

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
January 28, 2008**

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

**TOWN ADMINISTRATOR:** Fred Ventresco

**RECORDING SECRETARY:** Cherry Palmisano (not present)

**GUESTS:** Frank Campana, Tina Pelletier, Chief Richards

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

**1. MANIFESTS**

**Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated January 31, 2008. Passed 5-0-0. (unclear)**

<b>Accounts payable</b>	<b>\$71,929.31</b>
<b>Gross Payrolls</b>	<b><u>\$43,007.03</u></b>
<b>Total</b>	<b>\$114,936.34</b>

Chairman Clow said the Board is going to be concentrating on Article #21. Mr. Ventresco said also Article #25 because DRA said they would not allow the transfer of funds. Chairman Clow said the article requests that \$220,000 be transferred to the Fire and Rescue Vehicle Replacement Capital Reserve Fund with such appropriation being funded by the Fire and Rescue Vehicle Replacement Special Revenue Fund. The Department of Revenue Administration said this could not be done but the Attorney said it can be done. Chairman Clow said they have two options; leave it in for the voters to decide and the send it to DRA and the other would be to take the article out at this time. Chairman Clow said DRA will be the final decision. Selectman Kurk asked Mr. Ventresco what is was about the article that DRA said could not be done and why did the Attorney say it could be done. Mr. Ventresco said DRA said it had never been done to transfer from a Special Revenue Fund to a Capital Reserve Fund and the Attorney checked with Barbara Robinson who came up with other suggestions; to cancel the article and place the money into the General Fund and then take the money out of the General Fund. Mr. Ventresco said he spoke with Chief Richards and he was not in favor of dismantling the Special Revenue Fund because they had put a lot of time into it. Mr. Ventresco said that was the only other option DRA gave. Chairman Clow understands the reasoning to be in order to spend from a Special Revenue Fund it has to be done by a vote at Town Meeting and if the money is transferred into the General Fund the voters don't have the say. Mr. Ventresco said there is a big difference between a Special Revenue Fund and Capital Reserve Fund because you cannot have an agent to expend on a Special Revenue Fund. In the past funds had come from this fund but with a specific purchase for a specific vehicle. Selectman Kurk asked if it would confuse the voters if they left the article in and it passes and then DRA says they can't do that, and they put it in again next year and the form that it can be allowed. Chairman Clow said it certainly could that is why they need to make the decision tonight. Selectman Fiala would suggest they not include the article at this time.

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Chief Richards would like to know if they could take this article up at the November election. Mr. Ventresco said he has not received an answer from DRA. Chief Richards said he remembers a time when this was done. Chief Richards would really like to purchase the vehicle before March 2009 to save the town over 5% of the purchase price of the vehicle.

Chief Richards said this is to take money out of an account that you can only buy fire apparatus with and put it into an account that you can only buy fire apparatus with. Chairman Clow said the difference is that if it is a Special Revenue Fund and is designated to a specific purchase and is transferred into the Capital Reserve Fund it could be spent on anything. Chairman Clow said once it is in the Capital Reserve Fund and the Board is agent to expend and if it goes on the Special Warrant Article it can only be spent on the specified vehicle.

**Selectman Kurk moved, Selectman Fiala seconded to delete Article #25 as it is written and move all the other articles up by one. Passed 5-0-0.**

Mr. Ventresco wanted the Board to be aware of the Agricultural Article because it has been cut down quite a bit. Mr. Ventresco said he did include the staggered terms of three years in the article. It was discussed the first initial appointments would appoint (1) 1 year term, (2) 2 year terms and (2) 3 year terms.

Selectman Fiala suggested that Petitioned Article # 28 be kept together at the back of the warrant with the other Petitioned Articles.

Selectman Fiala commented on Article 31 for Sugar and Spice, he keeps reading the article and feels it could be construed as something other than what they mean. Selectman Kurk understands the article to say that the Board can grant 3 year leases to Sugar and Spice as long as it is in the best interest of the town to do so. Selectman Kurk said after the 3 years is up and if the best interest of the town would be to not lease the building to them they have the right to do so and it gives Sugar and Spice the security of knowing they have a three year lease.

The Board reviewed the renumbering of the Articles.

Mr. Frank Campana asked the Board the final decision on the old Article 28. Chairman Clow said \$.019 would be the tax impact. Mr. Campana mentioned when the Transfer Station replaced the trash compactor and he recalls money still needed to pay this off and thought there would be an article to do so. Chairman Clow said in the Capital Reserve Fund Article it is listed there as the \$37,000.

