

DRAFT

Town of Winchester 1 Richmond Road Winchester, NH
03470

**MINUTES of the
BOARD OF SELECTMEN MEETING**
Wednesday
October 18, 2006

Board Members Present: Gustave Ruth (chairman), Susan Newell, Sherman Tedford, Gerald Hastings and Theodore Whippie. Also present: Town Manager John Stetser and Roberta Fraser, secretary
The meeting was called to order at 7:00 pm

1st Order of Business: Acceptance of minutes of October 11, 2006

Sue makes a *motion* to approve the minutes of October 11, 2006

Jerry seconds it

Discussion: Gus would like added under the budget work session part, when Sue questioned if Gus has spoken to John about where the money is coming from for the heating oil and Gus said no, he also suggested it could be taken out of the A. C. Lawrence legal line. Sue makes an amendment to accept Gus' request and Jerry seconds it.

Motion carries

2nd Order of Business: Announcements

None tonight

3rd Order of Business: Town Manager's Report

- < John reads Sharon Haley's report regarding the Accounting office (see attached)
- < John, along with Peg Tatro and Sharon Haley, met with George Dowd, TD Banknorth government banking representative, regarding the town's accounts and they discussed different options that the town can do with the accounts to earn a better rate of return
- < The DES is holding a Solid Waste Technical Assistance dinner on October 25 for town manager's and selectmen.
- < A department head meeting will be held on Friday, October 27 at 12:00pm and a representative from the Local Government Center will be a guest speaker

Sue asks John what the status of the audit is and he lets her know that Vachon & Clukay will be sending a letter to the town shortly.

4th Order of Business: Old Business

Ted asks John what the status is on information regarding Marge's request from two weeks ago, (to appoint James Tetraealt as a full time tc/tc deputy starting Dec. 4th) and John lets him know that he has not received a legal opinion yet but in his opinion Marge can appoint whomever she wants and use the money she has available in her budget. The board discusses what how they should respond to Marge's request and John informs them that they don't need to do anything.

Ted asks John for information regarding the request the school board made asking the town to provide a crossing guard downtown in the morning and afternoon. John has spoken to Chief Phillips and he doesn't have the money in his budget for a crossing guard. Chief Phillips estimates it will cost about \$8100.00 a year. Ted contacted Hinsdale and they provide one out of the Police department budget. Sue does not believe it is a town responsibility to provide a guard; it should be a school expense. She doesn't feel it is a select board issue. Sherm states the town never has had crossing guards, to which audience members refute him. Sue makes a *motion* to advise the school board that the Board of Selectmen have determined the crossing guard request is a school board issue, not a town responsibility.

Ted seconds it

Discussion: Sherm doesn't believe a guard is needed, as Main Street is not in a school zone. Ted would like the crossing time on the crosswalk signal extended. Gary Phillips offers to contact the State tomorrow to make that request. Sherm asks him to have them send the town the standards on how they determine and set up school crossing zones. *After further discussion, the motion is called and carries*

5th Order of Business: New Business

Sherm makes a *motion* to hear from State Representative Henry Parkhurst first under new business.

Sue seconds it

Motion carries

Representative Parkhurst addresses the board and first informs them that after ten years the old rusty truck is finally gone from his neighborhood and thanks them if they had anything to do with it. He informs everyone that as of yesterday the issue of where to put the county jail is back to square one. Representative Parkhurst introduces incumbent Bill Butynski and candidate Tim Butterworth. Representative Butynski addresses the board and lets them know he is always willing to listen to any concerns or questions they may have. Tim Butterworth addresses the board and informs them that he would like to know any issues or concerns the town may have that he can help with. No one has any comments for them, but Sue informs them that it is the opinion of many that the jail belongs in Westmoreland and Gus reminds them to not forget about Winchester.

Sherm makes a *motion* to hear from Mr. Zitta before the public hearing

Sue seconds it

Motion carries

Mr. Zitta addresses the board with a complaint about a water problem on his property at 6 Goamko Drive. In 1973 Mr. Zitta began experiencing a problem with water pooling on his property. When water becomes excessive on Rte 119, it floods over onto Goamko Drive and Mr. Zitta's property. Goamko Drive becomes a slippery mess in the winter, and Mr. Zitta's property is in a constant state of flooding in the back yard. Mr. Zitta has had to remove his above ground pool because of the water. It has been an ongoing problem for many years and Mr. Zitta would like to make the board aware of it. Representative Parkhurst informs the board that he lived on Goamko Drive for two years in the seventies and could not get to work because of the ice on the road from the water problem. The board discusses the situation and Sue makes a *motion* to ask John to get together with Dale, assess the situation and come back next week with a remedy and the estimated cost.

Jerry seconds it

Motion carries

Sue questions the water leak at the five corners near her house and Gus lets her know the repair did not hold and it will be fixed tomorrow morning.

Sue makes a *motion* to go into a public hearing regarding a parking ordinance for the town.

Jerry seconds it

Motion carries

Public hearing is entered at 7:43pm

There is discussion about the parking ordinance and whether or not the documents are correct with the changes that were motioned a couple of weeks ago. A recess is taken and the public hearing is reconvened at 7:53pm.

Sherm makes a *motion* to adopt the proposed parking control ordinance. Sue seconds it. Discussion: Sue asks for an amendment to add she like all the pages of the document identified as to what it is, with the date and page number on the bottom of each sheet. Sherm accepts the amendment and adds to the motion that the board will adopt the proposed ordinance tonight and sign the paperwork next week. Ed Zitta asks where the money from the fines will go and the board lets him know it is back to the general fund.

Motion carries

Sue makes a *motion* to close the public hearing and reconvene the public session

Jerry seconds it

Motion carries- 8:00 pm

6th Order of Business: Department Heads/Committee Chairpersons

Sherm announces that the budget committee has been meeting and discussing the budgets that the selectmen have reviewed. The budget committee pretty much agrees with the selectmen about the budgets and has changed very little of what the selectmen have approved.

7th Order of Business: Open to the Floor

Theresa Sepe addresses the board and asks them if they are going to have Marge explain why she feels that there needs to be both a full time town clerk tax collector and a full time deputy. Gus explains that the board does not have authority over the tc/tc and whomever they appoint, but they do have authority over the budget. The board agrees to have Marge answer Theresa's questions.

Marge addresses the board and lets them know that in 1994 it was approved by a petitioned warrant article and was understood that it would be for a full time town clerk/ tax collector and a full time deputy town clerk/ tax collector. She explains that it may not have said that on the article, but it was always understood to be that way because the payroll always considered full time tc/tc and full time deputy tc/tc. That was always on the books and always figured for, so she assumed and she believes the taxpayers did also, that office would have two full time employees. Marge believes that is needed. There is a lot to do in that office. Marge explains the job and how she has always been very dedicated and gave more hours than she was paid for. Sherm explains to her that he knows she is dedicated and no one is questioning that. He has questions about the warrant articles. He wonders if the way they were worded if they would be enforceable today. Marge tells him to ask the attorney. Theresa would like an explanation of the difference in workload between Hinsdale and Winchester, since Hinsdale is comparable in size. Marge explains that Hinsdale does not have a combined office. Hinsdale does not do the same jobs as Winchester. They just started vital records, municipal agent work and her hours have been increased. The tax collector's wife works with him, she is the selectmen's secretary. Theresa asks Marge if it is her opinion that there needs to be two full time employees in the tc/tc office and she says yes, her and Joyce work more than eighty hours a week to get the work done.

Ken Berthiaume addresses the board and asks if the town will have a representative at the slained Manchester police officer's funeral, and Chief Phillips lets him know there will be.

8th Order of Business: Office Documents (see attached)

Sherm makes a *motion* to appoint John Gomarlo as the deputy health officer for the town

Jerry seconds it

Motion carries

There is a polls notice for the board to sign regarding the hours the polls will be open for the November election. Sue would like the polls open a little longer for people who cannot make it by 7:00pm.

Sue makes a *motion* to have the polls open from 8:00pm to 7:30pm.

Sherm seconds it

Motion carries

Sherm makes a *motion* to approve the water availability for Norman Henry on Back Ashuelot Rd

Jerry seconds it

Motion carries

There is a request from the Conant Library trustees to put the Conant Librarian on the town health plan. Sue believes this is a non-public issue and Sherm makes a *motion* to have a non-public regarding this next week

Jerry seconds it

Motion carries

Sue makes a *motion* to enter non-public session after the budget work session

Jerry seconds it

Motion carries

Budget work session:

Land Use Department:

