together,

Mr. Ventresco will get the Board some information for the next meeting regarding the Joint Loss Committee from Chris Hague .

Chairman Kurk said Mr. Carl Knapp is supposed to develop a flyer with information on recycling.

Vice Chairman Fiala discussed the flag out front of the Town Office being at half mast and when it is; it flows into the apple tree. Vice Chairman Fiala would like to see in there is someone in town who could prune the tree as a service to the Town. Vice Chairman Fiala would like the flagpole moved or the apple tree trimmed. Vice Chairman Fiala would like to see a new State flag purchased. Selectman Clow said the condition of flag and flag pole is inappropriate for the front of the Town Office.

Mr. Malette mentioned discussing the tree trimming with the Garden Club, and said the ideal time to prune the tree is in March.

The Board discussed Mr. Ventresco speaking with the American Legion regarding the flag pole.

**Awarding bids of window replacement at Town Office Building** – Vice Chairman Fiala said he would like to take the recommendation from Mr. Malette to add the double Low-E to all the windows and the insulation to the frames for an additional \$600.00. Vice Chairman Fiala said basically they would get the same product from either company; therefore it comes down to the crew and timeframe. Vice Chairman Fiala would be in favor of Danis because of the thoroughness of their proposal and their attention to detail for the completion of the job. Chairman Kurk said Danis's proposal request is broken down and describes work in detail and Classic Sun Rooms does not. Chairman Kurk is more comfortable with the references from Danis. Vice Chairman Fiala mentioned that at the meeting it was discussed that Classic Sun Rooms would sub out the work – which is not the case, because it is now known they do their own work and have 3 crews. Vice Chairman Fiala said Danis is a General Contractor and Classic Sun Rooms specializes in installing windows. Vice Chairman Fiala was in favor of the 2 year warranty offered from Classic Sun Rooms. Selectman Clow feels they would be irresponsible not to spend the extra \$600.00 for the double Low-E and frame insulation. Selectman Clow favors the references from Danis. Vice Chairman Fiala said if they go with Danis then they can say they went with the lowest bid. It was discussed Classic Sun Rooms would do the insulation work on the windows and Danis would sub out the insulation of the windows. Danis is offering a 20 day completion and Classic Sun Rooms is a 6 day completion. Chairman Kurk said the proposal requests are so similar and are so close that she feels they need to go with the lowest bid which is Danis.

Mr. Ventresco said a very important concern would be the start date. The start date is based on the completion of Harvey manufacturing the windows. Vice Chairman Fiala said there is not a completion date provided on the proposal yet.

Mr. Ventresco was asked to contact the references from Danis again to confirm they did the installation of the windows themselves.

**Vice Chairman Fiala moved, Selectman Clow seconded to offer the contract for window replacement at the Town Office to Danis Construction under the terms of their bid with the stipulation the workmanship be warranted for 2 years and pending positive follow up on the references concerning window installation**

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and that the bid be adjusted to be upgraded to double Low-E coating on all windows at a cost of \$8.00 per window and the frames be insulated at a cost of \$12.00 per window and to approve up to \$29,600 from the Building Maintenance Capital Reserve Fund and to have installation start within a week of completion of the manufacturing of the windows. Passed 4-0-0.

Chairman Kurk moved, Vice Chairman Fiala seconded to enter into non public session @ 8:25 p.m. pursuant to the authority granted in RSA 91-A:3II (e). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Fiala – yes; Chairman Kurk - yes. Passed 4-0-0.

Chairman Kurk moved, Vice Chairman Fiala seconded to come out of nonpublic session @ 8:41 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Fiala – yes; Chairman Kurk - yes. Passed 4-0-0.

The minutes were sealed and restricted.

Chairman Kurk moved, Vice Chairman Fiala seconded to enter into non public session @ 8:42 p.m. pursuant to the authority granted in RSA 91-A:3II (a & c). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Fiala – yes; Chairman Kurk - yes. Passed 4-0-0.

The Board members, using the Town employee's performance outline, discussed and reviewed the strengths of Town Administrator, Fred Ventresco's performance since his hire three months ago. Chairman Kurk will write up the results.

Selectman Osborne moved, Selectman Clow seconded to come out of nonpublic session @ 8:53 p.m. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Vice Chairman Fiala – yes; Chairman Kurk - yes. Passed 4-0-0.

## 7. ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary