

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 15, 2017**

PRESENT: TOM CLOW, CHAIRMAN; FREDERICK W. HIPPLER, VICE CHAIRMAN; JOHN (JACK) MEANEY, SELECTMAN; JON OSBORNE, SELECTMAN; AND JAN SNYDER, SELECTMAN.

RECORDING SECRETARY: Naomi L. Bolton
TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Eldon Townes; Sherry Burdick; Betty Straw; Tim Matheson; Richard Brown; Frank Campana; Lori Davis; John Vanloendersloot; Wendy Clark; Benji Knapp, DPW Director

NONPUBLIC SESSION:

Chairman Clow moved, Selectman Meaney seconded to enter into nonpublic session @ 6:28 p.m. pursuant to the authority granted in RSA 91-A:3II (a & c). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Chairman Clow moved, Selectman Meaney seconded to exit from the nonpublic session @ 7:28 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

The Board met with Chief Sean Kelly to discuss contract negotiations.

Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 7:29 p.m. pursuant to the authority granted in RSA 91-A:3II (b). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Chairman Clow moved, Vice Chairman Hippler seconded to exit from the nonpublic session @ 7:33 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

The Board met with Parks and Recreation Director Karyn Stogner to review the list of Chase Park employees for the upcoming summer season.

Chairman Clow welcomed everyone present and watching before calling the meeting to order at 7:34 p.m. followed by the Pledge of Allegiance.

DEPARTMENT HEAD/COMMITTEE ITEMS

Parks and Recreation: Director Karyn Stogner was present. Director Stogner met with the Board to review the list of potential hires to work at Chase Park this summer. Last season we were short two lifeguards and this year

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with this roster we are full. **Chairman Clow moved, Vice Chairman Hippler seconded to accept the list of Parks and Recreation employees for Chase Park as presented by the Parks and Recreation Director. Passed 5-0-0**

Chairman Clow stated that he would like to move the agenda around just a bit and move the skateboard discussion up while Director Karyn Stogner is present.

Approval of MOU of Skateboard Park: Chairman Clow reminded the Board that last week the Board reviewed the draft MOU that was agreed upon after meeting with the principals at both the Middle School and the Upper Elementary School. The MOU was then forwarded to Parks and Recreation to be reviewed at their meeting on May 9th. Ms. Stogner stated that the Commission was fine with draft MOU as presented. Chairman Clow felt that an official motion should be made then it can be sent over to the Weare School Board for their approval. **Selectman Osborne moved, Selectman Snyder seconded to approve the MOU of the Skateboard Park as presented. Passed 5-0-0**

Town Buildings Discussion: Sherry Burdick, 382 Deering Center Road stated that she asked for this to be an agenda item because she is concerned with the Town Hall and the Clinton Grove Academy buildings. Ms. Burdick stated that three years ago she gave information to the Board regarding the Town Hall doors. Now we are getting ready to replace the doors again and there is some work to be done prior to that happening. There is sill work that needs to be looked at and repaired before the new doors can be installed. Facing the building the left outside wall is moving so the underneath needs to be really checked out prior to it being put out to bid. The next topic was the spires and the roof on the Town Hall. She has reached out to a company to come down and look at it. Ms. Burdick stated that she did specs when Dr. Garvin came down but he was reluctant to give any suggestions as to wood changes. Chairman Clow stated that he recalled that his drawings suggested redwood and matching esthetics. Ms. Burdick stated that MDF was not appropriate. We paid over \$4,000 per door and we should have never put them in. She recalled looking at redwood, teak or mahogany for the doors. Her biggest concern is that she doesn't want to repeat the same mistakes again. With regard to the roof of the bell tower and the spires, she would recommend that we use 20 oz. copper for the roof as it can last for 100 years. The spires should be constructed of Azek, again for a longer life. The bell tower at the Clinton Grove Academy is in need of paint, but in speaking with Maskiel Painting a lift will need to be rented in order to safely reach it. The windows were all cleaned and re-sealed and she would like to see the Town put storm windows on to protect them. Going back to doing it right the first time, Ms. Burdick mentioned the heating system at the stone building and the need to have it re-done because it was not done right. We need to make sure and pick better vendors so that we can make sure everything gets done right the first time. Chairman Clow stated that he would like to sit in on the meeting when the official expert comes down to look at the bell tower and spires. Ms. Burdick stated that she thought it would be in the next week or two. Ms. Burdick would like to talk about the DPW garage, but would wait until Town Administrator Bolton provides any information she has first.

Town Administrator Bolton stated that there was a meeting this morning with the Clerk of the Works, DPW Director Knapp, Chairman Clow, Selectman Snyder and the Town Administrator to gather some information. There were questions brought up a few weeks ago that have been partially answered but others can't be answered at this time because there are no specs sheets and we are waiting on the contractor. The first question had to do with radiant heat under the floor slab. There will be 5 zones that will be able to be shut down at different times. The next question was the insulation under the slab. The thickness is going to be 2", the density is high, and the R-value under the slab is R-13. We are still waiting on the contractor for the R-value of the roof and side wall insulation, as well as the cost to run a dehumidifier. There are no spec sheets yet for the dehumidifier. The garage door tracks are going to be installed to follow the contour of the roof, so it is not a

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traditional garage door. By following the roof contour it will keep the tracks out of the way of the dump truck bodies. The gauge of the overhead door track and size of the rollers are not available. The waste oil tank is going to be a double wall steel tank. There were question raised last week regarding the cost of the clerk of the works. The clerk of the works will only be putting in time about 1-2 hours per week and only when specific things are being done or installed. The role of the clerk of the works is to verify that the Town is getting what we are supposed to be getting. There will be a full time construction manager on sight every day. There will also be inspections that need to be done by our code enforcement officer just like constructing a new house or building.

Sherry Burdick asked if the general contractor/project manager has done a project like this from start to finish. She asked if there will be weekly updates from the clerk of the works. The board replied that was asked before when Mr. Fillmore was here and he said he could do that. It was also mentioned that it would be nice to put the weekly reports on the website so the town could follow the progress. Ms. Burdick asked if the clerk of the works had insurance. The question was asked this morning and no he has no insurance. In addition, she asked if the Selectmen had interviewed Mr. Fillmore and if he had a contract with the Town. The answer to both was no. Ms. Burdick stated that she called Henniker regarding the moisture issue/comment. She was told by Tom the Highway Superintendent in Henniker that they don't have a moisture issue with the radiant heating portion of the building, they did on the other part without radiant. To alleviate the issue they put in propane fired two Modeen heaters to take care of the moisture, so why are we doing dehumidifiers. She also checked into the price for emptying the 5,000 gallon tank that is under the floor, which is approximately \$4,250 in the tank has 5% contaminates. She asked if the tank is under the radiant portion of the floor. If so that will be a problem and for some reason would need to be removed that would really mess up the radiant heat. She feels it should be put outside versus the possibility of a problem down the road. Ms. Burdick stated that in the presentation in April it was mentioned that we will be putting our whole supply of waste oil, 2500 gallons in the building. That amount of oil in the building at one time is a concern to her. She stated that on a metal building they should use R-13 for the face batts and R13 continuous rigid insulation.

Tim Matheson, 80 River Road stated that there should be more information on the density of the floor and not just high density. It should be something like 40, 50 or 100 and under the mechanics bay it should be higher. Mr. Matheson wants to know about the dehumidifier issue that was mentioned in Henniker and now it appears it wasn't a problem, then why was it added. Chairman Clow stated that we will be checking on it and don't have that information tonight.

Selectman Snyder stated that she called the Town of Henniker and checked on the clerk of the works for that position. Kevin Cahill was the clerk of the works for Henniker's DPW and he spent a total of 145 hours on the entire project. He was paid \$65 per hour for a total of \$9,425 for the whole project.

Rick Brown, George Moody Pond Road, stated that he was looking through the Town report after he left the last meeting and it indicated that it was all set with fire suppression, now we don't have it, what are we going to do. Chairman Clow responded that the intention was to include fire suppression but there is not enough money to have it there and get all the equipment inside. Mr. Brown stated that the Town voted for a building with fire suppression and now there is none, he felt it was false advertising.

Eldon Townes, Huntington Hill Road, he understands that there will be a future meeting coming up and he would like to have information on the cost of infrared with traditional heat versus radiant and would there be a cost savings. Could we get rid of the \$50,000 for dehumidifiers as a savings? Mr. Townes asked if the building has been ordered. The reply was yes it has been ordered. He was wondering if we could shrink this building

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down and hold onto the panels for two bays, and put in fire suppression. He wants to know about the heat loss and recovery time frame. He has it in his garage and he said it takes a lot of time to recover, so he would like to have the infrared looked at or at least a cost comparison.

Frank Campana, Quaker Street, stated that the last two speakers stole his thunder but he would like to know if there has been any discussion to bring back in fire suppression. Chairman Clow replied that we have looked at and talked about possibly eliminating dehumidifiers and put that money towards fire suppression. All we can do is to pose the issues and see if there are things that can be eliminated before completing.

Wendy Clark, Bogue Road asked if there is a way to go back to the contractor to see if they can build a garage as it sits today. If they could, what would it take to put in a suppression system. Ms. Clark asked the board to make sure everything is looked at and have the contractor show that it is not doable.

Lori Davis, Buxton School Road stated that she chaired the building committee. She and Steve Roberts were very much aware that fire suppression was going to be in it. What do we have to do to get a fire suppression system in it? This has gone badly and the Board will never get another shot at another building like this in town.

Sherry Burdick asked if there was another way to heat the new building. She wondered if it could be used and then eliminate the radiant, would that be enough for fire suppression.

DPW Director Knapp stated people are coming in after to bring up things, but this project was approved as a design build. The Town is not hiring contractors at individual steps the general contractor hires all the contractors and we just stay out of the way. This is a new way of doing a large project. It may not be ideal, but it is what was approved because we didn't have and couldn't get engineering money to come up with solid plans to be put out to bid. The building committee of volunteers did the best they could and came up with a number of \$1.36 million to build a DPW garage with about 11,000 SF that would be used to house all the equipment. The decision not to have fire suppression was done at the Wednesday meeting in April before bringing it to the Board, not one month ago like it was stated prior. DPW Director Knapp stated that if you want to blame anyone for the lack of fire suppression you can blame him. He wanted all his trucks inside and in order to do that we had to let something go. If the trucks sit outside it takes 45 minutes to load the trucks and get out the door and it takes longer if the weather is freezing rain. If all the trucks are parked inside and ready to go it saves time and that helps with the public safety of all motoring traffic including the school busses. He has children and he wants to make sure the busses can get around safely as well. Fire suppression is to get people out and it is not to save the building. Director Knapp felt that water is really not the answer, a dry chemical system would be better. Regarding the clerk of the works, Director Knapp feels very confident that he will do a great job. He spoke to a resident that does this clerk of the works in another community for a living and he gets over \$200 per hour and he stated that he wouldn't consider working in Weare. The contractor and everyone has worked really hard to come up with what we have, there have been approximately 13 sets of plans done to get where we are today. It is unfortunate about the fire suppression, but we are getting a building to house and work on our equipment, which is ultimately what we are getting as voted on.

MEETING MINUTES

May 8, 2017 Minutes: Chairman Clow moved, Selectman Snyder seconded to approve the May 8, 2017 minutes as amended. Passed 4-0-1 Selectman Osborne abstained

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MANIFESTS

Chairman Clow moved, Selectman Meaney seconded to order the Treasurer to sign accounts payable and payroll checks dated May 18, 2017 as included in the following manifests:

Payrolls Manifest	\$ 43,353.33	(weekly payroll for w/e 04/06/17)
Accounts Payable Manifest	\$ 33,957.30	
TOTAL	\$ 77,310.63	

Discussion: Vice Chairman Hippler stated that in the payable manifest there is a large amount for an electrical contractor and he inquired if it was put out to bid per our purchasing policy. Town Administrator Bolton replied that it started out to have him do a minimal amount of electrical work so that the DPW employees could use the building as their temporary garage while the new one is being built. As he started working, more and more things had to be done causing an increase in cost. Chairman Clow explained that the Town took possession of a building located on 325 North Stark Highway for tax deed in July 2016. The DPW employees were in need of a place to do repairs and mechanical work, punch the time clock, etc. so instead of renting another facility this was repaired to make it the temporary garage until the new DPW garage is complete in the fall. **Passed 5-0-0**

ADMINISTRATIVE REPORT:

Town Administrator Bolton stated that there is nothing new this week, but she did need the Board's signatures on a couple of items. First was the tax warrant prepared for signature. The issue of the tax lien was executed this afternoon and taken care of. Second there were two capital reserve expenditure requests for Parks and Recreation. The first was to spend \$625 for a new urinal in the men's bathroom at Chase Park and to spend \$600 to paint the ceilings in the bathrooms, both expenses to come from the Chase Park Repair and Maintenance Fund. **Vice Chairman Hippler moved, Selectman Meaney seconded to approve \$625 for a new urinal and \$600 for painting of the ceilings for a total of \$1,225 to come out of the Chase Park Repair and Maintenance Capital Reserve Fund. Passed 5-0-0**

Town Hall Doors: Chairman Clow stated that he had put together an installation work list for the installation of the new Town Hall doors. He asked that each member review the list. Sherry Burdick was given a copy for her input as well.

