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**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 20, 2006**

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

TOWN ADMINISTRATOR: Fred Ventresco
RECORDING SECRETARY: Cherry Palmisano

GUESTS: Scott Fitzgerald, George Malette, Stephen Najjar, Matt Esenwine, Malcolm Wright, Forrest Esenwine, Ginger Esenwine, Donald Burke, Paul Hague

6:00 p.m. Chairman Kurk called the meeting to order.

1. PUBLIC PARTICIPATION – Mr. Steve Najjar would like to discuss the management of Horace Lake Boat Launch with the Board because, as a taxpayer, he is disappointed in the way it is run. Mr. Najjar informed the Board Fish and Game manages the lake for year round trout fishing. Mr. Najjar feels the hours the boat launch is open is not favorable for the town. Mr. Najjar said according to the minutes of a PARC meeting there is a possibility of Fish and Game not stocking the lake with trout because of the access restrictions. Mr. Najjar said to purchase these fish from a hatchery it would cost over \$5,000 so this would be quite a loss. Mr. Najjar said as a boater everyone who owns a boat has to go to a class on evasive species. Mr. Najjar said we are paying \$3,000 to have people check boats and elsewhere around the state and into Maine they have volunteers that overlook other launches. Mr. Najjar informed the Board there are evasive species brochures available free from the state. Mr. Najjar said to charge non residents \$30.00 a day to launch a boat is ridiculous and there is no need for it. Mr. Najjar said the people who check the boats have had no training in evasive species. Mr. Najjar would really like the Selectmen to consider opening access to Lake Horace.

Chairman Kurk said it was a warrant article the town voted on to have employees at the boat launch at a cost of \$3,000 for the year to check boats. Chairman Kurk said if this was to be reversed it would have to be reversed by the taxpayers. They discussed that the intent of the article was to have these people down to check boats. Chairman Kurk said in the beginning there was a State Biologist that came to Horace Lake to train people on evasive species of water plants. Selectman Slattum said he had the training. Mr. Najjar said when you go to other lakes the volunteers ask questions to gather data. Chairman Kurk said they will be having a discussion with Parks and Recreations on this matter. Mr. Najjar said the time is running out because if he needs to have a petition article there is a deadline to meet. Mr. Fred Ventresco will schedule Parks and Recreations onto the agenda for December 4, 2006.

2. AWARD BIDS FOR TOWN REPORT AND MAILER – Mr. Ventresco said the lowest bid for the Town Report and Mailer came from Commonwealth Printing. Mr. Ventresco said the bids were open 2 meetings ago, and there were 3 bids; \$7,000 Commonwealth, \$9,817 Riendeau, and \$10,282 Echo. Commonwealth Printing was by far less expensive. Chairman Kurk asked if the bid include electronic media because they would like to be able to put the information on the website. Mr. Scott Fitzgerald, from Commonwealth Printing, said both a pdf version and CD are included within the bid.

FINAL

Mr. Fitzgerald said Commonwealth Printing is located in Newburyport, Massachusetts and they have been printing town reports for 15 years in Massachusetts and recently in Southern New Hampshire. Mr. Fitzgerald said if the photos come to him in electronic format it would be beneficial. Mr. Fitzgerald said he is aware of the Town of Weare's problems with the Town Report and Mailer in the past. Chairman Kurk would like to have the report available to the taxpayers at least 1 week before Town Session. Mr. Fitzgerald said they will make a decision on the date the town report and mailer is due and would like all the final information available to him at least 5-15 days before the report and mailer are due.

Chairman Kurk said she went to a seminar on town reports and mailers and what information they should include at Local Government Center. Mr. Fitzgerald said for the best results in photo reproductions the photos should be at least 1200 – 2400 dpi. Mr. Fitzgerald said you will be able to see the quality of the photos in the proof. Selectman Clow commented on Seabrook's material coming to Commonwealth camera ready. Mr. Fitzgerald said the bid price is based on camera ready copy. Chairman Kurk commented that Merry Rice gets all the information ready. Mr. Fitzgerald said the CD must be complete along with a hardcopy. Selectman Slattum asked about the pictures and needing a special camera. Selectman Slattum asked if there is a limit on the number of pictures. Mr. Fitzgerald said usually around 8-10 pictures. Vice Chairman Fiala asked Mr. Fitzgerald about the report having different colored pages. Mr. Fitzgerald said that wouldn't be a problem.

Chairman Kurk said last year they were low on staff and some information never made it into the Town Report although they were satisfied with the Town Report last year. It was discussed 10 spiral copies will be included. Chairman Kurk told Mr. Fitzgerald she was really concerned with the deadline of the Town Report. Mr. Fitzgerald said most towns do not include their warrants within the report it is usually a separate booklet. Chairman Kurk said we have our warrant articles within the Town Report. Chairman Kurk said she is also concerned with the Mailer. Mr. Fitzgerald said that is a very small job to them.

Vice Chairman Fiala moved, Selectman Slattum seconded to award the Town Report and Mailer contract to Commonwealth Printing for the cost of \$7,000 as per the bid except Mr. Fitzgerald will remove the extra \$45.00 an hour. Passed 5-0-0.

3. STONE BUILDING DISCUSSION – Chairman Kurk stepped down from the discussion. Vice Chairman Fiala said they need to make some determination on how they will move forward in who will be paying the utilities for the Stone Building. The Board discussed the Stone Building is a town building. Vice Chairman Fiala said he was looking at it the same as a ball field, the town owns it, but others help to maintain. He would like to see some sort of warrant article to make sure the building belongs to the town. Mr. Malcolm Wright said he would feel more comfortable to table this until the Historical Society meets again the first Wednesday in December. Vice Chairman Fiala said they can discuss this at the second BOS meeting in December. Selectman Clow said if the town maintains the building and pays the utilities we are not looking at an increase because this is how it has been done in the past, he wants to see the Historical Society be able to maintain the contents of the building and is in favor of the way it is now. Selectman Slattum said he agrees, but possibly be able to have a warrant article available for the clarification. Mr. Wright will tell the Historical Society they need to have a warrant drafted for review by the Board. Selectman Osborne would like to see the warrant article as soon as possible so they have time for discussion. Vice Chairman Fiala said they should have plenty of time to work out the details for the warrant article. It was discussed the BOS meets December 4th and the Historical Society meets December 6th and the BOS meets again December 11th for budget discussions. Selectman Clow said in a sense this does affect the budget so it could be discussed December 11, 2006.

Mr. George Malette said once the Historical Society gets something drafted they can email it to the Board of Selectman. It was mentioned January 9th is the last day for petition articles, before the 16th you have to have a public hearing to accept the warrant articles. Vice Chairman Fiala said they will continue the Stone Building discussion on December 11, 2006.

FINAL

4. CONSERVATION COMMISSION – Mr. Najjar informed the Board the Conservation Commission has been working with Mr. Tom Oliphant who has 79 acres on Tiffany Hill and he is willing to sell 69 acres. Mr. Najjar said there is a significant amount of conserved land surrounding the property. The Conservation Commission has been working with some residents surrounding the land and they have pledged \$30,000 in private donations to purchase this land, there is \$80,000 in the Town Forest account. Mr. Najjar said the selling price is actually less than the appraised amount. They are at the point they have a draft purchase and sale and need the Boards approval to contact the Attorney. They can use the same attorney as the Ferrante Property or Bill Drescher but need the Board's support.

Chairman Kurk said this is new to the Selectmen. Mr. Najjar said the private pledges want to ensure there is a conservation easement to restrict development in the future with PWA. Mr. Najjar would like to include this easement in with Chevy Hill. According to RSA 41 14A if adopted by the town the Selectmen can approve this easement if not adopted they cannot. Chairman Kurk asked if there can be lumber taken from the forest. Mr. Najjar said conservation easements will allow foresting to provide revenue for the town. Selectman Slattum asked Mr. Najjar if they have all the funding in place with no tax impact. Mr. Najjar said that is correct, no tax impact and the property owner will retain 15 acres for his private home. The subdivision has not been done. Vice Chairman Fiala asked if they will be retaining frontage on Tiffany Hill. Mr. Najjar said yes and frontage on New Road and Chevy Hill as well. Vice Chairman Fiala commented this will create a nice parcel.

