

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 22, 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: Mark Brownowski; Sgt. Ryan Frisbie; Greg McDowell; Frank Campana; Betty Straw; Sherry Burdick; Richard Butt; Gary Dionne; Chief Sean Kelly

NONPUBLIC SESSION:

Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 6:00 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 @ 6:29 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 interviewed a potential police officer for full time employment.

Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 6:30 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

Chairman Clow moved, Vice Chairman Hippler seconded to exit from the nonpublic session @ 7:02 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 Prosecutor Alex Gatzoulis for an exit interview as he will be moving on to Rockingham County in Brentwood.

Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 7:03 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, Vice Chairman Hippler seconded to exit from the nonpublic session @ 7:35 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

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The Board met with Police Chief Sean Kelly for contract negotiations.

Selectman Meaney left the meeting as he was not feeling well.

Chairman Clow welcomed everyone present and watching before calling the meeting to order at 7:36 p.m. followed by the Pledge of Allegiance.

DEPARTMENT HEAD/COMMITTEE ITEMS - none

CHASE PARK FEE TO ALL VETERANS FREE ADMISSION: Town Administrator Bolton informed the Board that there has been another proposed change to the gate fees at Chase Park. The fee changes were not posted as a public hearing. They will be posted by Wednesday for a public hearing on June 5, 2017. Parks and Recreation Director Karyn Stogner would like the Board to approve the provision to allow all veterans free admission to Chase Park. It will be included in the new list, but the park is going to open this weekend and she would like for any veterans that show up to be allowed in free. **Selectman Osborne moved, Selectman Snyder seconded to allow all veteran's free admission from now until June 5th when it will be formalized at the public hearing. Passed 4-0-0**

DISCUSSION OF IMC WITH POLICE: Chief Kelly stated that IMC is the police report management system. Sgt. Frisbie and the representative are present to discuss an upgrade to the current system. Mark Bronowski, representative for IMC stated that right now the officers have to manually type everything which is very labor intensive. What happens now when a stop is made, Goffstown dispatch is notified for information regarding the vehicle and/or individual. Goffstown searches the database and gets the pertinent information back to the officer. Once the stop is completed the officers have to return to the police department and type everything into the current IMC system. This new upgrade will put the software onto the Goffstown server. Goffstown will give the stop a case number and then all the information that is found pertinent to the stop will be backfilled into the report saving the need to go back to the department and type everything. Everything will be done in the field. The officers will be gaining the ability for more patrol time. The system will maintain its integrity and security that they have now, but it will just be housed in another location (Goffstown). Sgt. Ryan Frisbie stated that there is an upfront cost of \$8,914.74. The annual cost for the software will be \$5,633.75 saving \$3,166.25 annually over the current yearly cost. Sgt. Frisbie stated that it is also a good management tool. It allows for better tracking of personnel and getting them out on patrol more. There will be an additional cost for Verizon air cards to allow the internet connection to the tablets. The timeline change over target date is July 1st and it should not take more than 30 days to cut over. After July 1st there will be a significant price increase. Chief Kelly stated that he will take the money for the upfront costs from his cruiser maintenance line. It is the only real place and it is necessary. Chairman Clow stated that the main thing is that the cost will come from the police department bottom line. Vice Chairman Hippler and Selectman Snyder both agreed that on the flipside it will be a better use of the officer's time. **Chairman Clow moved, Selectman Snyder seconded to approve the upgrade of the IMC system at a cost of all associated items not to exceed \$9,000.00. Passed 4-0-0**

Chief Kelly thanked the board for the support on the IMC change over. He stated that this all came about with the new cruisers coming in. They are hoping that they will be in shortly, then immediately they will go over to Ossipee Mountain for the rest of the outfitting. The turnaround from Ossipee is three days. Chief Kelly continued with some departmental information. From January 1st until today there have been 98 right-to-know requests. A good share of these requests are very labor intensive and he would like to thank Emily Dauphinais,

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Administrative Secretary for doing it. There have been a lot of them that have had to be sent over to Town Counsel to ensure proper redaction is done prior to releasing them, so there have been legal fees incurred. This 98 does not include discovery and motor vehicle accidents. He has put out an RFP for fleet cruiser maintenance, which is something the Board has mentioned in the past. It will be put on the Town website as well. Car 5 has degraded and they are now pulling parts off it to keep the other cars alive. With Prosecutor Alex Gatzoulis leaving they have advertised and have had 8 applicants. He has a prosecutor selection process in which he had 2 members of the bar develop a job description prior to advertising. Officer Jacob Hatch will be leaving for military leave in mid-June and should return in September. Sgt. Brandon Montplaisir has been on military leave since April and looks forward to his return around the first week in August. Chief Kelly stated that he is going to continue to look for possible recruits and he will be including NHTI in the next round.

DISCUSSION OF NOISE ORDINANCE SUBCOMMITTEE, FIRING RANGE FEASIBILITY SUBCOMMITTEE AND BUILDING COMMITTEE: Chairman Clow stated that at the last meeting the Board agreed to put these subcommittees as an agenda item to discuss the status and how the Town should proceed.

Noise Ordinance Subcommittee: Greg McDowell, member of the committee was present to go over the results of the survey that was conducted at the November election. The survey was voluntary and was relatively short that could be done quickly before or after voting. The first question asked where you lived: Weare Center ó 9; East Weare ó 13; North Weare ó 27; Horace Lake ó 25; Riverdale ó 4; South Weare ó 27; Clinton Grove ó 9; and Daniels Lake - 6. The next question asked if you had a concern with noise issues: Yes ó 115 and No ó 170. The last question was what type of noise you are concerned with: Construction ó 13; Loud cars and trucks ó 49; Explosions ó 40; Parties and loud music ó 15; Fireworks ó 38; Shooting ó 52; other ó 5. Chairman Clow stated that the Board of Selectmen put together an ordinance for the warrant in 2015. The warrant article (#34) was changed on the floor at deliberative session to read: Shall the Town authorize the Board of Selectmen to study a "Noise Ordinance", which regulates unreasonable noise, and that this ordinance after two (2) public hearings will be brought before the Town for a vote. The article passed. In late 2015/early 2016 a subcommittee was put together, and unfortunately membership dwindled over time. In April of 2017 a vote was taken by the subcommittee to give this back to the Selectmen. No draft of the ordinance was done largely because the survey indicated that the majority of people that participated in the survey did not have an issue with noise. Chairman Clow stated now it is back to the Board to do something but he would like to have a discussion with a full board. Town Administrator Bolton was asked to pull out the last draft that was created and resend it to all members for a future agenda item. The Board thanked all the volunteers that participated on this subcommittee and relieved them of their duties.

Firing Range Feasibility Subcommittee: Gary Dionne, member of the committee was present. Mr. Dionne explained that in March 2016 warrant article 35 stated: Shall the Town establish a feasibility study committee for the purpose of making safety and operational improvements to the Town's firing range located behind the Transfer Station? The committee shall develop a plan and cost of the project. That article passed by a vote of Yes ó 833 and No ó 529. A subcommittee was started and the first meeting was in May of 2016. Mr. Dionne would like to know when it was and who it was that closed down the firing range. Chairman Clow stated that to his knowledge it started out as a police range and not for the public. Chief Begin allowed permission with waivers being signed and that's how it evolved to being open to the public. Mr. Dionne replied, so what he was hearing is that no one made specific decisions to allow people to utilize it? Mr. Dionne stated that the very first meeting was May 24, 2016 with 9 town's people attending. Keith Lacasse was elected Chair for these meetings as well as keeping the minutes. Several matters were discussed and certain people on the committee were asked to research certain aspects and bring that information to share on the next scheduled meeting on June 10, 2016.

