

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
FEBRUARY 3, 2020

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

TOWN ADMINISTRATOR: Naomi L Bolton

GUESTS: Police Chief, Chris Moore; Jillian Randall; Jeanne Szerlog; Peggy Shafer; Valerie White; Mildred Hall Board Member & South Weare Improvement Society/Osborne Hall President, Rad Betts; John Van; Bonnie Fronk; Paula Macrae; Richard Butt; Frank Campana; Town Moderator, Eileen Meaney; Finance Committee & Planning Board Member, Neal Kurk; Library Trustee, Heleen Kurk

Chairman Hippler called the meeting to order at 6:30pm.

NONPUBLIC SESSION:

Chairman Hippler moved, Selectman Burdick seconded to enter into nonpublic session @ 6:30 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 Snyder seconded to exit this nonpublic session @ 6:49 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 Osborne seconded to seal and restrict these nonpublic session minutes. Passed 4-0-0

Chairman Hippler reopened the meeting at 6:50pm., welcomed those present to the February 3, 2020 meeting of the Weare Board of Selectmen and proceeded with the pledge of allegiance.

PUBLIC COMMENT: Chairman Hippler opened the public hearing at 6:50 PM for the Board of Selectmen to hear public testimony and comment regarding the increase of rental fees for the Town facilities including but not limited to Town Hall, Gazebo, and Chase Park.

Neal Kurk addressed the Board in reference to information not provided in advance of Public Hearings. He stated, "...distribute the substance of what your proposal is significantly prior to the meeting so that the public can look at it and decide whether they want to testify."

Town Administrator Bolton presented the proposal of changes made to the Town Hall & Town Sign rental forms. There were only a couple of lines that were discussed about being removed. The first stated *“No announcement shall be left on the sign longer than one week at a time.”* The second was *“If announcements are left up beyond one week, privilege to use the sign will be suspended for one year. The rest of the form is staying the same.”*

Chairman Hippler asked if anyone had any comments about Town Hall Sign usage and regulations.

Town Administrator Bolton mentioned the \$10.00 deposit for use of the letters, has always been on the form but was never collected. For the most part, letters are returned, but over time a second set has had to be purchased as there were not enough letters. By enforcing the use of the form, when the letters come back we can check if all the letters were returned. The \$10.00 would be handed back once the letters are returned. This \$10.00 deposit is meant to apply to everyone except for town committees.

Heleen Kurk suggested moving the Town Items, taking precedence, to the top of the form. She further questioned the policy with regards to the deposit, someone monopolizing the sign and multiple users.

Selectman Burdick suggested it should be shared among the people that need to use it, with no one group monopolizing it. She feels it should be “rotated through.”

Chairman Hippler suggested equal time for all using “common sense.”

Rad Betts stated he has used the sign for 17 years and for 16 of those years he has never seen a Town Sign rental form. He went on to explain with his South Weare Improvement Society, he uses the sign for Bingo and though he needs both sides for a week at a time he’d be very happy to share.

Town Administrator Bolton stated the Town Hall Sign Usage form has been on the website since the website started. Chairman Hippler stated the \$10.00 deposit return fee shall remain. Selectman Snyder clarified the fee is required when the letters are picked up with the deposit returned when the letters are retrieved.

Chairman Hippler moved on to the Facility Use Form comments or concerns. He talked about the fee increase, cleaning deposit, nonprofit charges and guideline changes.

John Van questioned line 3 of the new policy in reference to how long it will take for the applicant to have their cleaning deposit returned. Chairman Hippler answered right after it is inspected. John Van suggested it needs to state that. Chairman Hippler responded valid point.

Heleen Kurk asked how this will be enforced, with reference to being cleaned and vacuumed. Town Administrator Bolton explained, currently a cleaning service goes in once a week, though she envisions a person inspecting the facility after use. Heleen Kurk asked, “If we don’t have a system of enforcing it, then why we are putting the rule in?”

Richard Butt questioned the fee at an 87% increase. He asked why we are charging non-profits if they charge a fee for people to attend their event. He then asked what the \$75.00 fee covers. Town Administrator Bolton explained it covers the use of the hall. Selectman Osborne added it covers heat, electricity and janitorial services. Richard Butt interjected, “Oh, that’s been studied then, so you know what the cost is per hour for heat, electricity, fuel, etc.” Selectman Osborne explained particularly, the original fee of \$40.00

was not covering enough. Richard Butt continued with his questioning of a study being done. Selectman Osborne answered no.