Chairman Kurk said they need to discuss the money coming out of the Conservation Fund. Mr. Najjar said BOS is the agent to expend the Town Forest Account to spend the \$80,000 and the Conservation Commission is the agent to expend the Conservation Fund. It was discussed they need to hold a public hearing, and will also need another hearing to accept \$30,000 donation before it is expended. It was discussed there will be no warrant article involved. Mr. Najjar said it wouldn't be a bad idea just to have a warrant article allowing the Board to approve easements on conservation land. Chairman Kurk asked Mr. Najjar to draft something. Mr. Najjar said; if the wording of the warrant article was to say "the Selectmen have the authority to give away a conservation easement to PWA" that would take care of things. Chairman Kurk is concerned with the wording to make sure the land is protected. Mr. Najjar said he would really like approval to obtain an attorney to be paid out of the Conservation Fund. It was discussed there is also a pledge of \$10,000, to the PWA from a resident. Selectman Slattum asked how the Town Forest Fund is replenished. Mr. Najjar said by timber foresting. Mr. Najjar said they need to write a warrant article that authorizes \$10,000 each year to come out of this fund, which is replenished through timber harvesting revenue, there is over \$100,000 in there now. Chairman Kurk said they use to have a forester but have not had one for 4 years.

Mr. Najjar said the Conservation Commission manages the Town Forest and has been doing biological work on the Town Forest to look for rare species to manage it appropriately. Selectman Clow asked if the land that is designated as Conserved Land is publicly accessible.

Chairman Kurk asked how the Board felt about giving Mr. Najjar permission to go to attorney as long as the cost comes out of the Conservation Commission. Chairman Kurk requested Mr. Najjar use Mitchell and Bates.

Selectman Clow moved, Selectman Slattum seconded to approve the Conservation Committee to contact the town attorney for advice on acquiring this parcel of land with the funds to come out of the Conservation Commission Fund. Passed 5-0-0.

Mr. Najjar asked if the Conservation Commission could be on the agenda for December 4, 2006 for an update. The Board discussed there will be a non public on December 4, 2006 under land purchase. Mr. Najjar said the amount is kept non public at this time to protect the town from someone else coming in and offering the landowner more than the town offered.

5. MANIFESTS

FINAL

Chairman Kurk moved, Chairman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated November 22, 2006. Passed 5-0-0.

Accounts payable	\$28,789.44
Gross Payrolls	<u>\$43,976.57</u>
Total	\$72,766.01

6. MEETING MINUTES

Vice Chairman Fiala moved, Selectman Osborne seconded to accept the minutes of October 23, 2006 as amended. Passed 5-0-0.

Selectman Osborne moved, Vice Chairman Fiala seconded to accept the minutes from November 6, 2006 as amended. Passed 5-0-0.

Selectman Clow moved, Selectman Osborne seconded to accept the minutes from November 13, 2006 as amended. Passed 5-0-0.

7. CORRESPONDENCE – Discussion on property owned by Chris Bolton, Avitar recognizes this is an error going back to 2005. Chairman Kurk said the Board needs to approve the \$1,310 abatement, to come out of the overlay, for Mr. Bolton.

Selectman Osborne moved, Selectman Slattum seconded to authorize Chairman Kurk to sign the agreement to abate taxes for Mr. Chris Bolton. Passed 5-0-0.

Mr. Ventresco said they received a letter from the Johnson’s requesting a reduction in the fees charged to them for removing trees on conservation land. Chairman Kurk asked Mr. Ventresco to contact the Johnson’s to give them an extension to allow the Board to speak with the Conservation Commission.

Mr. Ventresco reminded the Board Merry Rice had submitted a proposal for use of Town Hall and asked the Board what the next step will be. Chairman Kurk asked for the Board to have a final copy of Ms. Rice’s rendition of the proposal before making a final decision. Selectman Clow said they have given lots of time on the discussion of renters having liability insurance. This will be discussed at the next regular meeting.

8. CEMETRY TRUSTEES BUDGET –Chairman Kurk commented the Cemetery budget is less this year than last. Mr. Donald Burke said it is due to the contract for mowing and cleaning. Chairman Kurk said burial reimbursements are down over \$1,000. Selectman Slattum said cemetery maintenance is up \$500 and asked what the difference between contracted and maintenance was. Mr. Burke said if a tree goes down then they have to repair fences and need to purchase materials. Selectman Clow said they had a problem last year with reimbursable lines going into the General Fund and not back into the budget line. Selectman Osborne said contracted services went down \$500. Vice Chairman Fiala said in using the maintenance line as an example; you never know what may be needed and maintenance is the line that always puts the glitch in the budget and should be the one line they can use to give them some protection from the unforeseen. Vice Chairman Fiala thinks the maintenance line is the variable line in every budget.