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That meeting was cancelled and not rescheduled, without any email or phone message to the committee, ending with a few people showing up that evening and finding the Town Hall doors locked. We waited for about 30 minutes and left a voice message for Chair Keith Lacasse, as well as 3 more emails asking why no notice of cancellation or reschedule. Mr. Dionne stated that he did not receive contract until 7/21/16, a month and a half after I requested a response. The next meeting was scheduled on 9/19/16 for Thursday, October 6, 2016 at 7 PM. Once again the meeting was cancelled with no notice to committee members, leaving a few people standing in the parking lot of the Town Hall for 30 minutes wondering what happened again. At this point Mr. Dionne sent an email to Chair Keith Lacasse asking that he be removed from the range committee for two reasons. First, the last two meetings were no shows without any notification and two that after 7 months with only one meeting he had lost faith that anything will get done that will end upon on the ballot for March 2017. Chair Lacasse emailed Mr. Dionne back two days later apologizing and asking him to stick things out. The next meeting apparently on 11/22/16 with no notification of said meeting, hence he was not given the opportunity to attend such meeting, but found out about it after seeing the meeting minutes on the town website. These minutes also showed the next meeting would be on 12/16/16. This meeting never happened, nor did any other range committee meeting happen since the 11/22/16 meeting. Nothing was even close to being put together to end up on the March 2017 ballot, thus not meeting last year's warrant article deadline to have something for the voters to vote on in the March 2017 ballot. Mr. Dionne respectfully asked that the Town firing range be reopened immediately until such time that the Firing Range Committee has had enough time to come up with the best plan of improvement with the least cost and impact to taxpayers so that the voters can vote on it, since it impacts them and no one else. Chairman Clow stated that there are board members with concerns of having a firing range on public property. The only town firing range that we have been made aware of is the one in Seabrook which has a limited amount of time it's open as well as having supervision which is a huge issue. Chairman Clow stated that he is personally against it and he knows that Selectman Meaney is not in favor either. Vice Chairman Hippler stated that he is against it initially itself without supervision. Mr. Dionne responded that he understands that at public places there are range officers and supervision. He felt the system that was used was that you had to come to the police department and fill out a form. Then you had to call for range time to see if it was open. At the time this was happening Officer Nick Nadeau had some great suggestions without huge costs. Those using the range were certified. It seemed to him that tweaking what was in place would work. He didn't understand the insurance issue as it has been insured with it all these years. He was in favor of keeping it open before it was closed. He was going to look to see if there was any government entities to help assist in the plans. Mr. Dionne stated that at this time it appears that three of the board members are against it so it probably wouldn't happen. He then asked about what it took for a petition article. He was informed that it takes 25 register voters signatures on any petition. Mr. Dionne asked what it would take to close it now if it was still open, just the Board or Town approval. Chairman Clow stated that the Board has authority to close it as it is Town land. Selectman Osborne recalled that it was originally built for the police and the town for certification. He stated that he would be dead set against opening it. A lot of his reasons are based on what happened down there in the past while he worked at the Transfer Station. He stated that there are plenty of scary people shooting without permission. Chairman Clow stated that the overall concern is safety and that it is not a good risk. Mr. Dionne asked about maybe finding another Town owned location. Chairman Clow stated that he is not in favor of this on any town property without a range officer because he feels it would be a frightening situation without it. Mr. Dionne asked the Board to see if the Town insurer has any issue with it before he does a lot of legwork for nothing and let him know. Greg McDowell who was also on this committee stated that he feels the big issue is shooting the place up. He talked with Officer Shane Arsenault who took over after Officer Nick Nadeau left and he had some ideas of how to build one. Mr. McDowell stated that he knows how to build one. He also thinks the biggest issue is liability. He stated that if you were to get volunteers to help build it who's going to stop anyone from going down there and shooting it up again. Mr. McDowell stated that the Bow

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Pioneers have an on line application that you can fill out and get in line. He did it a little while ago and he recalls that it didn't take that long to get in. He feels that it is not a good idea for it to be located on Town property.

Building Committee: Chairman Clow handed out a draft Weare Building Committee document from 2008 which reads:

“The Weare Building Committee is established to assess the short term and long term building needs of the Town of Weare and to make recommendations to the Board of Selectmen on how best to meet those needs. Such assessments may lead to recommendations on the maintenance, repair, or renovation of present town buildings as well as recommendations for additional space and building replacement. The Building Committee will be composed of five (5) members with one member being a selectman. Whenever possible the Board of Selectmen will seek members for the Building Committee who have expertise in the building industry.” Chairman Clow stated that he is unsure if it was ever adopted and would like to have the Town Administrator look into it. Sherry Burdick was on the original building committee with George Malette, Don Burke and Joe Fiala. Mr. Fiala took all the minutes. Ms. Burdick stated that she and Mr. Burke worked together and were instrumental in getting the skylight at the Stone Building as well as windows and air conditioning at the Town office. She expressed her desire to have smaller boards/committees because more gets done. She also wants to make sure that people on the committee should have expertise in the building industry. She has and is always willing to help do research on things in an effort to make sure they are done right the first time.

Chairman Clow recapped where we are on the subcommittees/committees discussed tonight. The Noise Ordinance Subcommittee is no longer active and it is the Board's responsibility to continue with it. The Firing Range Feasibility Subcommittee is defunct. The Building Committee needs to be looked into regarding the adoption of the document from 2008. After the status is determined the Board would like to start to find members interested and appoint them.

MEETING MINUTES

May 15, 2017 Minutes: Chairman Clow moved, Selectman Osborne seconded to approve the May 15, 2017 minutes as amended. Passed 4-0-0

MANIFESTS

Chairman Clow moved, Vice Chairman Hippler seconded to order the Treasurer to sign accounts payable and payroll checks dated May 25, 2017 as included in the following manifests:

Payrolls Manifest	\$ 48,434.93 (weekly and monthly payroll)
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Accounts Payable Manifest	\$ 250,379.33
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Supplemental Accounts Payable Manifest	\$ 200.00
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TOTAL	\$ 299,014.26
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As there is no Selectmen's Meeting scheduled for Monday, May 29, 2017,

Please vote: To order the Treasurer to sign payroll checks dated June 1, 2017 estimated to be about \$50,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$40,000.00 for accounts payable that cannot wait until the next scheduled meeting of June 5, 2017 without incurring late charges or interest. Reports and actual check amounts will be reported to the Board of Selectmen by inclusion on the Manifest Memo at the next schedule meeting. Passed 4-0-0

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### **ADMINISTRATIVE REPORT:**

Town Administrator Bolton stated that she would just like to remind everyone that beginning next week starts the summer schedule and the bi-weekly board meetings. The Board will be meeting June 5<sup>th</sup> and 19<sup>th</sup>; July 3<sup>rd</sup>, 17<sup>th</sup> and 31<sup>st</sup>; and August 14<sup>th</sup> and 28<sup>th</sup>, returning to weekly meetings beginning September 11<sup>th</sup>.

