

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 15, 2018

PRESENT: JONATHAN OSBORNE, SELECTMAN; JANET SNYDER, SELECTMAN; FREDERICK W. HIPPLER, CHAIRMAN; SHERRY BURDICK, SELECTMAN; JOHN (JACK) MEANEY, VICE CHAIR

RECORDING SECRETARY: Hannah Smith

TOWN ADMINISTRATOR: Naomi L Bolton

GUESTS: Brenda Cannon, Frank Campana, Richard Butt, Tom Clow, Lori Davis, Beth Rouse, Sean Kelly, Dennis Aubin, Donna Osborne, Betty Straw, Heleen Kurk, Tim Matheson, Michael Sullivan, Neal Kurk.

Chairman Hippler called the meeting to order at 6:15 PM

NONPUBLIC SESSION:

Chairman Hippler moved, Vice Chairman Meaney seconded to enter into nonpublic session @ 6:15 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 Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

This nonpublic session was to meet with a tax payer to discuss for their outstanding taxes.

Chairman Hippler moved, Vice Chairman Meaney seconded to exit this nonpublic session @ 6:35 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

Vice Chairman Meaney moved, Chairman Hippler seconded to seal and restrict these minutes of this nonpublic session. Passed 5-0-0

Chairman Hippler stated that the Board met earlier with a taxpayer to discuss outstanding taxes and an arrangement. He then asked for those present to join the Board for the Pledge of Allegiance.

PUBLIC COMMENT: Frank Campana was present to comment regarding the setting of the tax rate. He stated that it will be interesting to see what the Board will return to reduce taxes and if the Board keeps the tax payer first. He called to check with the Finance Administrator Beth Rouse to verify the following numbers because he knew his number would be high. He was told that there was roughly \$102,000 of budget surplus from last year. He added into that the \$54,000 insurance check that was received from the ladder truck. He also took the liberty of adding another \$47,000 which he claims that the Board will “probably” put toward an article

for a police car. Mr. Campana stated that totals roughly a couple hundred thousand and he figures that is a starting point to reduce taxes.

Next, Mr. Campana stated that he was looking for some minutes on the Town website and he noticed on the front page that there were two public hearings posted. One for the transfer station fees which will take place next week. The second one, which he stated really floored him was coincidentally tonight at the safety complex. The Board of Firewards is meeting tonight and stated that they are discussing the increase of ambulance fees. He's hoping that it is only a discussion and that they will bring it to the Board. He continued by adding that they are a pretty select group of individuals down there and they like to be on their own and do things the way they want to do it. Something like that can certainly affect anyone in Town and he felt it should have been held here. He recalled the last time the fees were changed and the hearing was here.

Mr. Campana wanted to remind the Board that on June 18th there was a vote taken authorizing the money to go into the general fund. He specifically pointed out that three of the members specifically voted to have it go into the general fund. Mr. Campana stated that it seems like the Fire Chief still wants to get that money. It was presented at the CIP Subcommittee this year from the Fire Chief. The source of funding noted on the request for the Chief's car states \$40,000 will be coming from the current revenue (general fund) and \$8,000 from the special revenue. Mr. Campana stated that the Chief is still after that money. He also stated that he feels that he is being nudged by people reminding him the money is still there. Mr. Campana asked, how much money do they really need? The fees being discussed tonight at their public hearing goes into a fund to buy "things". It goes to buy things that are wanted not needed. There is a boat load of money down there. Mr. Campana stated that it's out of control folks. He stated the money should go to pay down his taxes.

Donna Osborne requested clarification for which fund did the original money come from to purchase the ladder truck. Town Administrator Bolton replied that the ladder truck was purchased as a result of a vote at the March 8, 2005 Town meeting (Article 27) with 75% coming from the special revenue fund and the balance of 25% coming from the surplus/general fund. So, if this same formula is applied to the \$54,000 insurance money, \$40,500 is the 75% he is looking for to offset the purchase of the Chief's car.

Tom Clow requested clarification regarding Mr. Campana's initial comment and the legality of returning funds to the special revenue fund. Mr. Clow commented that he personally has no issue with this purchase being made from the general fund. Especially in light of the information regarding where the original funding came from. Mr. Clow also commented that he thinks the Board should take a middle path on setting the tax rate to prevent possible future double digit increases next year. Give some back but don't break the bank. Mr. Clow also commented regarding the previous discussions on the gazebo – he agrees with the engineer's report, suggest bracing over the winter to avoid liability concerns, and is opposed to demolishing it.

Richard Butt was present to comment regarding the maintenance/addition to the Fire Department fleet. He agreed that it would be a good argument if we are replacing the ladder truck. We are adding a vehicle. We are adding a Chief's car as the existing one is being kept. He urged the Board to stand by the decision already made in June. Mr. Butt also expressed concern regarding changes made to an RSA requiring the Board to explain, discuss and debate each warrant article (including the operations and default budget). Mr. Butt also

expressed concern regarding contract definitions per RSA 40:13 IX and potential manipulation of default budget. Mr. Butt specifically pointed out the three contracts, the Avitar, Police Chief and Town Administrator this refers to. Mr. Butt also followed up on Mr. Campana's second comment – he asked the Board discuss the benefit of allowing the Fire Department to raise ambulance fees and consider investments in the capital improvements fund instead. Mr. Butt indicated that the ambulance special revenue has a sizeable balance but he would like to see the Board use this special revenue fund for other Town purchases, as part of the Capital Improvements Program, such as a police cruiser. He urged the Board to at least speak with the Fire Department. He stated that it is not their money it's our (Town's) money. Discuss it and see if there's a benefit beyond the Fire Department.

Heleen Kurk requested that her husband is at another meeting and she is not sure if the Board will allow him to speak during the discussion of the gazebo. The Board agreed that they would. Ms. Kurk stated that she just came from the Fire Department's public hearing and her bigger concern is that so very few people knew about the public hearing. She felt it is not good for the Town.

DEPARTMENT HEAD & COMMITTEE ITEMS:

Library – Basement Flooring Project: Town Librarian Mike Sullivan was present to discuss replacing the flooring in the Emma Sawyer Room as there have been floods down there in the past. The Library Trustees have selected a \$5998.16 bid from Kevin Provencher Building & Remodeling, to be paid for out of the Town's Government Building & Maintenance Fund. This bid only covers the carpet and mold concerns – additional installation of cabinets will have different funding. Selectmen Snyder requested confirmation regarding the 3 bids received; Mr. Sullivan confirmed. Chairman Hippler inquired regarding the location of carpet mold repair concern. Mr. Sullivan explained the Emma Sawyer Room is located downstairs in the Library and is used for younger children's programs and as an open meeting room, as it has a separate entrance. **Selectman Burdick motioned to approve the flooring bid to Kevin Provencher Building & Remodeling in the amount of \$5,998.16 with the funding to come from the Government Building & Maintenance Fund; Vice Chair Meaney seconded. Passed 5-0-0.**

2018 Tax Rate Setting: Finance Administrator Beth Rouse was present to discuss setting the tax rate. The preliminary tax rate of \$23.03 (includes Town, school, state education, county), \$0.02 less than last year is the amount without using any funds. Selectman Snyder inquired regarding Department of Revenue Administration (DRA) 5% retainage minimum. Chairman Hippler confirmed 5.18% retainage. Selectman Snyder inquired regarding change in fund balance; Finance Administrator Rouse confirmed acceptable per GASB 75, but low cash flow a concern for differences in expenditures (begin January) and tax bill (begin July). Town Administrator Bolton confirmed that the fund balance is not all cash on hand there are a lot of outstanding taxes. Finance Administrator Rouse confirmed \$400,000 is the outstanding tax amounts. Tom Clow requested clarification of Mr. Campana's public comment. Finance Administrator Rouse confirmed it is a nonissue as the insurance money is currently sitting in the fund balance now. **Selectman Snyder motioned to set the tax rate of \$23.03 (per column A); Selectman Burdick seconded. Passed 3-2-0 with Selectman Osborne and Chairman Hippler opposed.**

2019 Police Department Budget Presentation: Police Chief Sean Kelly was present to discuss the 2019 proposed Police Department budget. The Board reviewed it line by line with Chief Kelly who offered an explanation for the increases and decreases. Chief Kelly noted a desire

to hire 2 part-time officers in 2019. He also wants to hire 2 Full Time, an SRO and one to supplement 24-hour patrol. The installation of gutters/ locks for Safety Complex possibly shifted to Government Buildings & Maintenance Fund, fuel rate, clarification of one-time purchases, and discussion of cruiser being included in operations budget. The ACO position is still unfilled. The Finance Committee was present to ask Chief Kelly regarding specifics of Police Department budget. Finance Committee Chairman Lori Davis inquired regarding which car the new cruiser would be replacing – Police Chief's? Chief Kelly confirmed car #9, not Police Chief's. Ms. Davis also inquired regarding call level and low summertime staffing (3 full time officers out for 17 weeks, 16 hour days, officers on duty alone). Chief Kelly disagreed, as Town was grossly under patrolled for 50% summertime population increase. Ms. Davis inquired regarding ACO position empty for over a year – perhaps Police Department could revisit hours and duties. Ms. Davis also inquired regarding Henniker contribution to SRO, potential overlap with State police and FBI. Chief Kelly reminded the Board of the importance of prevention and intervention. Ms. Davis also commented regarding her personal opinion on terrorism issues in schools. Vice Chair Meaney replied that as a parent, he believes SRO would benefit non-publicized situations such as bullying. Chief Kelly clarified that collective bargaining requires a minimum of 2 officers per shift, which has sometimes been unenforced because of unreasonableness of mandatory overtime; not possible to staff a 24 hour service with 11 people. Chief Kelly commented to the Board that he would like to recognize Sergeant Ryan Frisbie for his supervision over the summer. Chief Kelly cited an Australian study on danger of work performance after 16 hours. Tom Clow commented that he was unhappy with one's personal opinions were being represented as Finance Committee opinions. A member of the public inquired regarding grants for radio equipment; Chief Kelly commented regarding AEDs as well as Dr. Lorraine Tacconi-Moore having suggested possible funding for John Stark repeater through school safety-related grant.

GAZEBO DISCUSSION: Neal Kurk was present to provide an update from the Town Historical Society. Selectmen Snyder and Selectman Burdick are involved with the Historical Society in addition to their roles on the Board. As discussed previously, this is a busy season for the craftsmen that could assist in assessing the gazebo. Per the Board's permission at the meeting of October 1st, Mr. Kurk and Dave Wilusz cut the padlock to assess the roof space. The roof space is free from rot except the peak/ joists and top of rafters. Mike Pelletier, the contractor who had initially assessed the gazebo, said it was shaky; however Mr. Kurk and Mr. Wilusz suggested stabilization/ bracing (paired with orange safety fencing) as an appropriate interim solution. Mr. Kurk requested permission to brace the gazebo over the winter while getting an estimate to repair/restore the gazebo. Selectman Snyder inquired regarding the cost of bracing; Mr. Kurk estimated \$300, which can be covered by the Historical Society. Chairman Hippler expressed concern regarding consensus within the Historical Society. Selectman Snyder inquired whether Mike Pelletier, contractor who had originally assessed gazebo, had indicated restoration/repair costs. Mr. Kurk explained they have only received piecemeal estimates (foundation, pillars, rot, etc.). Chairman Hippler reminded the board of a previous quote of \$16,500. If the repair/ restoration will be of reasonable costs, the Historical Society will come to the Board to request approval to fundraise (intent is not for funds to come from warrant article or Board budget); if not, the gazebo can be demolished in the spring. Chairman Hippler commented regarding the Trustees and Government Building Maintenance Fund. Vice Chair Meaney commented regarding safety, and does not expect orange fencing to keep kids out – requested a deadline of April 1st, 2019 instead of previously discussed deadline of May 1st 2019. **Selectman Osborne moved to allow Historical Society to brace gazebo for winter with a deadline of April 1st, 2019 to return to the Board with estimates for repair/ restoration and to withdraw the first motion to raze it; Chairman**

Hippler seconded; passed 3-0-2 with Selectman Burdick and Selectman Snyder abstaining. Mr. Kurk requested permission to begin bracing immediately; Chairman Hippler confirmed.

APPROVAL OF MEETING MINUTES: Chairman Hippler moved to approve the minutes of September 17th as written, Vice Chair Meaney seconded; passed 5-0-0.

Chairman Hippler moved to approve the minutes of October 1st as amended; Selectman Snyder seconded; passed 4-0-1 with Vice Chair Meaney abstaining. Chairman Hippler inquired regarding the Conservation Commission upholding Town purchasing policies. ; Town Administrator Bolton will follow up.

MANIFEST: Chairman Hippler moved to approve the manifest as follows, Vice Chair Meaney seconded; passed 5-0-0.

To order the Treasurer to sign the payroll and accounts payables checks dated October 18, 2018 as included in the following manifests:

<i>Payroll Manifest</i>	\$ 53,053.52 (Weekly payroll)
<i>Accounts Payable Manifest</i>	\$ 65,344.84
<i>Weare School District Accounts Payable Manifest</i>	\$ 450,000.00
<i>Total</i>	\$ 568,398.36

The following manifests were previously ordered to sign at the October 1, 2018 Board of Selectmen meeting:

Payroll Manifest 10/11/18)	\$ 51,602.37 (Weekly payroll checks dated
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Accounts Payable Manifest	\$ 47,734.36 (Checks dated 10/11/18)
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ADMINISTRATOR'S REPORT: Town Administrator Bolton requested signatures on behalf of Town Clerk Maureen Billodeau pertaining to the State general elections being held on November 6th 2018.

Tax-Deeded Property Auction: Town Administrator Bolton requested signatures for paperwork pertaining to previously tax-deeded properties. She additionally requested signatures for the eviction notice for Mountain Road property. Town Administrator Bolton requested the Board follow up on the Conservation Commission discussion of the October 1st meeting to finalize the tax-deeded property auction list. The Board decided to remove the two properties that had been previously granted easements, given the likelihood of these properties not selling. The Board decided to leave the rest of the properties on the list. Town Administrator Bolton presented the Board with an agreement for St Jeans Auctioneers for 16 tax-deeded properties Three properties have reserve bid, rest are absolute. Auction planned for Saturday November 17th 2018 at 10:00AM. St Jeans will be spending \$3000 on advertising (not charged to Town). Town Administrator Bolton discussed specifics regarding deposits. **Vice Chair Meaney moved, Selectman Burdick seconded to authorize Chairman Hippler to sign the agreement for the tax deeded auction with St. Jean Auctioneers. Passed 4-0-1 (Hippler).** Chairman Hippler signed the agreement with St. Jean Auctioneers.

GOVERNMENT BUILDINGS & MAINTENANCE:

Bell Tower: Town Administrator Bolton received a voicemail from Walker Roofing regarding a timeline of this week for project with 80-foot lift. She will remind them about the Gordon Brown buildings. Vice Chair Meaney inquired regarding the missing number on the Town Hall. Selectman Burdick informed the Board the paint is in the barn.

Security Camera Project: Town Administrator Bolton had spoken to Emily Dauphinais of the Police Department – the equipment has been ordered and the Town is waiting on an install date.

Safety Complex Roof Replacement: Town Administrator Bolton has discussed a warrant with CIP based on previous estimates. Selectman Burdick requested confirmation regarding roof vent; Town Administrator Bolton confirmed.

Food Pantry: Trustees have requested meeting due to confusion. Town Administrator Bolton has tentatively suggested Wednesday the 17th. Their last day in the current location will be during the second week of November.

Clinton Grove: Chairman Hippler requested the Board discuss the Clinton Grove underpinning. Selectman Burdick had followed up regarding storm windows for written quote. Tim Matheson inquired regarding supporting post. Chairman Hippler inquired regarding deteriorating condition. Selectman Burdick confirmed 6-inch from front of building to rear with 2-3 new posts (as previous had rotted away) and cement blocks. Selectman Burdick suggested coordination of volunteers to follow up. Mr. Matheson inquired regarding waivers for volunteers and reminded the Board that the Town Hall spires have been separated in horse shed and should be retained to copy design. Selectman Burdick commented that the spires had been redone when the roof was re-shingled in 1971 and some water drip was reported last year. Mr. Matheson suggested providing Walker Roofing with John Van's aerial pictures as well as blueprints. Selectman Burdick requested picket fence.

Town Office Ceiling & Dog House: Town Administrator Bolton will follow up with Mr. Hewey to see if this is something he would be interested in doing.

Oil Tanks: Chairman Hippler inquired regarding timeline for propane tanks (alternative to oil tanks in basement) – would need to be buried before frost. Town Administrator Bolton commented regarding CIP and bidding, involvement of Code Enforcement Officer Chip Meaney. Vice Chair Meaney inquired regarding involvement of Fire Department. Town Administrator Bolton requested clarification regarding furnace. Selectman Burdick commented on revamp from 10 years ago. Tim Matheson commented regarding Jennifer Bohl and new burner for furnace in 2015. Town Administrator Bolton clarified that was for Safety Complex and Library. Mr. Matheson inquired regarding "green" incentives; as this is not a public comment period, Chairman Hippler directed Mr. Matheson to Town Administrator Bolton regarding this matter.

Animal Control Officer Position: Town Administrator Bolton will advertise the ACO position a third time.

Lawn Care Contract: Town Administrator Bolton will put the contract out to bid tomorrow.

Transfer Station Disposal Fees: There will be a public hearing next week.

CORRESPONDENCE:

Chairman Hippler requested the Board discuss Mr. Butt's public comment regarding RSA changes. The Board needs a precise opinion to exactly what the Board can and can't do with the warrant. This will be necessary to prepare for deliberative session and justify how Board business is conducted. Chairman Hippler also requested legal follow up. Town Administrator Bolton commented that many other towns are unsure. Chairman Hippler requested Town Administrator Bolton continue to follow up with other towns. Town Administrator Bolton expressed concern with inconsistency, particularly in regards to renewals, and inquired regarding origin of RSA. Vice Chair Meaney commented regarding NH Municipal Association, advisory, waiting on legal follow up.

Selectman Snyder reported concern of resident Travis Corcoran. Vice Chair Meaney commented on this issue being discussed in Planning Board, has been brought up to Town Counsel Laura Spector-Morgan. Selectman Burdick inquired regarding size of land; Town Administrator Bolton confirmed 1.6 acres. Vice Chair Meaney comment regarding the quality of terrain. Town Administrator Bolton stated that if Mr. Corcoran feels an error was made then an appeal to Zoning Board if still dissatisfied.

A Library Trustee had sent the Board a letter of resignation. Board will reply, thanking them for their service.

Selectman Burdick and Selectman Snyder requested a hard copy of paperwork regarding 33 B&B Lane as it has been approved with conditions.

The Board followed up on Mr. Butt's public comment – Board of Fire Wards had originally discussed before Board of Selectmen. After last meeting, Board had given Fire Wards authority to meet and decide on raising the rates independently. Selectman Snyder suggested Fire Wards meet in Town Office to televise discussion. Chairman Hippler commented regarding the communication issue between Boards.

Town Administrator Bolton inquired of the Board for their opinion if they would like the updated Taxpayer Exemption Information Sheet go to *primary residences* of Weare – blind, elderly, disabled exemptions; income and asset limitations. Chairman Hippler stated that there are enough Board signatures on all the documents in the black box.

NONPUBLIC SESSION:

Chairman Hippler moved, Vice Chairman Meaney seconded to enter into nonpublic session @ 9:27 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; Vice Chairman Meaney – yes. Passed 5-0-0

Chairman Hippler moved, Vice Chairman Meaney seconded to exit this nonpublic session @ 9:35 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

Vice Chairman Meaney moved, Chairman Hippler seconded to seal these minutes of this nonpublic session. Passed 5-0-0

Chairman Hippler moved, Vice Chairman Meaney seconded to enter into nonpublic session @ 9:35 p.m. pursuant to the authority granted in RSA 91-A:3II (e). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

Chairman Hippler moved, Vice Chairman Meaney seconded to exit this nonpublic session @ 9:48 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

Vice Chairman Meaney moved, Selectman Osborne seconded to seal these minutes of this nonpublic session. Passed 5-0-0

Chairman Hippler moved, Vice Chairman Meaney seconded to enter into nonpublic session @ 9:48 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; Vice Chairman Meaney – yes. Passed 5-0-0

Chairman Hippler moved, Vice Chairman Meaney seconded to exit this nonpublic session @ 10:13 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes; Vice Chairman Meaney – yes. Passed 5-0-0

Chairman Hippler moved, Vice Chair Meaney seconded to seal these minutes of this nonpublic session. Passed 5-0-0

Being there was no further business to come before the Board, Chairman Hippler moved to adjourn at 10:15PM, Vice Chair Meaney seconded; passed 5-0-0.

ADJOURNMENT

A True Record.



Hannah Smith
Recording Secretary