Town Administrator Bolton simplified the factors involved. She stated she can attest to how much the Town Hall has cost to run vs. what was received from rentals for three consecutive years. Richard Butt repeated, what is the \$75.00 based on? Town Administrator Bolton expressed this line of questioning should fall to the Board. However, she expressed the availability of other places, such as, Osborne Hall and Holy Cross Church, to rent in town at a higher cost, \$150.00 per event. Richard Butt then asked if the Town is trying to be competitive then. Town Administrator Bolton emphatically stated, no, but we are at least trying to cover the cost back. She explained the disparaging amount of over \$4000.00 a year for heat and electricity for the Town Hall. Richard Butt then stated the non-profit groups charging for their event does not necessarily use more heat or electricity. If they are generating a profit why are they paying a fee? His feeling is this does not make sense. Heleen Kurk asked are we maximizing the income to offset taxes or to cover additional cost. She stated, we would keep the hall open anyway at a cost, we wouldn't turn off the heat and drain the water. She requests a clearer explanation as to the increase. She states we want to promote community activities. Selectman Osborne and Vice Chairman Meaney stated the town is merely trying to cover the costs in operating the building. Selectman Osborne reiterated \$40.00 per event, the original fee, does not cover the cost.

Heleen Kurk then questions covering the entire \$4000.00 and how much would it cost if nobody used the building. She asked would you drain it and just leave it sitting there. Selectman Osborne guessed approximately \$2500.00. Heleen Kurk questioned the \$2500.00 amount and are you trying to cover the difference between that and the \$4000.00 vs. all of the \$4000.00.

Vice Chairman Meaney offered if nobody rents it we could just drain the water, not that the Board wants too. He emphasized you cannot be in the negative either. He witnessed lights being left on for two days, heat spiked and the facility left dirty from neglectful renters.

Heleen Kurk stated while she appreciates there are neglectful renters, unless someone regulates, calls people up and says we're charging you another \$10.00. Vice Chairman Meaney states, that is the intention with the additional \$50.00 custodial fee. Chairman Hippler restates Heleen's question, who will enforce the new policy. Vice Chairman Meaney answers, it's up to us. The Board has been trying to hire a custodian to take care of Town buildings. Heleen Kurk added, your philosophy is to alleviate the taxpayers from any cost for the town.

Vice Chairman Meaney declares, excessive costs, with the example of, a person would not attempt to pay down \$4000.00 worth of expenses with a \$1200.00 income. Therefore, other means have to be looked at to change the balance sheet, perhaps not covering all, but putting a big dent in it. He went on to describe how he has wet mopped the floor with Murphy's Oil soap because the floor was left filthy and sticky. Heleen Kurk reinforced the idea of needing someone to enforce the policy. Vice Chairman Meaney stated, yes, but a \$50.00 cleaning penalty is a great place to start. The Boards intention is to preserve the building.

Jillian Randall, yoga instructor, suggested a separate price for people who use the hall on a weekly basis. At a \$75.00 per event cost she would no longer be able to afford to offer her class. Summertime's decreased attendance, sometimes five people per class at a fee of \$8.00 to \$12.00 a class, (roughly \$40.00 income) would result in costing her money. She likes the idea of a cleaning deposit as she has found dirty diapers, dog poop bags and the floor so filthy, mica dust was shining in the light. It is her hope the extra cleaning fee curtails the abusers. Jillian went on to emphasize what great stewards she and her participants are of the

Town Hall. Remarking how Peggy Shafer, one of her students, personally purchases rubber feet to replace those broken or missing on the metal chairs to ensure the integrity of the wood floors. Selectman Snyder then asked if she used the hall daily. Jillian Randall replied, no, I use it Thursday evenings and Friday mornings. She understands the increase is necessary, but \$75.00 would be too much. Chairman Hippler asked if she uses the hall 52 weeks a year. Jillian Randall replied holidays are excluded and any time she couldn't use the facility she would give ample notice for others to use it. Selectman Burdick asked if any senior citizens come to class. Jillian Randall answered, yes, her Friday morning class is chair yoga ideal for seniors, and Betty Straw at 94 years of age comes to class every week. Thursday night's class is more of a baby boomer age range.

Jeanne Szerlog, Zumba instructor, stated she is looking to start a Zumba Gold class for seniors and beginners alike. She also wants to teach a Zumba Toning class. She would like to rent the hall on Monday and Wednesday nights, for an hour, but \$75.00 is a little bit too steep for her. With RTH closing, where she was teaching, she doesn't have any other options as she'd like to continue her class in Weare. Vice Chairman Meaney asked would it be every week. Jeanne Szerlog answered yes. Chairman Hippler questioned the Board if there intent is to charge Jillian and Jeanne \$75.00 per event which would come out to \$13,500.00 a year combined, at two events a week. He doesn't think that's wise.