The requested budget for the land use department is \$70,173.00. Margaret Sharra is at the meeting to answer questions regarding the requested budget. She explains that there is a substantial increase from last year's budget because there is a heavy workload. Leroy may be retiring and someone would have to be hired. His position is requested to be 32 hrs. Margaret has requested the assistant's position to be 36 hrs at \$15.00 an hour. Sherm has a problem with the requested increase for these positions. He doesn't feel it is necessary at this time and Sue agrees. Margaret explains that other towns of this size have full time positions for this department. She doesn't think

everything is getting done quick enough and there is a heavy workload. The revenues from July to September are \$10,841.00. There is more discussion with the board and Margaret and then Sherm makes a *motion* to increase the two salaries by 3%, change the merit line to \$1423.00 and approve a bottom line budget for land use department of \$59,259.00. Jerry seconds it. Discussion: Gus doesn't think it is enough in the budget. *Motion is called and carries with three yes and two no.*

Police Department:

The proposed budget for the police department is \$432,244.00. Chief Phillips is at the meeting to explain the budget and answer questions. Gary explains that the salaries are based on a 3% merit raise. Sue asks him if the animal control officer is his girlfriend's father, and he let's her know that at the moment yes, the girlfriend part may change. Sue thinks those types of relationships should be disclosed. There is a long discussion about the pay for the animal control officer. When the position was first proposed, it was at what Sue believes was \$40.00 a week. Gary disputes that and states it was always \$75.00. Either way, Sue has noticed that he is also getting \$120.00 a week vehicle allowance. Gary feels Mr. Park is worth what he gets paid. Gary is asking for \$6240.00 in his budget for the animal control officer. A flat rate of \$120.00 a week would cover everything. There is discussion on the pay and how he is paid. Sue asks if he is an officer, and he is not. Sue questions how he is paid and Gary explains that he is paid out of payroll. Sue believes that is wrong, since he is not a town employee. He is a contracted service. Sue wants to see him paid out of contracted service with a fix rate with a contract. It should not be paid from payroll. This is an improper accounting of pay. Sherm makes a *motion* to pay the animal control officer a flat rate of \$100.00 a week, which would cover everything, gas, mileage, etc.

Sue seconds it

Discussion: Gus doesn't believe it is enough pay. Sue would like it accounted for properly. She would also like to see the amount of calls he makes a month. Sherm amends his motion to move the \$5200.00 to contracted services for the animal control officer and make that line \$7700.00. Sue seconds the amendment.

Motion carries with one no.

There is further discussion about the budget and it is getting late. Sue informs the board that there still needs to be a non-public session tonight for three issues. She would like to reschedule the police budget discussion for another time. There is much discussion about it and no one can agree to a time and Sherm is going on vacation. Roberta informs the board that the non-public can wait until next week and then the board continues.

Sherm informs Gary that his percentage increase in two years is too much. This year his request is a seven percent increase. Sherm believes there are some places to reduce the budget. Sherm makes a *motion* to reduce full time overtime to \$9200.00, training and certification to \$4000.00, radio maintenance reduced to \$4000.00, gas and oil to \$14000.00, special investigation to \$2000.00 and police court cost to \$500.00. Sue seconds it

Discussion: Gary doesn't agree with the reductions and is not happy with it. He thinks the overtime line needs to be increased, since raises and a cost of living increase are proposed. Sherm questions if the outside activities fund are useable for radios and such, and Gary says yes, but there is not enough in it yet. Sue is not sure of the legal issues with it and what the fund can be expended for. Sue would like a legal opinion before it is expended. John states it can be spent for anything the agents decide to spend it on for the police. Uniforms, anything, it doesn't matter. He says normally it is kept for larger items, like cruisers. Sue questions if there is a contract with the police prosecutor, and Gary lets her know that he doesn't want to be obligated to one firm. Sue thinks it should be a contract, leaving it per month makes it an expense the selectmen do not have to approve. Sherm announces it will be a new bottom line of \$424,999.00. He also explains that most of his reductions can be covered under the outside activities fund. Sherm questions the police court cost and Gary explains that it is to pay the witness fees. The court gives \$30.00, but it may cost more for the officer's pay. The court fees go to the general fund. Sue questions detail pay and John explains that himself and Gary are exempt employees. Sue disputes that, according to the personnel policy only John is exempt. There is discussion on outside detail pay and then Ted asks to move the motion.

Motion is called and carries with 2 no.

9th Order of business: Adjournment

Sue makes a *motion* to adjourn

Jerry seconds it

Motion carries unanimously

Meeting is adjourned at 10:15 pm

October 18, 2006 BOS Minutes approved by:

Date Signed:

R. Fraser 10/23/06

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