Chairman Kurk asked what has happened with all the flood damage. Mr. Burke said Collins Cemetery and Oil Mill Cemetery are scheduled for next year because this cannot be done until the Road Agent repairs the road. Mr. Burke said they already purchased the material needed to repair these cemeteries. Mr. Burke said at Collins there are tomb stones sunk and the wall fell because of the rains and the Road Agent needs to put in a catch basins to alleviate this from happening again. Mr. Burke commented on Oil Mill needing to be built up so it is at the same level as the road after the Road Agent repairs the road.

Mr. Burke said last year there was a warrant article for the \$15,000 to come out of the Cemeteries Trust fund which has a balance of \$500,000 and only can be expended for work inside the cemeteries. It was discussed the

FINAL

Cemetery Trustees are the agents to expend the funds from the Trust fund and he needs to contact Tina Pelletier on the format he needs to give to the trustees.

Mr. Burke commented on it being a very bad year for the cemeteries due to bad weather.

9. CABLE COMMITTEE BUDGET – Mr. Paul Hague informed the Board the studio work is about 99% completed and soon they will be able to broadcast in any format. They are asking for a repeat of their 2006 budget.

Mr. Hague discussed with the Board the need for the additional equipment. Chairman Kurk said the committee was under the assumption all the equipment needed was there. Selectman Clow said they have already had a discussion on this and said the reason it was not moved upon at the last meeting was because it was not on the agenda. Vice Chairman Fiala discussed the funds coming from the CIP, in the past it was discussed with Paul Morin that the CIP is for items that are foreseeable and planned and not things that come out of the blue.

The following is a list of the items needed:

Labor to correct DVD burner issue in the editing computer

Process of testing the physical I-Net lines to make sure it is operating appropriately

Remote Modulation Unit – take anywhere to broadcast live from other locations

Processing equipment necessary to allow the RMU to be routed and switched to the cable company for broadcast onto channel 6

Labor required to set up the Hub site processing equipment and test the process from all town I-Net locations to make sure it is functioning appropriately

Selectman Clow moved, Selectman Slattum seconded to expend \$5,690 for updating Cable Equipment items listed to make it possible to broadcast from other sites with funds to be taken from Cable Access Television Equipment Capital Reserve Account. Passed 5-0-0.

Chairman Kurk said she hopes the equipment runs perfectly for the Deliberative Session on February 3.

10. CONSERVATION COMMISSION – There was no one representing the Conservation Commission.

The Board reviewed the Conservation Commission budget. There is a 29% increase; to date \$848.50 has been expended with \$508.00 left for the year. The Board discussed the postage overage which could have been possibly due to the Ferrante Property purchase. Selectman Clow mentioned the printing line was not touched but transferred to a website line with an increase of \$600.00.

11. OTHER BUSINESS – Selectman Slattum mentioned a large tree coming down across the fence that divides the two boat ramps at Chase Park. Selectman Slattum asked if they should contact Primex.

Selectman Osborne asked about the status of the windows. Mr. Ventresco said the windows could possibly be here next week and the insulators should have been here last week, he will contact them.

Selectman Osborne said in looking at the payables, they possibly need to put a freeze on the budget. The Board discussed the workman's compensation lines have not been expended yet and will need to be expended before the end of the year. The Board discussed the insurance lines in the budget that have not been spent yet have been taken out so the bottom line should reflect the workman's compensation being expended.

Chairman Kurk said they need to have \$270,000 for salaries to cover. Selectman Slattum said he noticed a number of large ticket numbers and is unsure if there are additional expenses for attorney fees and a number of large expenses in other departments. The Board discussed they have had to borrow money so in addition to being as low as we are we have to pay the interest to make up the difference. Checks are dated the 23rd so the Board discussed whether they are taken out of the budget yet? Mr. Ventresco said some of those large ticket

FINAL

numbers were contracted out back in September and being billed now. Mr. Ventresco said you have to make sure there are no encumbrances for this year.

Selectman Clow said after taking out the payroll it leaves \$230,000 in the budget; it doesn't look as bad now that they determined the insurances have come out. The Board discussed employee's being paid through the end of the year. There should be no overtime for any employee, and Chairman Kurk would like this stressed. Selectman Slattum said they should have all expenses run through the Selectmen for approval. Selectman Slattum said he is not in favor of a freeze but there should be control on all expenses. There will be a control on all spending through the Selectmen. Chairman Kurk said they need to be aware that some of the calculations for benefits in some departments were not calculated correctly. Mr. Ventresco will have control of all expenses over \$250.00 and will inform all departments there is no overtime. All Department Heads must contact Mr. Ventresco before contacting an Attorney.