Town Administrator Bolton spoke to the fact that now we have someone new overseeing the Town rentals. Prior, they did not know the extent of what was going on. So, now, for the goodness of the community, taking into consideration a lot of seniors use these classes, even four Town Office employees, with hearing from the instructors they can better access how to proceed.

Valerie White, Seniorsize instructor, stated she teaches weight training for seniors on Tuesday and Thursday mornings for the past nineteen years. She stated, she also agrees with a cleaning deposit as she has been asking for one for decades. A rate increase for private event holders is not a bad idea. As she gave up telling the previous overseer of the Town Hall renters how many times she would arrive to find the Hall unlocked. She also describes cleaning the floor from Carmel and that it takes her three weeks to remove all the dog fur from the rugs and blood spots from rabies clinics. Though she has not filed for a non-profit status she doesn't charge. Donations are accepted, but not necessary, she allows her participants to pay if the can, "You give me whatever you feel like." She "shoots for" a payment of \$2.50 per class as she states she has been paying \$40.00 a year to rent the Town Hall.

Town Administrator Bolton asks both Jillian and Jeanne if they have insurance, they both respond yes. She then asks Valerie if she has insurance. She replies, "Not specifically for that (Weight Training Class), because it's not a business." Selectman Snyder asked Valerie what kind of exercising do you offer. Valerie White responded, weight training and made mention of the big trunk on wheels, though she states it couldn't be moved, is where she stores her weights. She invited Selectman Snyder to come anytime.

Jillian Randall explained, if it helps, when she taught yoga in other places she was charged \$10.00 to \$15.00 a class. Chairman Hippler responded, yes that does help because I just came up with \$12.50 per class, at two classes a week is roughly \$100.00 per month. He believes this is reasonable with the exception of baby showers, etc. the \$75.00 plus additional \$50.00 is applicable.

The Board and Town Administrator Bolton concurred this is feasible based on all comments heard tonight, along with ticketing those that park in undesignated areas. Heleen Kurk inquired about the parking and how ticketing should be mentioned on the application.

Town Administrator Bolton read an email that came from a current user, a Scrapbooking Club. This group of women have been using the Hall for fifteen years, once a month, with the exception of two months they have a weekend event. This email explained her experiences renting the hall and if the increase is too much she will have to withdraw her request to continue. She too, along with Jillian and Jeanne, has asked for a scaled down rental user fee.

Heleen Kurk suggested moving tonight's meeting along to other business, but expressed the importance of proper record keeping of the Town Hall rentals going forward.

Frank Campana made observations of the 18 years of age allowance for renting. He didn't think this was appropriate and also the hours of availability till midnight. Town Administrator Bolton stated the new policy will be finalized tonight.

Neal Kurk asked are you proposing an increase at Chase Park, boating etc. Town Administrator Bolton answered no, not boating, boat ramp etc., but for example weddings at Chase Park would fall under this new policy. Neal Kurk stipulated the new policy needs to be clear.

Chairman Hippler closed the Public Hearing for the Town Hall discussion at 7:45pm and opened the meeting to regular Public Comments

Neal Kurk talked about the default budget and spoke to the importance of following the law. In particular, he explained the election default budget. He feels is not enough to run the election. He urged the Board to make the changes he suggested.

Richard Butt expressed he is a little disappointed in the Board over the past year when it comes to raises. No study, analysis or comparable information has yet been given to justify the increases. He mentioned the 25% increase given to the Finance Director he assumed was done in a nonpublic, he is not arguing the raise is not justified, he doesn't agree with the process. He explained how one raise was put in the operating budget and doesn't feel this is fair.

Chairman Hippler discussed the Facility Use form for the Town Sign is not a problem, it just has to be diligently handled by the Administrative Assistant. As for the Town Hall rental, he feels \$12.50 a session for the reoccurring users would suffice, combined with one time user at \$75.00 plus additional \$50.00 deposit.

Vice Chairman Meaney stated nonprofits have to provide the proper paper work declaring the nonprofit status. Also, we need to make sure someone goes over to the Hall to inspect it after use. He also stated we need to pay more attention to the cleaning service, making sure it is cleaned at least once a week.

Chairman Hippler replied, the building inspector has a town vehicle and he could take a buzz over there. He also stated the standard conditions of the Hall need to be brought up. The floor in the men's bathroom needs replacing, etc.

Town Administrator Bolton expressed some of the instructors have keys. Vice Chairman Meaney stated this needs to be addressed and the locks changed. Selectman Osborne suggested sending the Town Building Inspector over to the Town Hall to decide on what needs to be done.

