



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 1, 2018**

PRESENT: JON OSBORNE, SELECTMAN; JAN SNYDER, SELECTMAN; FREDERICK W. HIPPLER, CHAIRMAN; SHERRY BURDICK, SELECTMAN

RECORDING SECRETARY: Hannah Smith

TOWN ADMINISTRATOR: Naomi L Bolton

GUESTS: Denise Purington, Michael J Haas, James Drury, Donna Osborne, Tom Clow, Betty Straw, Beth Rouse, Neal Kurk, Stephen Najjar, Peter Flynn.

Chairman Hippler called the meeting to order at 6:30 and asked for those present to join the Board for the Pledge of Allegiance. He then asked for a moment of silence to recognize Don Burke, husband of the School Board chair, who passed away this week.

PUBLIC COMMENT: Frank Campana was present to follow up on his inquiry at the September 10th meeting regarding repairs of Town vehicles by DPW vs outside party – has the Board looked into this? Chairman Hippler commented that he personally has not, but as it is inspection month for the entire fleet, the DPW is busy. Mr. Campana also followed up on his comment at the September 10th meeting regarding the tax rate – Finance Administrator Rouse does include the figure he had requested in the budget report, and Mr. Campana requests this practice be continued.

DEPARTMENT HEAD/ COMMITTEE ITEMS: Finance Administrator Beth Rouse presented the default budget. The most significant changes are wages, lowered insurance premiums, and lowered New Hampshire Retirement Systems contributions.

GAZEBO DISCUSSION: Neal Kurk, Denise Purington, and Mike Haas of the Weare Historical Society were present to discuss plans for the Town gazebo repair/replication. As it is busy season for the relevant companies, they have had difficulty getting estimates and have only had one engineer able to make a site visit – the engineer reported the gazebo isn't a safety concern, but requires some maintenance and minor restoration, and could be braced. The Historical Society requests an extension to May 1st 2019 to get estimates. The gazebo has a unique 7-sided design with locked trapdoor to roof space and was given to the Town by the Historical Society in 1989 to commemorate the 225th anniversary of the Town. The Historical Society will cover the costs of repair/ replication through fundraising to minimize burden on taxpayers (perhaps by selling individual brick engravings with donor's name). Chairman Hippler requested clarification regarding the historical significance of the 7-sided design. Mr. Kurk replied that the intent was an 18th-century Monticello style. Ms. Purington

reminded the Board that neighboring Towns have gazebos given to them through local fundraising. Mr. Haas commented that so far, estimates on replacements have been largely for 8-sided Victorian style. Chairman Hippler commented that the load-supporting columns are rotting and vandals have kicked out some railings. To deter vandals, Mr. Kurk suggested the addition of benches to protect the railings. Ms. Purington commented that the Historical Society is hoping to salvage the current structure to prevent wastefulness. Ms. Purington also commented the gazebo in Henniker is directly in front of teen center and has no issue with vandalism – perhaps youth/ school education programs about historical significance would benefit Town. Chairman Hippler inquired regarding the foundation. Mr. Kurk and Ms. Purington replied that it has no foundation and buried debris may impact replacement, so assessment will include foundation. Selectman Osborne reminded the Board that DPW Director Benji Knapp has offered to assist with this. Chairman Hippler inquired if the Board was ready to make a decision; Town Administrator Bolton requested clarification – as the Gazebo is a Town building, does their repair/ replication process have to go through a RFP process. Ms. Purington replied that the Historical Society is happy to work within the necessary parameter – that is why they are checking in with the Board, to get a sense of budget, scale, and ability to salvage. Chairman Hippler reminded the members of Historical Society that the Board had concluded the gazebo should be removed if no decision had been made by October 1st. Selectman Burdick suggested that as there is not a full Board this evening the decision should be tabled to the next meeting, October 15th. Ms. Purington asked if the Historical Society members should plan to return then. Chairman Hippler replied that that wouldn't be necessary as Board has the relevant information. Selectman Snyder requested the Historical Society let the Board know of any updates before October 15th. Ms. Purington requested clarification regarding the key to the padlock to the trapdoor to the roof space of gazebo, as being able to inspect the roof space is important in making this decision; Selectman Snyder agreed, especially regarding snow load. Town Administrator Bolton inquired if the padlock fits the Town master key. Mr. Haas presented a photo of the padlock. Mr. Kurk requested permission to snap the padlock if master key doesn't fit. Chairman Hippler granted permission to the Historical Society to snap the padlock to the roof space if the key cannot reasonably be found.