Chairman Kurk said she saw an Attorney from Mitchell and Bates and informed them the town's legal line was extremely low and they will not be having an attorney present at the Deliberative Session.

Selectman Slattum said the Police Department overtime sometimes cannot be helped. Chairman Kurk had told Chief Begin no more details.

Chairman Kurk commented on receiving rate changes from Comcast. The Board supports having Selectman Slattum fill in on the Cable Committee for Selectman Osborne. Selectman Slattum said he just received the 45 page Comcast contract to review.

Chairman Kurk wants to make sure all staff is informed that Local Government Center has switched providers and if they fill out a form they will receive \$75.00.

The Board discussed the Benefit Review Committee which is made up of 3 citizens, 1 Finance Committee member, 1 employee, 1 Department Head and 1 Selectman.

Chairman Kurk received an email from Peter Buono, director of CERT, applying for a \$1,200 grant. All grants need to go through Selectmen. Vice Chairman Fiala asked where the funds go. Chairman Kurk said it goes to the CERT council. Chairman Kurk said as a Board they said if anyone was to apply for a grant then the Selectmen need to be aware of it. Selectman Clow said the CERT team and Fire Department will be sharing a radio frequency. Mr. Ventresco will contact Mr. Buono to have him come before the Board. The Fire and Police can call CERT if they need assistance with directing traffic.

The Board set the meeting schedule for December as follows; Monday meetings on the 4th, 11th, and 18th and Saturday meetings the 2nd, 9th and 16th from 7:30 – 11:00.

The Board discussed they need to have a meeting in January before the 16th for public hearings. The Board will hold a public hearing for the budget on January 8, 2007. The deadline for budget hearing is January 16th. Chairman Kurk said she would like the budget set before New Year's. Selectman Clow asked if they will be able to have the spreadsheet available for all departments. It was discussed Tina Pelletier will be putting the budget into a new module. Selectman Clow asked for a sample of the spreadsheet.

The Board set the meeting schedule for January as follows; January 8th for budget public hearing, 22nd and Wednesday, January 31st.

The Board announced the Deliberative Session on Saturday, February 3, 2007 will start at 9:00 a.m.

Chairman Kurk discussed getting information to the public on the reassessment and the taxes. The Board discussed how the recent reassessment will affect our 2006 tax bill. Chairman Kurk said they have an obligation to give the public facts. Chairman Kurk said the real issue is the revenues are down not that their expenditures are higher. Chairman Kurk said they compared some of the information from the year before and in doing so

FINAL

wondered why there was such a difference in this years. In comparing revenues the Land Use Change Tax was down from \$300,000 the year before to \$75,000 but we only get 25% of that and 75% goes to Conservation and that takes away a shortfall of revenue of \$250,00.

Chairman Kurk said looking at the 2005 estimate of \$1,600,000.00 for motor vehicle permit fees; actual was \$1,260,000.00 causing a shortfall in revenue.

Building permits \$85,000 last year \$53,000 this year; Highway block grant down \$5,000; Last year DES grant was \$3,000 this year 0; Last year special revenue funds \$75,000 this year 0; Last year trust and fiduciary fund \$96,437 this year \$19,000; Chairman Kurk adding the 1,073,000 difference

The Board discussed how the \$700,000 bond for the Ferrante Property purchase affected the tax rate. It is a 10 year bond with an impact of .18 per \$1,000 with a total of \$1.8 million. It was discussed the bond could come in as revenue for a period.

Vice Chairman Fiala said the estimated revenues from 2005 are down 24%. Chairman Kurk said in addition to that they put in \$200,000 from surplus plus the \$140,000. Selectman Clow said the \$140,000 was used to offset taxes. Selectman Clow said the whole contract price was expended and there was not a warrant article for the Avitar contract. Selectman Clow said it works out the same way but in fact they did take the \$140,000 out of surplus to offset taxes.

Chairman Kurk said until she started sitting on the Board she didn't understand what was going on in the town and part of their job is to inform the public. Selectman Slattum said the unofficial tax rate has been set at \$16.04 but wouldn't put the tax rate out to the public yet.

Chairman Kurk said where they started was taking the spreadsheets from 2005 and 2006 side by side and comparing the total appropriations, revenue, surplus, net assessment and then you come down to what needs to be raised by taxes.

Motion to adjourn at 10:20 p.m.

12. ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary