

FINAL



**WEARE BOARD OF SELECTMAN
MEETING MINUTES
May 7, 2007**

PRESENT: HELEEN KURK, CHAIRMAN; TOM CLOW, VICE CHAIRMAN; DONNA M. OSBORNE, SELECTMAN; JOSEPH M. FIALA, SELECTMAN; WENDY F. CLARK, SELECTMAN (joined the meeting at 7:30 p.m.)

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Chris Hague, John Nikias

6:05 p.m. Chairman Kurk called the meeting to order.

1. DEPARTMENT HEADS – Ms. Chris Hague updated the Board on the Library and informed them she received the report from Harry Wetherbee. Mr. Wetherbee recommends 2 test be performed; 1 to be done this week. Ms. Hague said they are close to having a volunteer perform a radar survey. Public Works is going to dig the test pit. Ms. Hague said the Trustees of the Library meet on Thursday and felt the test pit will help in answering some of the questions in the engineering report. The tests will also help in determining the amount of funding needed. Ms. Hague said she is getting prices on the gutters. Ms. Hague said they are taking biographies off the shelves in the adult library and replacing them with children's books.

Ms. Hague said moving to an off-site location was discussed at the Trustees meeting and again at the staff meeting. Ms. Hague said they do not have the means because of lack of funds and staffing shortages to have an off-site location. Ms. Hague said if there was an off site location it would have very short opening hours because they don't have the funds. Ms. Hague is asking the public to understand they are applying their best abilities and asks the public to be patient. Ms. Hague said they are doing well, but the process is slow. Ms. Hague contacted a company in Maine and was told it would cost \$3,000 to bring in a trailer and cost an additional \$500 per month.

Ms. Hague informed the Board Mary Couture has organized several fundraising events.

June 1st –Bedford Youth Jazz Ensemble at Holy Cross Church

June 2nd – Car wash 10-2 at Lanctots with supplies being donated from Country 3 Corners

June 24th –Ben Ruddnick show for children (getting corporate funds donated)

Ms. Hague extended her appreciation to all who have been helping the Library. Chairman Kurk asked about FEMA. Mr. Fred Ventresco spoke with Paul King and said it will be a very long stretch to get a FEMA trailer and it will have to be paid for up front. Ms. Hague said she spoke with Dick Butt and he is looking at the Building Maintenance Fund to get a tight and accurate figure for the CIP Subcommittee; which is meeting this week. Chairman Kurk asked Ms. Hague if she had spoken with Mr. Paul Morin. Ms. Hague said not yet. She is working very hard to get the amount of funds needed and will know more after the test pit is performed. Vice Chairman Clow asked about the test pit; is it just a hole in the ground or actual digging around the foundation. Ms. Hague said her understanding is they have schematics but they need to know what is actually underground. They will be digging to find the pipes around the foundation.

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Selectman Fiala is hoping they will do some soil analysis while performing the digging. Ms. Hague said Mr. Wetherbee had asked about the slope in the pipe. Ms. Hague will keep the Board informed. Vice Chairman Clow said if after the outside analysis is performed and it is determined that it indeed is an outside problem he hopes the Trustees will move to allow the Children's Room be put back together and habitable. Ms. Hague said she would like to have a timetable for the actions that need to be taken because without a timetable they would not like to repair the children's room without the outside being repaired. They need to know that the FEMA money will be coming in. Chairman Kurk said without knowing the amount of funds needed it is hard to determine. Ms. Hague said Sue Tuttle is going to notify them when Mr. Knapp will be able to dig.

2. MEETING MINUTES

Vice Chairman Clow moved, Selectman Fiala seconded to accept the minutes of April 30, 2007 as amended. Passed 4-0-0.

3. MANIFESTS

Chairman Kurk moved, Vice Chairman Clow seconded, to authorize the Board of Selectman to sign Manifest and order the Treasurer to sign checks dated May 10, 2007. Passed 5-0-0.

Accounts payable	\$54,749.50
Gross Payrolls	\$42,551.69
	<u>\$4,960.83</u>
Total	\$102,262.02

4. ADMINISTRATIVE REPORT – Mr. Fred Ventresco asked the Board about the bids for the irrigation system at Ineson Field. Mr. Ventresco said PARC is wondering if the Board will give them preliminary approval because they are meeting tomorrow and would like approval to move forward. Mr. Ventresco informed PARC all bids usually go through the BOS. Mr. Ventresco said the Board could limit it to \$13,000 to come out of the Recreational Development and Improvement Fund. Mr. Ventresco said the fund has an approximate balance of \$38,000. Selectman Fiala asked if the bids have already been opened. The Board discussed if they should give the approval before the bids are opened. Chairman Kurk is wondering if this would set an undue precedence.

Vice Chairman Clow said they could look at bids at Monday's work session. Selectman Osborne would like the bids to be approved publicly. Selectman Fiala said he is unsure PARC will be able to make a decision at the meeting Tuesday night because they might need further information. Chairman Kurk said PARC is meeting Tuesday and if the bids are straight forward they might want to move on their decision. Selectman Fiala said they would need to wait 2 weeks. Selectman Osborne said the Board has discussed everything being double checked so there are no mistakes. Mr. Ventresco said the bids were due 2 weeks ago and it has been a while. Chairman Kurk asked if the Board is in agreement to put it on the agenda for Monday's work session. Selectman Fiala said he knows everyone is anxious to get moving but putting it on the work session agenda may cause problems with others wanting to get on the agenda. Selectman Fiala said he knows the guys who are bidding are scheduling their work and knows this will hold things up but feels the work will get done this summer. Chairman Kurk said they were adamant about not putting anything other than budget discussion on the work session agenda. The Board discussed this will go on the agenda for the next regularly schedule BOS meeting.

Mr. Ventresco said the Building Committee met Friday to look over the bids for the air conditioning at the Town Office Building. The Building Committee made a recommendation to go forward with a vote of 2 in favor and 1 not in favor. The bids were due on April 30, there was only 2 bids in by then and they decided to leave it open for 1 week. Mr. Ventresco said they had 3 interested in making bids but only 1 bid came in, happened to be the lowest bid. Vice Chairman Clow said to clarify there were no bids open when the decision

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was made to extend the bids. There are a total of 4 bids. Mr. Ventresco said the Building Committee reviewed the bids which range from \$18,500 to \$35,600 the committee wants to ask some questions to the low bidder. The committee would also like the lowest bidder to come out for a site walk. The bid includes electrical but they still need references. Selectman Fiala said this bid calls for 8-9 units. Selectman Fiala said Mr. George Malette, who knows a lot about this, said they could get by with 3-4 units. They still need to discuss where the units will be placed for each room to ensure proper cooling with minimal distractions. The Committee wants references and fewer units before moving forward. The Building Committee members are George Malette, Don Burke, Selectman Fiala and Mr. Ventresco, which were all present on Friday. Mr. Ventresco said they are trying to move along without rushing. Chairman Kurk asked if the Building Committee will do the walk through with the lowest bidder, check references and get in writing what is expected of the contractor. It was discussed Brookside is the contractor and the air conditioning piping is to be concealed. Mr. Ventresco said the fact that there are 8 compressors bothers him. Selectman Fiala said Mr. Malette is researching how many compressors are needed and is working on proposing a layout. The Board would like to know the utility cost of the units. Selectman Fiala said Mr. Malette is checking on the needed BTUs.

Chairman Kurk opened the Public Hearing at 7:00 p.m.

5. PUBLIC HEARING – for the purpose of hearing public testimony and receiving information with regard top the rate charged to non-residents to use the boat launch at Chase Park be changed from \$30.00 to \$20.00.

Mr. John Nikias said Chase Park just about broke even last year and is wondering how this will affect the residents. Mr. Nikias wants to know where the money difference is going to go. He said the taxpayers are going to take a hit and the non residents are going to get a break. Chairman Kurk asked Mr. Nikias about the discussion held at PARC. Mr. Nikias said some members want the fee to be the same as a lot of other lakes in the state.

Selectman Fiala said one reason it was suggested to bring the fee down was to appease Fish and Game because they will stock the lake only if there is reasonable access. Selectman Fiala said there was some discussion that dropping the rate \$10.00 might increase the revenue and get more boaters. Vice Chairman Clow said he is not opposed to doing something that limits access to non residents. Vice Chairman Clow knows this is an issue with Fish and Game and does not want to risk the loss of the lake being stocked by Fish and Game. Selectman Osborne would like written confirmation from Fish and Game regarding the stocking of the lake and would like the non resident fee to remain at \$30.00. Chairman Kurk said she is trying to get information from Fish and Game.

Chairman Kurk said they don't need to make a decision tonight, just need to hold the Public Hearing. Vice Chairman Clow said they need to get a record of how many non residents use the lake. Vice Chairman Clow said this would not affect the PARC budget because the revenue goes into the General Fund. Chairman Kurk said it does affect the taxpayer. Vice Chairman Clow said if they are only talking about a handful of boats it won't change the budget greatly. Selectman Osborne feels Chase Park is for the residents, and would not like the fee increased for the taxpayers. Mr. Nikias said a resident can get a pass for \$20.00 a year and non residents \$30.00 each day. Mr. Nikias wants to be clear you have to be a tax payer to pay the \$20.00 a year fee. Vice Chairman Clow said what if they are renting. Selectman Fiala said they would have to produce a utility bill. Selectman Fiala said there are people who live just within miles of the town that this might be unfair to them. Chairman Kurk said they need to find out how many out of town boat passes they have had in the past and find out what the rates are on other lakes. Chairman Kurk said if there are no other lakes that charge over \$20.00 that will make a difference in their decision. Chairman Kurk asked Mr. Ventresco to place the discussion on the agenda when he receives the answers.

Chairman Kurk closed the Public Hearing at 7:15 p.m.

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Mr. Ventresco wants to continue the air conditioner discussion; wants to make sure the Board is comfortable with going with the recommendation from the Building Committee. Chairman Kurk said to pursue this with your committee and if you find something in the proposal that will not work well for the town then they need to come back to the Board. Selectman Fiala said he thinks their feeling was if this process does not go forward in a reasonable amount of time with a reasonable cost then they were just going to put the air conditioning units in the windows and live with the warranty situation. Mr. Ventresco said they will properly brace the windows. Vice Chairman Clow commented on the bid for the central duct system in the ceiling for upstairs. Vice Chairman Clow said he is concerned with the appearance on the outside of the building. Selectman Fiala said if they have to have 9 units outside then they will definitely reconsider. Selectman Fiala said the problem with the window units is they are not efficient. Selectman Fiala said to be cost effective each unit should have a thermostat.

Mr. Ventresco said they all felt there wasn't a need for air conditioning in the lower level. The Board discussed having a de-humidifier in the lower level will help keep it cool. Selectman Osborne said she has a lot of concern with the equipment in the cable room. Selectman Fiala said Malcolm Wright said he could put a unit in the window if needed and also in the copier room. Mr. Ventresco said they will get the committee and contractor together soon. Vice Chairman Clow commented on placing 8-9 units outside the building and said he is concerned with breakdowns on this number of units, asked if consolidating to 3-4 larger units to handle the building would make more sense.

Mr. Ventresco said one member of the Building Committee would like to make sure the air conditioners are not priority over the flooding issues. Vice Chairman Clow said Tina Pelletier's report shows just over \$81,000 in the Building Maintenance Fund. Selectman Fiala said they discussed if they could get this done in a reasonable amount of time it would be a benefit. Selectman Fiala finds the window air conditioners are not efficient. Chairman Kurk said she feels they should pursue the air conditioning further to see if it can work. Selectman Fiala asked if the Board agrees with the committee moving forward in the process.

Mr. Ventresco informed the Board Don Thompson sent an email saying he would like to purchase some software. He has been Treasurer for over 30 years and the town has never provided any equipment or software; he is requesting a reimbursement of \$350.00 towards the purchase of software, paper and ink for past expenses. Chairman Kurk asked Mr. Ventresco where the money would come from. Mr. Ventresco said they are already down to 55% on the office supplies in the Selectman's Budget. Vice Chairman Clow asked about the computer replacement fund; is it strictly equipment.

The Board discussed opening non public meeting minutes and the procedures needed. Mr. Ventresco recommended creating a separate book of the unsealed non public minutes. Mr. Ventresco said the only criteria are to make sure the non public information is not discussed if it is not to be unsealed. Vice Chairman Clow said they should be more cautious about sealing and restricting minutes. Chairman Kurk informed the Board even if the minutes were from before they were Selectman they still need to review and abide by the same oath. The Board discussed reviewing the older minutes first.

The Board reviewed and made recommendations on whether non public minutes should remain sealed.

Chairman Kurk moved to unseal the non public minutes of the March 29, 2004 under RSA 91 A:3II (e). A Roll call vote was taken. Selectman Clark – yes, Vice Chairman Clow – yes, Selectman Osborne – yes, Selectman Fiala – yes, Chairman Kurk - yes. Passed 5-0-0.

Chairman Kurk moved to unseal the non public minutes of the March 29, 2004 under RSA 91 A:3II (c). A Roll call vote was taken. Selectman Clark – yes, Vice Chairman Clow – yes, Selectman Osborne – yes, Selectman Fiala – yes, Chairman Kurk - yes. Passed 5-0-0.