TOWN OWNED PROPERTY DISCUSSION: Steve Najjar, Vice Chair of the Conservation Commission, was present to discuss some of the properties on the tax-deeded property list. Town Administrator Bolton commented that due to email issues, Mr. Najjar's letter was not properly sent out to the Board in advance. The Conservation Commission is requesting the removal of several properties from the tax-deeded property auction, with the intent of placing these properties on the 2019 warrant to be placed in conservation status. The Town hasn't auctioned off tax-deeded land in a while, but the Conservation Commission has historically helped to preserve land to protect the Town's water and land/ forestry resources in a fiscally responsible manner. The properties the Conservation Commission is requesting be removed from the tax-deeded property list are proximal to recreational use, animal habitats, or public access, and would have a minor financial gain for the Town, as they are small and not ideal for development. Mr. Najjar also commented regarding the long-term impact on the Town, citing the Horace Marsh restoration as an example. Mr. Najjar also expressed concern about a camp and illegal dredge/ fill located on one of these properties. Mr. Najjar also expressed concern as the Conservation Commission only recently received list of these properties. Town

Administrator Bolton explained that some of these properties have been on the tax-deeded list since the 1990s, despite inaction, and the auctioneer will offer this information to abutters. Selectman Snyder inquired regarding the possibility of nobody bidding on these properties, as they are small and not ideal for development. Mr. Najjar expressed his concern that a reserve was set only for properties with buildings. Selectman Osborne commented that the Board is charged to do what's best for the Town, and he believes a fair auction process that will bring in tax revenue satisfies that. Mr. Najjar commented regarding the cost of community services, and the proportion covered by tax revenue. Selectman Burdick requested clarification on which properties have public access, are small and not ideal for development. Chairman Hippler suggested Daniels Lake property (map/lot 109-030, 0.08 acres) and maybe Abijah Bridge wetland (map/lot 107-71, 0.11 acres). Mr. Najjar stressed importance of Horace Marsh property (map/lot 107-15, 3.7 acres). Town Administrator Bolton commented regarding the easement discussion of the previous meeting, September 10th. Chairman Hippler also expressed concern regarding wasting time of auctioneers by drastically reducing property list throughout process. Chairman Hippler commented regarding some conditions to be placed on properties, such as Clark Mill Road turnaround. Selectman Burdick inquired regarding the Conservation Commission budget to bid/purchase. Mr. Najjar clarified that third-party would be necessary. Mr. Najjar expressed concern over transparency of tax-deed auction process (rushed, Board hasn't visited all these properties, incomplete lists provided to public as property list narrowed down with St Jean Auctioneers) and lack of input from Conservation Commission. Town Administrator Bolton expressed offense at accusations of "secretive," as tax-deeded auction process has been discussed for a long time. It started at Town meeting in February. Selectman Osborne inquired regarding an unrelated matter, specifically related to \$3800 gate bid – why did the Conservation Commission not follow the Town's purchasing policy? Mr. Najjar explained it is precedence. Chairman Hippler suggested Town Counsel Laura Spector-Morgan be consulted for an opinion. Mr. Najjar will follow up. Mr. Najjar inquired regarding an unrelated matter – a notification from the Piscataquog Land Conservancy regarding an encroachment on a conservation land with easement, requesting advice on further action – call Town Counsel Spector-Morgan regarding seizure of property. Chairman Hippler suggested the Police know specifics of property seizure. Selectman Osborne suggested making a decision regarding the properties the Conservation Commission is requesting be removed from the tax-deeded property list until a full Board can be present. Town Administrator Bolton reminded the Board that the auction is November 17th. Town Administrator Bolton also requested clarification from the Conservation Commission regarding the lack of participation in the CIP process – warrant articles for land acquisition. Mr. Najjar explained that it didn't have to as the funds were coming from the Town Forest account. Town Administrator Bolton agreed that it is similar to other Town budgeting processes, such as the ambulance, and requested that in the future, the Conservation Commission department head attend CIP to prevent further confusion. Mr. Najjar agreed. Chairman Hippler suggested a member attend the deliberative session on February 9th, 2019, at 9:00 AM to be prepared for any questions that come up. Last year there were questions regarding this article and no one was available to answer the questions.

APPROVAL OF MEETING MINUTES: Selectman Osborne moved to accept the minutes of September 10th as amended, Selectman Burdick seconded; passed 4-0-0.

The Board agreed to table the minutes of September 17th to the next meeting.

MANIFEST: As there will be no Board meeting on October 8th, **Chairman Hippler moved to accept the manifest as follows, Selectman Burdick seconded; passed 4-0-0.**

To order the Treasurer to sign the payroll and accounts payables checks dated October 4, 2018 as included in the following manifests:

<i>Payroll Manifest</i>	\$ 56,953.39 (Weekly payroll)
<i>Fire Department Monthly Payroll Manifest</i>	\$ 3,295.30 (September payroll)
<i>Accounts Payable Manifest</i>	\$ 121,316.98
<i>John Stark Regional Accounts Payable Manifest</i>	\$ 250,000.00
<i>Total</i>	\$ 431,565.67

The following manifests were previously ordered to sign at the September 17, 2018 Board of Selectmen meeting:

Payroll Manifest dated 09/27/18)	\$ 59,905.80 (Weekly & Monthly payroll checks
Accounts Payable Manifest	\$ 50,354.12 (Checks dated 09/27/18)

ADMINISTRATOR'S REPORT: Town Administrator Bolton requested a nonpublic session at the end of the meeting.

Joint Loss Management Committee: Town Administrator Bolton met in September and will confirm meeting time and date for the next quarter.

Hazard Mitigation Plan: Town Administrator Bolton expressed concern with the SNHPC's schedule, as they are running out of time to finalize the Hazard Mitigation Plan with the State.

ACO Position: As there were no applicants received, Police Chief Sean Kelly will continue to recruit.

Deliberative Session: Confirmed for Saturday, February 9th at 9:00 AM at the WMS Cafetorium.

Lawn Care Contracts: The only addition to the current lawn care contract will be regarding the cemeteries and the entire Town-owned grass area around the Gordon Brown barn. Selectman Osborne inquired regarding the monthly payment and accountability. Town Administrator Bolton explained the lawn care contracts are paid

at the end of the month, and contracted work must be completed by the 15th for payment to be sent out; accountability by the Town residents. Chairman Hippler requested clarification regarding the back access of the Safety Complex – should be included. Town Administrator Bolton confirmed 3 year RFP bid would include Safety Complex back access, the Board confirmed.

2019 Budget Schedule: Police on October 15th, DPW on October 22nd, Fire Department on October 29th. The Department of Revenue Administration (DRA) will be finalized this week to be able to set the Town tax rate at the next Board meeting on the 15th.

GOVERNMENT BUILDING & MAINTENANCE PROJECTS:

Gazebo: Per the discussion earlier this meeting, the Board will wait to make a decision until October 15th.

Gordon Brown Buildings: Town Administrator Bolton has emailed Walker Roofing regarding scheduling, but has not received a reply, and is concerned as 1/3 deposit was given up front.

Security Camera Project: Town Administrator Bolton has emailed Paesik for clarification on their RFP bid. The bid does include integration with current camera system, Paesik staff monitors video footage, Paesik covers 1 year of parts and labor (after 1 year, Paesik provides labor at \$115/hour), manufacturer covers equipment for 5 years. The Town has to provide a 110 VAC power and network connection for recorder – the Town already has this but will need to provide access to Paesik. Town Administrator Bolton had inquired regarding annual fee – optional; after the first year, service can be as-needed or \$987/year. If the bid is awarded to Paesik, the budget is short \$1800. Town Administrator Bolton inquired regarding the insurance; Chairman Hippler replied that he had double-checked and Paesik has commercial insurance that expires January 2019. **Selectman Burdick moved to award the Security Camera bid to Paesik with the additional \$1800 coming from the Police Department operating budget and to authorize Chairman Hippler to sign on behalf of the Board; Selectman Snyder seconded; passed 4-0-0.**

General Contractor for Building Projects: The Board expressed interest in discussing specifics of job description as they prepare for budget season. Chairman Hippler reminded the Board the Town has historically had an engineering firm on speed dial but this is not always reliable, as there are often multiple subcontractors. Town Administrator Bolton requested clarification regarding whether the general contractor should be a group or an individual. Chairman Hippler expressed concern about Board micromanaging. Selectman Snyder suggested that as the Code Enforcement Officer is retiring soon, the Code Enforcement Officer duties and general contractor duties could be encompassed into a new position to be responsible for following up on bids. Chairman Hippler expressed concern over discipline/ follow up of unanticipated events. Selectman Burdick suggested that the Code Enforcement Officer inspect and approve before payment. Chairman Hippler inquired regarding delegation of general contractor duties. Town Administrator Bolton suggested a job description of overlapping duties of custodian and Code Enforcement Officer. Selectman Burdick commented regarding the intensive process of interviewing and following up; Town Administrator Bolton agreed regarding the benefit of having a vetted contractor.

