

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 30, 2020**

PRESENT: JOHN (JACK) MEANEY, CHAIRMAN; FREDERICK W. HIPPLER, VICE CHAIRMAN; JONATHAN H. OSBORNE, SELECTMAN; SHERRY M. BURDICK, SELECTMAN; JOHN VAN LOENDERSLOOT, SELECTMAN

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Finance Administrator Beth Rouse, Police Chief Chris Moore, Assistant Fire Chief Robert Richards, Cable TV Committee Member Doug Alwine, PARC Director Lisa Purington-Grolljahn, PARC Chairman JaNeen Lentsch, Library Director Clay Kriese, Library Trustee Chairman Brenda Cannon, Finance Committee Member Tom Clow, Finance Committee Member James Drury, Phil McManus, John Banacos, Brad Guimond, James Marty

Chairman Meaney opened the meeting at 6:30 pm., welcomed those present to the November 30, 2020 meeting of the Weare Board of Selectmen and proceeded with the pledge of allegiance.

Noise Issues/Tannerite

Phil McManus, 67 Hoit Mill Road, voiced his concern with tannerite explosions and is surprised more home owners have not come forward with a sense of urgency. He stated, he assumes they are fearful of intimidation and retaliation from the tannerite users and those that support them. As a gun owner, he is not about taking rights and freedoms away. Instead, his focus is on the rights and freedoms for property owners and their neighbors.

Mr. McManus is looking for a peaceful and fair resolution. He read the manufacturer's recommendation for tannerite's proper use, a target indicator only, in a remote area, respecting the adjoining property owner's right to tranquility. Respecting local noise ordinances and always use tannerite brand binary rifle targets as directed by the manufacturer.

Explaining the findings of former Weare Police Chief Sean Kelly, at a Noise Ordinance Committee meeting on July 15, 2016, RSA 644:2, Disorderly Conduct is the only option police have with respect to tannerite. Mr. McManus states a person is guilty if they purposely cause breach of peace, public inconvenience, annoyance or alarm, or recklessly create a risk by making loud or unreasonable noises in a public or private place which can be heard in a public place or other private places, which noises would disturb a person of average sensibilities.

At that time, former Chief Kelly urged the town to adopt a Noise Ordinance, a tool, the police could use for those that did not have the courage to speak up themselves. This did not come to fruition.

Mr. McManus attested to the last two years Hoit Mill and nearby Stark Highway Road residents have been subjected to explosions that shake their homes with dishes and items falling off walls/counters. Explosions so loud and potent, one individual with a heart condition complained of chest pains after the explosions. Mr. McManus is worried his dog with a heart condition could have a cardiac arrest as well.

Form 91A, Information Report Request, from the Weare Police Department specified seventeen tannerite complaints were reported in November, recently on the 3rd, 10th and 11th.

July 10, 2020 a formal letter with Hoit Mill Road resident signatures along with a Weare Complaint Form was submitted to the Board of Selectmen. On tonight's BOS Agenda, Mr. McManus was the only name listed. He would have liked to see other Hoit Mill residents and others impacted by the tannerite use on the agenda as well.

In closing, Mr. McManus declared as a U.S. Air Force Veteran he loves his country, fireworks on the 4th of July and any event that honors our veterans, but not in the reckless, excessive way this tannerite user chooses to celebrate in a residential area. A town ordinance is the right thing to do.

John Banacos, 25 Looking Glass Lane, top of Hoit Mill, avowed to the house rattling and guests being startled by the tannerite use, simulating dynamite going off in his house. He supports Mr. McManus and would like his name added to the police complaint.

James Marty, 69 Hoit Mill Road, is on the board of the South Weare Water Association. On top of all of the concerns, the fragility of their wells is also in question. Because of the numerous concussions with an increase in intensity, he is very concerned wells could collapse. Mr. Marty will address his concerns with NH DES if there is no resolution tonight.

Brad Guimond, 56 Hoit Mill Road, stated he is a Marine, hunter and gun owner. He has no problem with shooting, but stated there is a better place to shoot tannerite. His windows rattle violently, one was opened at the time of an explosion, and it slammed shut, no longer functioning. Recently, the tannerite user performed an explosion for the Weare Police that was not even a third of the amount of tannerite that has been done lately. Mr. Guimond stated his cat has been affected and he knows of residents with PTSD. He stated drivers going by on Route 114, hearing an explosion at 7:00 pm at night, could be jarred and lose control of their vehicles causing an accident. Neighboring towns, New Boston and Dunbarton have commented on social media referencing these South Weare tannerite explosions. Mr. Guimond stated with all the complaints, this inconsiderate tannerite user has no sense of common decency. He also would like his name added to the police complaint.

Chairman Meaney stated one of the issues is there is no town ordinance against it. Tannerite is a legal substance. It needs to be taken up with ATF, Bureau of Alcohol, Tobacco, Firearms and Explosives or the State Police. A petition gathering signatures would bring it forth to a town vote.

Town Administrator Bolton added 25 registered to vote signatures in the town of Weare are needed. The article has to be in detail, brought to the voters exactly as written.

Mr. McManus stated the police have responded to many complaints, yet the user does not use according to manufacturer’s guidelines. Chairman Meaney explained without a violation not committed in their presence, someone would have to sign a formal complaint and be willing to testify in court.

Mr. McManus would be willing to tolerate less than the current amount of 2 lbs. of tannerite, half a pound less, but it is not enforceable. Selectman Van asked if anyone has spoken to the gentleman. Mr. McManus did not know who the tannerite user was, to his knowledge only the Police have spoken to him.

Mr. McManus suggested a resolution avoiding legal action. Chairman Meaney responded the tannerite user could agree to tone it down, then change his mind. A resolution starts with a petition, but without legal action the Board and Police hands are tied.

Police Chief Moore stated he ran the Disorderly Conduct by our prosecutor, three people need to complain before they could issue a warrant.

DEPARTMENT HEAD/COMMITTEE ITEMS:

Doug Alwine, Cable TV Committee member, presented additional online quotes for high speed internet connection for Live Streaming. The Board had requested, fulfilling the Purchasing Policy of anything over \$2500.00, additional quotes as a total of three are needed.

Doug Alwine explained the WMS has two different carts, one gets put in the Café for events and for Town Meetings. The other cart is used in the WMS Library to televise School Board meetings. Now they would like to Live Stream their meetings as well as record them for You Tube. The equipment on both carts is town property. Consolidating and updating equipment would simplify use for Town Meetings and anything else, anywhere in the school. The old system uses I Net which stands for Image Network. It is obsolete. The AV Access proposal using internet would replace both carts.

Vice Chairman Hippler asked if any of the items were school owned. Doug Alwine answered all items of equipment in the system are town owned.

Vice Chairman Hippler moved, Chairman Meaney seconded to approve \$5014.00 for AV Access, Concord, NH. to provide high speed internet connection for streaming, along with log in credentials, installing a new rack mount, wiring neatly, install/configure a camera and train users. Passed 5-0-0

PUBLIC COMMENT: none

MANIFEST:

To order the Treasurer to sign the payroll and accounts payables checks dated December 3, 2020 as included in the following manifests:

<i>Payroll Manifest</i>	\$	66,633.87 (Weekly & fire monthly payroll)
<i>Accounts Payable Manifest</i>	\$	4,658.72
<i>Total</i>	\$	71,292.59

Chairman Meaney moved, Selectman Van seconded to accept the manifest as follows, which passed. Passed 5-0-0

MINUTES:

November 23, 2020 Minutes: tabled

Chairman Meaney opened the Public Hearing at 6:56 pm to reconvene for testimony and comment regarding increasing the non-resident parking fees from \$20 to \$40 per day and increasing the non-resident boat/jet ski fees from \$45 to \$50 at Chase Park.

PUBLIC HEARING

PARC Chairman JaNeen Lentsch presented handouts to the Board. She stated the main reason for the increase is residents are turned away from entering the park due to capacity. They pay taxes that fund the park. The increased fee to non-residents may help allowing more residents access.

Town Administrator Bolton mentioned keeping track of season ticket holders using the park. Chairman Lentsch stated next year they will be tracked, instead of just waving them through. Weather effects turn out, to be tracked next season.

Chairman Meaney asked for public comment. There was none. The hearing was closed.

Selectman Van stated he is in favor of the increase. Vice Chairman Hippler stated, monetarily, nonresidents have paid their fair share. Selectman Burdick and Selectman Osborne are fine with the increase.

Selectman Van moved, Selectman Burdick seconded to accept the proposed price increases from PARC effective opening day of 2021. Passed 4-0-1 Vice Chairman Hippler abstained.

Chase Park Boat Ramp – the Board received an email regarding the condition of the boat ramp at Chase Park. Chairman Lentsch stated the PARC has not discussed it yet.

PARC Update:

- Pumpkin festivity was a success, extra candy donated to Fire department.
- Winter Soup Baskets were put together for members of the Weare Seniorites.
- Picnic tables were built/donated by an Eagle Scout Chris Seaver.
- On track for CIP for next year, to collaborate with DPW.
- Looking to increase employee wages.

2021 Forest Fire Budget Presentation – Assistant Fire Chief/Fire Warden Robert Richards, asked if the budget numbers reflect the 50% cost share from the State.

Selectman Van asked how he liked the FirstNet demo phone. Assistant Fire Chief Richards replied he had it a couple of days and returned it to Fire Chief Vezina. He checked out areas known to have bad service.

Assistant Fire Chief Richards would like to add an equipment line for the Forest Fire budget, separate from the Fire Department. He stated the high pressure pump needs to be replaced soon. While servicing a fire at Clough, it was noted the Forestry hard mount pump could not pump water to the top of the fire. Perhaps purchased with the 50% cost share with the State, roughly \$2000.00, total being \$4000.00.

Assistant Fire Chief Richards will check with the State to put something together for the retirement of Ray Eaton. He would also like the Board to do something as well.

Assistant Fire Chief Richards asked about how he is being paid as he submits time sheets under Forestry, through the Fire department payroll. He estimates roughly three hours a week in administrative work.

At this time, there are 896 burn permits out, 50 or less manually written out, none causing fires. New permits require an inspection to make sure the pits meet requirements. In searching for online permits, it is awful unless you have the date. He has to enter each one into a database to sort by street, etc. for easier record sourcing.

Town Administrator Bolton asked if he was looking for three hours per week at his Fire wage. Assistant Fire Chief Richards responded yes. The Board agreed to add a stipend line, 390a, to work out the details with Finance Administrator Beth Rouse, i.e. withholding, etc.

Vice Chairman Hippler asked should the 50% cost for the hard mount pump come from the Special Revenue Fund or line item by taxation. Chairman Meaney mentioned an equipment line item would be good to track any equipment, like hand tools, helmet or shirt. Assistant Fire Chief Richards stated it would be clean to keep everything under Forestry. The Board agreed to add \$4000.00 in an equipment line, 394a, to purchase the pump.

Forest Fire Warden plans for the spring would be to post NO FIRE ZONE signs to all town owned property and continue patrolling.

2021 Library Budget – Library Director Clay Kriese presented budget handouts to the Board.

First, Director Kriese announced they have a new mascot behind the circulation desk that was donated by the Conservation Commission. It is a real stuffed Owl. They held a “Name the Library Owl” contest. Forty seven people voted on the thirty different name suggestions.

Results:

4th place is Barry the Bard

3rd place is Owly

2nd place is Hootie and the Molefish

AND THE WINNER IS “Merlin” Congratulations to Rachel Burbee who sent in the suggestion.

Secondly, Director Kriese thanked Library Trustee Brenda Cannon for help with preparing the budget. He also thanked Finance Administrator Beth Rouse for several hours of help with the budget and Assistant Library Director Thelma Tracy for help with QuickBooks and keeping the library running through this difficult year.

Thirdly, Director Kriese wished everyone a Happy Cyber Monday. He discussed the amount of time people are spending in front of a screen, along with the CDC findings of depression/anxiety reportings have tripled. His favorite quote: “Bad libraries build collections, good libraries build services, and great libraries build communities.” Together we will build upon the community of Weare by increasing voter approved staff hours, changing a part-timer to full time, and providing services/collections the best that they can be.

The Board questioned line items on the library budget. Selectman Van asked about the decrease in the Building Maintenance line from 2020 Budget of \$7213.00 to 2021 Proposed of \$4000.00. Library Trustees Chairman Brenda Cannon explained the Building Maintenance line item decreased because lawn and snow

services will now be covered by the town's budget. Also, she is not sure why the figure for 2020 was \$7213.00, perhaps for the failing AC units. Selectman Van suggested in lieu of the AC units, leave the 2021 Proposed at \$7213.00. Library Trustee Chairman Brenda Cannon responded the Trustee Funds could pay for the new AC units, instead of chancing being voted down as part of the town budget. Selectman Burdick asked how much money is there left in the fund. Director Kriese replied \$15,477.00 that would have to be spent this year. They already have AC unit quotes so the money will be encumbered.

Selectman Burdick asked about the new shelving. Library Trustee Chairman Brenda Cannon and Director Kriese explained how wonderful DPW Director Knapp and his crew are, they took care of removing the old hazardous shelving units. New shelving to be installed at the end of the month.

The decision is to leave the Proposed 2021 Building Maintenance line at \$4000.00.

2021 Smaller Budget – Finance Administrator Beth Rouse presented a balance of the smaller budget handouts to the Board. Finance Administrator Rouse began by stating the town's budget needs a computer equipment line at \$1000.00. This way purchases would not come out of office supplies.