Selectman Burdick suggested reaching out to the Scrapbooking Club to reiterate the new \$12.50 a session fee to see if she can reconsider her request as it would be sad to not have her continue. Chairman Hippler concurred.

Vice Chairman Meaney stated he has concerns for people using weights without insurance. He feels this is too physical and we could end up being sued. He wondered if there needs to be a waiver of liability.

Chairman Hippler stipulated we need to add the clause, any and all users are subject to case by case review of the Board of Selectman.

Town Administrator Bolton and the Board of Selectman clarified the fees and guidelines for the new policy.

Chairman Hippler moved, Vice Chairman Meaney seconded, to accept the Weare Town Hall Sign and Facility Use form rules and regulation changes as amended tonight. Passed 5-0-0

DEPARTMENT HEAD/COMMITTEE ITEMS: None

MINUTES:

January 20, 2020 Minutes: Chairman Hippler moved, Selectman Burdick seconded to accept the minutes of January 20th as amended, passed 4-0-1 (Vice Chairman Meaney abstained)

MANIFEST: Chairman Hippler and Vice Chairman Meaney, moved to accept the manifest as follows, which passed 5-0-0.

To order the Treasurer to sign the payroll and accounts payables checks dated February 6, 2020, as included in the following manifests:

<i>Payroll Manifest</i>	\$	<i>61,053.95</i> (Weekly & fire monthly payroll)
<i>Accounts Payable Manifest</i>	\$	<i>55,389.32</i>
<i>Total</i>	\$	<i>116,443.27</i>

ADMINISTRATOR'S REPORT:

Government Building-

- Gordon Brown, site walk scheduled.
- East Road, gate installed w/o permission, letter sent, no response.
- Town Offices, ongoing septic problem, Mr. Rooter came and unplugged bathrooms and talked with Chairman Hippler. A plan was devised.

ADMINISTRATOR'S REPORT: Administrative Topics:

2020 Deliberative Session scheduled for Saturday, February 8, 2020 at 9:00am at Weare Middle School Cafetorium regardless of the weather.

Town Reports for 2019 has a deadline of Saturday, February 8, 2020

CORRESPONDENCE & OTHER BUSINESS:

Chairman Hippler forwarded an email from a Bogue Road resident to Vice Chairman Meaney and Selectman Osborne as they were not included in the original. Chairman Osborne visited the road and noticed nothing was wrong as it is under construction.

Selectman Snyder asked about the presentation from CC member Bill Bolton in adding the forester for exemption. **Chairman Hippler moved, Vice Chairman Meaney seconded, to amend the purchasing policy to include the Forester as an exempted contractor like the Land Use engineer, legal attorney, etc. as a result of the discussion from last week. Passed 5-0-0**

Chairman Hippler discussed a Facebook post referencing the Town Budget has an increase of 15%. All numbers were explained to rectify the increase. Town Administrator Bolton and the Board discussed the budget further.

Vice Chairman Meaney brought up the subject of a privileged email that was floated around in the public and he didn't think that should have gone out the way it did.

Town Administrator Bolton referenced said email as it totally blindsided her at the podium last week. Town Counsel was notified and she was upset and stated that it was distributed illegally, as it was attorney/client privilege. This email was read at the Finance Committee meeting where thirteen copies were then made and distributed about. This is not proper. Town Administrator Bolton stipulated the focus should be on proposed and not default. The default budget falls into place per the RSA with Board oversight. The Board, Department Heads and others should be promoting the proposed budget, unless they don't think it provides this community a good service for a fair price. This whole budget/warrant process started in August/September with CIP and then budgets, so a lot of time and effort was put forth by a lot of individuals. So either we get behind it wholeheartedly or support the default. Selectman Snyder stated she feels the election budget is out there on its own. Town Administrator Bolton responded, only because we've made it that way. She understands everyone's concerns, however, it is mandated by state law, just like a lot of other expenses the Town has, workers' comp, unemployment, trash removal, etc. Vice Chairman Meaney stated dwelling on the default is a defeatist attitude and you need to go with what's proposed. Chairman Hippler made mention that they have a legal opinion on it from Mr. Buckley and our Town Attorney. Town Administrator Bolton stated she feels it's time to move forward.

Being there was no further business to come before the Board, Chairman Hippler moved to adjourn at 9:17pm, Vice Chairman Meaney seconded; passed 5-0-0.

ADJOURNMENT

A True Record.

Karen Nelson

Karen Nelson transcribed from
TA Bolton notes & YouTube recording