Food Pantry: Town Administrator Bolton will be meeting with the Food Pantry on Wednesday morning. Chairman Hippler requested a synopsis of meeting over email. Selectman Snyder inquired whether they have found a location. Town Administrator Bolton replied that there is a lot of confusion around this.

CORRESPONDENCE/ OTHER BUSINESS: The Town of New Boston wrote a letter regarding perambulation of the Town borders. Perambulation of the Town's 10 boundaries sites must take place every 7 years. The Town will prepare a report and confirm dates/ times in mid-October. Rodney Towne, Selectman of New Boston, will be attending. Chairman Hippler and Selectman Burdick inquired regarding the time of day; Town Administrator Bolton will follow up with Mr. Towne to confirm schedule.

Chairman Hippler followed up on his email regarding HB 1673 – changes in the delinquent tax model from 12% to 8%, effective Jan 1st 2019. Selectman Burdick and Selectman Snyder suggested reaching out to Tax Collector Sharon DeStefano for more information.

Chairman Hippler confirmed that the two properties mentioned earlier this evening have been removed from tax-deed properties list.

Selectman Snyder requested clarification regarding evictions. Town Administrator Bolton will follow up with Town Counsel Spector-Morgan, but they have signed relevant paperwork. Town Administrator Bolton requested clarification of single home on property, per building code. Selectman Snyder inquired regarding grandfathering. Town Administrator Bolton suggested stipulations on tax-deeded properties, such as removal of additional homes. Selectman Snyder suggested looking into more of these options. Selectman Osborne suggested a buyer beware auction note that property is nonconforming to current regulations. Chairman Hippler inquired regarding Zoning Board. Selectman Burdick inquired regarding subdividing properties. Chairman Hippler commented regarding variance and septic. Town Administrator Bolton clarified, as property in question is 4.1 acres, too small to subdivide.

Selectman Osborne inquired regarding Class VI roads – the Board, DPW, Fire, Police, and Building/ Code Enforcement Officer should visually assess. Town Administrator Bolton suggested they all sit down together before to get on the same page, and suggested Wednesday the 10th at 4:00 pm. Chairman Hippler confirmed. Selectman Burdick requested clarification, as Town doesn't maintain Class VI roads. Chairman Hippler commented regarding setting a standard precedence. Town Administrator Bolton commented regarding continuity if issue ever goes to Zoning Board, per RSA 674:41.

Selectman Snyder inquired regarding new additions to tax-deeded property list; Town Administrator Bolton confirmed. Selectman Snyder inquired regarding lienholders on North Stark property. Town Administrator Bolton confirmed. Selectman Snyder expressed concerns, per RSA 80:90, if the former owner does not elect to repurchase their property, proceeds from the auction are turned over to one easily-identified former owner, if no lienholder, or the Town has to file interpleader in superior court. Town Administrator Bolton inquired regarding administrative fee of 15%. Selectman

Snyder clarified that it has been reduced to 10%. Selectman Snyder also commented regarding attorney fees of Town Counsel Spector-Morgan, but has to be set up with superior court. Town Administrator Bolton confirmed lienholders notified before property seized by Town. Selectman Snyder requested confirmation that Town gets money it's owed, lienholder gets remainder, then owner – Board's responsibility to do this though superior court. Chairman Hippler requested clarification regarding bank as lienholder on deed. Town Administrator Bolton explained regarding foreclosure. Chairman Hippler expressed concern with responsibility of Board to ensure lienholder paid appropriately, especially if financial costs will be incurred. Selectman Snyder commented that lienholders notified that property seized but not necessarily notified that property will be auctioned. Selectman Burdick suggested reimbursement from court if financial costs have been incurred by assisting lienholders. Selectman Burdick advised eviction notices be sent out soon. Town Administrator Bolton commented regarding rent for evicted.

Chairman Hippler announced the Town would be having trick-or-treating on October 31st from 4:00 to 8:00.

Chairman Hippler reported on a discussion with a resident of River Rd/ Depot Rd, Selectman Burdick, and DPW Director Benji Knapp following up regarding solutions.

NONPUBLIC SESSION:

Chairman Hippler moved, Selectman Burdick seconded to enter into nonpublic session @ 8:30 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 Hippler – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved, Selectman Osborne seconded to exit this nonpublic session @ 9:29 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved, Selectman Snyder seconded to seal and restrict these minutes of this nonpublic session. Passed 4-0-0

Being there was no further business to come before the Board, Chairman Hippler moved to adjourn at 9:19PM, Vice Chair Meaney seconded; passed 5-0-0.

ADJOURNMENT

A True Record.



Hannah Smith
Recording Secretary