Notable expenses as follows:

- Election- increase \$50.00, contract increase
- Tax collector- staff change, computer support increase \$111.00, contract increase
- Assessing- tax map maint. increase \$500.00 deed accessibility; telephone increase \$50.00 reval year; \$20.00 for seminars/training; software support \$200.00 increase Avitar; office equip. \$200.00 new printer & table
- Legal- decrease based on 2019 expenses overall, Vice Chairman Hippler recommends keeping the 2021 Proposed Labor Relations line at \$20,000.00 instead of \$17,000.00
- Finance- difference is based on WA #6 & pay increase by BOS, health care, payroll tax; software support \$752 increase
- Town Clerk- \$500.00 2nd telephone line; postage \$100.00 increase; books \$160.00 decrease, now online
- Selectmen - auditor's expense \$225.00 increase, website hosting \$105.00 increase, actual
- Land Use- health insurance increase, plan status; recording fees \$200.00 increase, actual
- Gov. Building- heat locked in rate \$/gal.; fire extinguisher \$24.00 increase, actual; transfer station electric \$400.00 increase, actual
- Insurance- \$17,022.00 increase
- Code Enforcement- payroll wage/benefits, warrant article for new hire; mileage decrease, use of town truck; software \$306.00 increase, actual
- PARC- Proposed payroll wage increase \$6000.00, Vice Chairman Hippler suggested a warrant article, Board agrees

Vice Chairman Hippler and Chairman Meaney praised the department heads and their departments for doing a commendable job staying within their budgets this year.

ADMINISTRATOR'S REPORT:

Verizon Wireless offers Push-to-Talk with LMR, Land Mobile Radio integration. Unable to do an in person presentation, but can offer a phone presentation. They are our current carrier, we have their phones.

Selectman Van has concerns going with Verizon. Infrastructure, only two towers in town and operability, Verizon cannot communicate with FirstNet. He also is not in favor of going with R & R Communications because they, too, have a proprietary system.

Chairman Meaney stated in fairness all companies involved should be able to present. R & R is our current provider and he is not sure what the cost impact will be exactly. Besides, FirstNet will be a major expense. Selectman Van disagrees.

The discussion ensues amongst the Board between the differences in what each company can and cannot offer. Town Administrator Bolton asked for clarification regarding the \$29,500.00 study vs. actual improvements, no means no.

Selectman Van and Vice Chairman Hippler stated it would only amount to changing cell phone carriers. Town Administrator Bolton asked are you suggesting changing cell phone carrier for everybody or just for one. Selectman Van replied he would suggest Police change over first, let them test it. Town Administrator Bolton responded she disagrees because, currently, there are three different accounts with Verizon. Police have 19 phones at \$34.46/month, Fire have 3 phones at \$21.03/month and DPW/Selectmen's Office/Code Enforcement one phone each at \$44.43/month. Fire has 3 iPads at \$26.97/month and Selectmen's Office has one iPads at \$40.00/month. Chairman Meaney stated it should be for all.

Selectman Van emailed Phong Lam, Business Acquisition Sales Executive for AT&T. He wanted to know the monthly charge for agency paid FirstNet phones, plan details, and the charge for PTT. It is unlimited phone, data and texting for \$39.99/month before taxes. PTT phone to phone is \$2.00/line/month. To integrate into the radio system is an additional \$5.00, total \$47.00/month. This does not include the initial upfront purchase of the gateway.

Selectman Osborne stated you cannot do that because you cannot improve the radio system. Vice Chairman Hippler disagrees. Town Administrator Bolton responded counsel needs to be sought.

Selectman Van continues, if you take the LMR and radio side out of it, and just go phone to phone then, technically, all we have done is change phone carriers. Starting in March, no means no goes away because we are not asking for anything.

Vice Chairman Hippler answered it is a year, asking town counsel going forward.

Verizon to present via Zoom.

Selectman Van stated the monthly fee would be roughly \$10.00 more a month per line for the Police.

Vice Chairman Hippler stated he and Selectman Van spent some time with his demo phone with the Police department, the cell phone coverage with AT&T is better.

Town Administrator Bolton mentioned what if a department head wants to stay with the current provider.

Selectman Burdick stated Verizon has two towers in Weare and AT&T has six.

Chairman Meaney stated he had success using it thorough out the state, but it is also picking up other towers with roaming rights.

Town Administrator Bolton to reach out to Jeff Barden with R & R Communications for the mapping from Motorola Engineering.

Selectman Van stated he is not interested in the phone side from R & R Communications because it is a system built for school buses, not proprietary to everybody else or interoperability, and no band priority. He continued, FirstNet has the capability with no cost to the town to have a credentialing system with four administrators.

Vice Chairman Hippler stated he has no problem with that.

Audio is intermittent. The discussion evolves around how FirstNet, PTT works and what other towns use for radio communication.

Noise discussion earlier:

Town Administrator Bolton asked for clarification if when the Board said a petition is needed, were they looking for Phil McManus to do the petition, writing the Noise Ordinance including the verbiage.

The Board responded yes making it clear a petition article is not binding, rather advisory.

Town Administrator Bolton to make sure Phil McManus knows the deadline.

CORRESPONDENCE & OTHER BUSINESS: none

Being there was no further business to come before the Board, Selectman Van made a motion, Chairman Meaney seconded to adjourn at 8:53 pm. Passed 5-0-0

ADJOURNMENT

A True Record.

Karen Nelson

Karen Nelson transcribed from

TA Bolton notes & You Tube recording