### **PUBLIC COMMENT**

Richard Butt, 90 Old Town Road, had a couple of things he would like to follow up regarding the Noise Ordinance Subcommittee. The article passed by 60% to allow the Selectmen to bring a Noise Ordinance forward to the March 2017 vote and that didn't happen. The subcommittee of the Board began meeting in October 2016 with 10 people present. Now in April of 2017 there were only 3 people present, which doesn't seem like a quorum. He listened to the results of the survey and there were only 52 that indicated issues with shooting/firearms, but where did the complaints all come from. He doesn't understand what happened and why stop it because the Town vote decided to put a noise ordinance which is the Board of Selectmen's responsibility. It needs to be looked at and determine impact areas where shooting/firearms are just not allowed. We are no closer today than we were 3 years ago and he hoped that the board doesn't drop it. He offered to put something together because it impacts the quality of life. The Noise Ordinance is a different issue than the Firing Feasibility Subcommittee, whereas there was no oversight, nothing was done. Mr. Butt stated that last week the DPW Director made a statement that the town voted in a design build structure. He disagrees. All the documentation and talks about building a new building consistently talked about fire suppression. It has been talked about 5 times at deliberative sessions. He thought we were getting a building with fire suppression and he hopes we still are. There was discussion at deliberative session based on the Henniker and Hopkinton fires and the loss they incurred.

Sherry Burdick, 382 Deering Center Road, she has a few questions regarding the DPW garage. She asked if it was true that there is a town policy that indicates if a job is not filled that it needs to be reposted in 30 days. The response was no. She continued stating that the clerk of the works has stated he has no insurance what is the town's liability with that. She doesn't think it is right. Has the general contractor doing the job done other jobs like this from start to finish? The response was that they are a very reputable company that has done projects like this. Has the meeting been set with Turnstone and the clerk of the works yet? The response was we are hoping for the next meeting which is June 5<sup>th</sup>. She asked about who decided on design build. The response was that it was stated in the request a year prior when a warrant article was written for \$25,000 for professional construction documents drawn up that would take us through the design development stage for a new DPW facility. Lastly Ms. Burdick asked how much money have we paid to date for this project, \$250,000? Town Administrator Bolton replied that it was more like around \$80,000 but she would have to verify that to be sure.

### **CORRESPONDENCE**

Town Administrator Bolton shared with the Board a letter that came in today's mail that was unsigned. There was a complaint form that was filled out in the Assessing Department last week by someone that refused to put their name on it or sign it. The Board stated that the letter would be held until someone comes forward for a response.

### **OTHER BUSINESS**

Selectman Snyder asked when Turnstone and the clerk of the works will be coming in. Town Administrator Bolton replied that she is hoping for our next meeting, June 5<sup>th</sup>. Selectman Snyder continued that it keeps

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getting passed off and her concern is the schedule that was presented. It is going to continue without getting answers to the questions. Questions like the price for the dehumidifiers and can we live without them. The holding tank should it be inside or outside. The cost of radiant heat versus other types of heat, could there be savings enough with these to do fire suppression. Chairman Clow stated these are the same questions we have heard from lots of people.

Selectman Snyder stated that in the May 24, 2015 Selectmen's minutes under the Administrator's report it indicates that there will be a Public Works Advisory Committee meeting on May 6<sup>th</sup>.

Selectman Snyder stated that a few weeks back she mentioned about the forest harvesting in the Poor Farm Road Forest and she would like to have the Town forester come in and explain why it was left such a mess. She suggested that maybe it could be a June 19<sup>th</sup> item. Town Administrator Bolton will check with the Town Forester to see if he can make it that night.

### NONPUBLIC SESSION:

**Chairman Clow moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 9:55 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; Vice Chairman Hippler – yes. Passed 4-0-0**

**Vice Chairman Hippler moved, Selectman Osborne seconded to exit from the nonpublic session @ 10:32 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Vice Chairman Hippler – yes. Passed 4-0-0**

The Board went into nonpublic session to meet with a taxpayer regarding a payment arrangement option. The Board acted upon damage to a resident's personal property. Lastly the Board discussed a welfare application.

**Being there was no further business to come before the Board, Vice Chairman Hippler moved, Selectman Osborne seconded to adjourn at 10:33 PM. Passed 4-0-0**

### ADJOURNMENT

A True Record.

*Naomi L. Bolton*

Naomi L. Bolton  
Recording Secretary