PUBLIC COMMENT

Wendy Clark, Bogue Road was present. Ms. Clark asked about when Bogue Road might get paved. She stated that she was originally told this year, now she is told not this year, what is really happening. She was told that Mountain Road is going to be done, partially this year and partially next year. She saw signs go up today, so she is assuming that this year's work will be done between the construction signs. She stated that Bogue Road is just as bad if not worse. Merry Rice, Administrative Secretary for the DPW told Ms. Clark that the director is working on putting together the next 3-5 year plan. Ms. Clark stated that their road can't wait 5 years. She asked what she can do in the meantime to move it forward, petition. She claimed that it is getting to the point of being dangerous. Chairman Clow stated that last week he misspoke and Senate Bill 38 has not yet been approved, it is going before the House Finance Committee tomorrow, so if she wanted to reach out to the Weare representatives or attend the hearing to urge the passing of this bill it might help. Ms. Clark asked what happens if the Senate Bill doesn't pass, what can she do. Chairman Clow informed Ms. Clark that she has done all she can for now and that is to come forward and make everyone aware. DPW Director Knapp stated that with the road reconstruction funds it allows about 2 miles of road to be done each year. This year they overlaid the worst

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sections of Reservoir Drive and River Road; they put top coat on Deerhaven Road and Mt. William Pond Road; and they will do about 1 mile of Mountain Road with all this year's funds. Ms. Burdick asked if the potholes could be patched and then compacted with the roller. DPW Director Knapp replied that when they put down cold patch the truck drives over and back on it to pack it down. Ms. Clark stated that is a short band aid. DPW Director Knapp agreed but he has spent all his cold patch money for this year as well. He stated that if he has some funds left he can look at doing something, but it would only be a patch again.

Lori Davis, Buxton School Road was present. Ms. Davis stated that she read the minutes last week and she is angry and upset at what she saw. She met with Selectman Snyder and went over things to make sure she didn't miss anything. First, the Noise Ordinance Subcommittee had a meeting and the minutes should have been done, but her mother passed away and she has been gone, so they will be turned in on Wednesday this week. The group is volunteers and they are doing the best they can. Second, she was the Chairman of the DPW garage committee. Nobody would take minutes at those meetings and at no time was she going to be able to chair and take minutes. She stated that she did not appreciate the fact that she was thrown under the bus and asked that it not happen again. Ms. Davis basically informed the Board that the last Noise Ordinance Subcommittee there was John Vanloendersloot, Greg McDowell and herself. They took a vote and the vote was not to have a noise ordinance and the committee was disbanded so that now it is back to the Board of Selectmen. She indicated that there are still a few issues in isolated locations like the back side of Horace Lake with the resort holding weddings and in another location someone is shooting at tannerite. Daniels Lake area is now having shooting with high powered equipment causing irritation and a nuisance to lots of people, but the next step will be up to the board.

Town Administrator Bolton stated that an email was received from Attorney Spector-Morgan regarding minutes for this committee. The reply stated that "if the volunteer committee was not appointed or otherwise authorized by the town, there is no 91-A violation. The meetings with the clerk of the works, the DPW director, the contractor and you are not public meetings either, because you are not appointed and because you are not considering an issue to provide the BOS with advice or recommendations regarding public policy or legislation." There was a concern with the wording "by the town" as to what that meant exactly, so Attorney Spector-Morgan should be asked for clarification. Betty Straw, Flanders Memorial Road, stated that it should be of an ad-hoc committee and not volunteer. Sherry Burdick, 382 Deering Center Road stated that if you have a committee pulling together a plan to spend \$1.36 million dollars she really feels there should be minutes, as she feels that it is more than volunteers. Some of the volunteers have backgrounds in the field where some did not.

CORRESPONDENCE

Town Administrator Bolton informed the Board that the Town received three letters from Continental Paving informing the Town that they will be paving for the State of NH in three locations in Weare. First, on NH Route 77 for 1.0 miles, Spot Paver Drag Shim from the intersection of NH Route 114 easterly to the intersection of Pine Hill Road and on Route 77 for 1.0 mile, ¾" Paver Shim working from the intersection of NH Route 114 easterly to the intersection of Pine Hill Road. Lastly on Center Road for 0.9 mile, ¾" Paver Shim working from the intersection of NH Route 77/114 northerly to the intersection of NH Route 77. The work is going to begin on or about May 15th and continue through the week, weather permitting.

OTHER BUSINESS

Selectman Snyder asked that for next week if we could put on the agenda a discussion regarding the Building Committee. Chairman Clow stated that we should also revisit the Noise Ordinance and Firing Range Feasibility Subcommittees as well.

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NONPUBLIC SESSION:

Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 10:06 p.m. pursuant to the authority granted in RSA 91-A:3II (c). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Vice Chairman Hippler moved, Selectman Meaney seconded to exit from the nonpublic session @ 10:24 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0

The Board went into nonpublic session to discuss a letter received from a resident regarding damage to their personal property that has not been handled in a timely fashion.

Being there was no further business to come before the Board, Selectman Meaney moved, Vice Chairman Hippler seconded to adjourn at 10:25 PM. Passed 5-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton
Recording Secretary