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The Board initialed the envelopes of the sealed non public minutes showing they opened the envelopes but did not unseal the non public minutes. Chairman Kurk asked Mr. Ventresco to ensure that the process was followed correctly. Chairman Kurk said if the proper process was not followed they will clarify it at the next BOS meeting.

Mr. Ventresco distributed the part-time custodian position details to the Board. He is bringing this up because the question has risen to what the town needs for this position for town buildings and grounds. This description is not focused on any individual just the position. Mr. Ventresco said the Board needs to focus on the duties needed from this position. The Board will review the position details and discuss at the next meeting. Selectman Osborne is concerned with the details stating 15 hours per week and is it reasonable to assume all these duties can be performed in a 15 hour a week position.

Selectman Fiala mentioned the meeting with Jan Snyder being unplanned and unexpected and in the future would like to see issues placed on the agenda. Chairman Kurk said Ms. Snyder felt she was on the agenda. Chairman Kurk said the Board should be given information in hand to review before a discussion is held. Selectman Clark said they need to review the process. Chairman Kurk said if you are a Committee or Department Head you have the option to speak at the beginning of the meeting and if there is a specific topic they should contact Mr. Ventresco in advance to be placed on the agenda by noon on the previous Thursday.

Chairman Kurk a Public Hearing is for anyone to comment on the discussion. A public meeting is for the Board to discuss business and they allow the public time for public comment. Vice Chairman Clow said the Public Hearing has to be advertised and the public meeting has to be posted 24 hours in advance. Chairman Kurk said they can take up things that are not on the agenda but the agenda helps them guide the meeting.

Mr. Ventresco said he has bids from Jan Snyder regarding the TAN.

TDBanknorth 3.79%

Citizens Bank 3.85%

Ocean National Bank 3.86%

Jan Snyder recommends the Board accept TDBanknorth as the lowest bid.

Selectman Clark would like to have time to review the loan document before signing. The Board was in agreement.

Selectman Fiala moved, Vice Chairman Clow seconded to accept the Tax and Anticipation Note line of credit from TDBanknorth at 3.79%. Passed 5-0-0.

A True Record.

Cherry Palmisano, Recording Secretary

Chairman Kurk moved, Selectman Fiala seconded to enter into non public session at 8:45 PM under RSA 91-A:3 II (a) to discuss non public minutes from June 21, 2004. A roll call vote was taken, Selectman Clark – yes, Vice Chairman Clow - yes, Selectman Osborne - yes, Selectman Fiala – yes, Chairman Kurk – yes. Passed 5-0-0.

Chairman Kurk moved, Selectman Fiala seconded to exit non public session at 8:50 PM. A roll call vote was taken, Selectman Clark – yes, Vice Chairman Clow - yes, Selectman Osborne - yes, Selectman Fiala – yes, Chairman Kurk – yes. Passed 5-0-0.

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The Board reviewed non public minutes for the dates 1/5/04, 1/20/04, two (2) of 3/8/04, 3/15/04, two (2) for 3/29/04, 4/5/04, 4/21/04, three (3) of 6/21/04, for a total of 12 that were reviewed. Of the aforementioned twelve, the Board agreed and voted to unseal the two (2) non public session minutes of 3/29/04, with the following identifier numbers: 040329WLA and 040329RR.

The motion to unseal the two minute sets from 3/29/04 was made by Selectman Fiala and seconded by Selectman Clark; a roll call vote was taken, Selectman Clark – yes, Vice Chairman Clow - yes, Selectman Osborne - yes, Selectman Fiala – yes, Chairman Kurk – yes. Passed 5-0-0.

A true record attest:

Fred Ventresco

Selectman Kurk moved, to go into non-public session under RSA 91A: 3 II (c) at 8:53 PM. Selectman Fiala seconded the motion. A roll call vote was taken: Selectman Clark – yes, Selectman Clow - yes, Selectman Osborne - yes, Selectman Fiala – yes, and Selectman Kurk - yes.

Selectman Fiala presented the Town Administrator's review he had drafted which combined all the Selectman's comments. The Selectman read and discussed the review.

Fred Ventresco, Town Administrator, was invited to join the Board to go over the review. Questions and *comments were addressed.*

Selectman Kurk moved to come out of non-public session at 10:20 p.m. Selectman Clow seconded the motion. A roll call vote was taken: Selectman Clark – yes, Selectman Clow - yes, Selectman Osborne - yes, and Selectman Fiala - yes, Selectman Kurk - yes.

A true record attest:

Heleen Kurk

6. ADJOURNMENT