Mr. Ventresco informed the Board that Chief Richards brought to his attention that he has some letters from surrounding Fire Chiefs that the Board might find informative. Chief Richards said he has letters and numbers from Mutual Aid Chiefs. Goffstown's letter states that they were proud to provide response when Weare was unavailable. Goffstown will be changing their scheduling recommendations for their town and the number of full-time Fire Fighting staff will be declining and because their staff might be unavailable they hope Weare will be able to acquire full-time staff. Chief Richards read the letter from New Boston's Fire Chief stating that Weare is calling for Mutual Aid for 50% of their calls and also states it is putting an increased burden on their volunteer's and also adds an additional 20 minutes to the response time. New Boston said there are certain actions that need to be taken by the Town of Weare to ensure response to their emergency calls. It was mentioned, by state regulations, 2 personnel are needed for ambulance transportation.

Chairman Clow says they should reaffirm their recommendation on the Fire Department articles.

Chief Richards said the total number of calls for mutual aid for an ambulance from 5:00am – 5:00pm = ????. Responded with their vehicle with only 1 personnel (cannot transport with only 1 personnel and need to utilize mutual aid) = 14. Total number of incidents in 2007 548 (251 were EMS calls). Selectman Kurk asked Chief Richards how many times Weare has provided mutual aid with the ambulance; Chief Richards said he thinks 6 times total for the year. Vice Chairman Osborne mentioned if this went through and passed, she has concerns

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about our staff being utilized for mutual aid and being taken out of our town. Chief Richards said most of the surrounding towns are staffed during the week but it is possible that Weare might need to provide mutual aid. Chief Richards commented on Manchester providing intercepts to Weare and how this takes an ambulance out of Manchester and Manchester pays to have 5 ambulances in their city. Vice Chairman Osborne has concerns with what these personnel would be doing when they are not called out. Chief Richards said they will be out doing fire prevention and then there will be down time as well. Chief Richards said he would like to hire in-house but does not think anyone will apply because they already have full-time jobs.

The Board feels Chief Richards will have to make the argument with the town at the Deliberative Session and they are not changing their recommendation.

**The Board reviewed Article #21. Vice Chairman Osborne removed herself from the discussion.**

**Chairman Clow moved, Selectman Fiala seconded that Article 21 be amended as follows: shall the town raise and appropriate the sum of \$54,868. Passed 3-1-0.**

Selectman Kurk would like the phrase “based on a step merit system” to read “needed to implement a new personnel pay scale for full and part time employee positions” because she feels what they have worked on is so far from what she would support and she is not comfortable having that term in there without knowing if she would support it. Selectman Kurk feels this does what they intended to do which is to put people who are far below the bracket of average and bring them up to what is reasonable. Selectman Kurk fears if they leave “based on a step merit system” then she would be agreeing to a step merit scale. Mr. Ventresco said he did not get a response from DRA but their attorney’s did say it was fine. Mr. Ventresco said he feels if they leave pay scale in the article they should be fine. Chairman Clow agrees it does discuss a pay scale. Chairman Clow said they were trying to get working time and were not trying to undermine the work done by Benefit Review. DRA said at this point they could not make the change to a one time raise without changing the intent of the article so they are not allowed to do that. So that brought them back to a way to bring up the pay of employees that need to be brought up and this will give them time to establish a pay scale. Selectman Clark discussed contracted and elected personnel and said the article itself should specify that it does not include contracted and elected personnel. Selectman Kurk said it should say exclusive of all Fire Department personnel.

Chairman Clow said Article 21 will read as follows:

**Article 21** – Shall the Town raise and appropriate \$54,868.00 needed to implement a new personnel pay scale for full- and part-time Town employee positions, exclusive of Fire Department personnel, stipended personnel and those positions subject to a collective bargaining (labor union) agreement or other contract. If approved this amount will cover nine months of this fiscal year 2008 and will be allocated among the positions subject to this new pay scale and become part of future Operating Budgets on a full fiscal year basis.

*Anticipated tax impact = \$0.06*

**Chairman Clow moved, Selectman Fiala seconded to accept the wording of Article 21 as amended. Passed 4-0-0.**

**Selectman Fiala moved, Chairman Clow seconded to recommend Article 21. Passed 3-1-0.**

Mr. Ventresco mentioned to the Board they might want to consider stating Town employee positions not just the employee.

**Chairman Clow moved, Selectman Fiala seconded to insert the word positions after the words Town employee in Article 21. Passed 4-0-0.**

The Board discussed who would be bringing forth each Article at the Deliberative Session. The Board discussed they intend to bring Articles forth in the order in which they are numbered.

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Chairman Clow mentioned the flyer the school had sent out regarding the new school and asked the Board if they would be interested in sending out a similar flyer regarding the Highway Garage Building. Selectman Clark feels this would make it look like they were trying to favor one Article over another. Selectman Fiala agrees.

The Board discussed it is a real deficit to the Board of Selectman and the citizens to not have a Finance Committee.

Selectman Clark discussed discrepancies in some time sheets.

## **2. ADJOURNMENT**

A True Record.

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Cherry Palmisano, Recording Secretary