

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 18, 2020

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

TOWN ADMINISTRATOR: Naomi L Bolton

GUESTS: Police Chief Chris Moore; Finance Administrator, Beth Rouse; Fire Chief Robert Vezina; DPW Director, Benjamin Knapp; Cemetery Chairman, Bill Tiffany; Cemetery Trustee Member, Bigg Dawg Landscaping Contractor, Connie St. Clair; Nate St. Clair; Town Clerk, Maureen Billodeau; The Messenger Publisher, Leigh Bossee (In keeping with the gathering limit of ten people, certain guests came in separately and then left when their business was done.)

Chairman Meaney opened the meeting at 6:30pm., welcomed those present to the May 18, 2020 meeting of the Weare Board of Selectmen and proceeded with the pledge of allegiance. Chairman Meaney stated Selectman Burdick was seated to the side and Selectman Van is via phone.

PUBLIC COMMENT: eliminated until further notice, contact Town Administrator Bolton if you need to have something addressed.

DEPARTMENT HEAD/COMMITTEE ITEMS:

Police Chief Chris Moore discussed the 3300' road frontage along Chase Park from Waterman Road to Paige Hill Road concerning necessary restriction postings. Signs will be placed every 75' that state *No Parking This Side Towing Enforced*. Chairman Meaney suggested getting in touch with DPW Director Knapp for competitive pricing.

Chief Moore discussed the practice of keeping arrest logs with the Board. He explained a request had been made for a list of arrest logs that he declined. His department does not keep arrests logs, as the law does not require it, confirmed with Attorney Mark Broth. Chief Moore continued along with the added expense to the tax papers for this encompassing type of record keeping; he felt it was not necessary to start. If the request had been for a specific case, he would have responded favorably. Chairman Meaney concurred it was not for a specific case and the Chief has enough to do.

At the Center Woods Elementary School graduation, the WPD will have traffic cones restricting entrance into the school via Route 114. Emails have been sent to all the parents instructing them to access the school from Route 77. This is to eliminate the back up traffic on Route 114.

Chief Moore presented the Board with paperwork concerning the WPD Rifle Program for purchasing procedures. The Board to review for the June 1, 2020 meeting.

Chairman Meaney addressed Chief Moore concerning an email of the Bogue Road incident involving a discharged round discovered on a resident's porch. Chairman Meaney sympathizes with the resident's concern. It is being investigated by WPD.

CEMETERY RULES & REGULATIONS DISCUSSION: Bill Tiffany stated there was a complaint that Connie St. Clair yelled at a visitor. Mr. Tiffany stated he did not think Connie would do that, in his opinion. This resident stated while attempting to rake the pine needles, clean their family gravesite, Connie St. Clair yelled at her to stop and leave, as being there was a liability.

Mr. Tiffany asked Selectman Osborne, "Did the Quakers not turn the cemeteries over for the town to maintain?" Selectman Osborne responded, "We still own the cemeteries. We have the right to say who goes in there. The town has to maintain it." Mr. Tiffany continued, he talked to Terry Knowles and she said, "It didn't matter whether it was Catholic Cemetery or Quaker Cemetery, if the people couldn't maintain it then the current sexton is the sexton for those cemeteries under state law." Selectman Osborne answered he would take that back to the Quakers, as it is his belief they have the right to say who enters the cemetery.

Town Administrator Bolton asked Mr. Tiffany to address the complaint from the resident that was asked to leave while maintaining their plot. She continued, "It is not an easement, when you get a cemetery you actually get a deed for a 10' by 10' square." Mr. Tiffany stated, "You are purchasing the right to bury your loved one. Once that is covered, the ground on top is up to, in this case, Connie, to mow the grass, blow the pine needles away, and suck up the leaves." Town Administrator Bolton explained, "We are talking about two different things." In asking for clarification, she explained her family plants flowers at their Weare cemetery lots and if there are pine needles in the way, she will remove a pine needle. "Is that still a question?" she wondered.

Connie St. Clair, from Bigg Dawg landscaping, stated, "I'm getting paid by the town to maintain. So that means raking, blowing... nothing to do with the flowers." She continued, though it is not in the Cemetery Rules and Regulations; a gravesite owner is not supposed "...to mow, weed whack, blow, whatever."

Town Administrator Bolton reiterated the complaint by the resident. As to why attempting to clean their gravesite they were told to stop, as it was a liability. She conferred with the town's insurance company, Primex. Their response in part: "If a plot owner, caretaker were to be injured by using any of their own personal implements that would not necessarily project liability on the Town. However, even if a claim were submitted, Primex would defend the Town." Town Administrator Bolton suggested having a public hearing to address any changes to be made to the Cemetery Rules & Regulations.

Connie St. Clair stated she runs into issues of people using the cemetery for recreation: golfing, joggers, walkers, kids on bicycles and even people not picking up after their dog. She explained the worse thing is the dog excrement, "There was 27 plies just in Pine Grove." She stated pedestrians disrespect other people's monuments by placing their foot on top as a means of balance for tying their shoes. This puts a lot of pressure on the monument, potentially, making it fall over. The Board concurred this is very disrespectful. Town Administrator Bolton suggested posting signs to remind people of the rules.

Selectman Burdick stated, "I've lived in town all my life and I've raked the cemeteries myself quite often." She listed many town cemeteries she has family in, "...placing flowers, wreaths in the winter time, I've always picked up junk, sticks. Put them in a garbage bag and took it home with me."

Connie St. Clair responded, "It would be great if people who have monuments...wrap their wreaths around the monument and put things on the monument, that would be great, but that doesn't happen."

Selectman Burdick asked for clarification, "You don't have a problem if somebody just goes in and rakes the lot off, if it's all pine needles or sticks and stuff, and you haven't gotten there? Do you have a problem if someone goes in the week before Memorial Day and does that?" Connie St. Clair answered, "I think that's what our issue is right now." Selectman Burdick reiterated she is not breaking any laws if she goes in the cemetery. Connie St. Clair stated the guidelines have nothing along those lines, "That's why we are here. Is it going to stop or keep going, what am I hired for?"

Town Administrator Bolton and the Board concluded signage needs to be looked into and the guidelines updated. Selectman Burdick continued she has been taking care of her family lots for 50+ years and she has never had a problem. Connie St. Clair asked the Board, if we do get signage that says NO RECREATION what is she to do. The Board responded call the police. Town Administrator Bolton stated she and Connie will work together on this.

On behalf of the advertisers with *The Messenger*, Leigh Bossee gave Fire Chief Vezina certificates to Yanni's Pizza, Hillsborough, NH., for each member of the Fire Rescue Squad in appreciation for all they do in good times and during this pandemic. Chief Vezina thanked him.

BUILDING INSPECTOR REORGANIZATION: Town Administrator Bolton, the Board and Chief Vezina had a discussion to place the Building Inspector under the administration of the fire department. Selectman Burdick asked the Chief what he inspects now. He listed several items. She then asked if he was certified to do so. He replied yes. Next, she asked if the new hire would be under his administration, trained and certified. The Chief answered in the affirmative and listed the training options. To be revisited in two weeks after a trip to Loudon, NH. to gain insight as their Inspector is overseen by their fire department.

Finance Administrator Rouse explained the three GOFERR 100% reimbursement requests with a deadline of June 1, 2020 from the State of NH. The reimbursement requests are for March/April at \$16,000.00, May/June and July/August. **Chairman Meaney made a motion, Vice Chairman Hippler seconded to authorize Finance Administrator Rouse as assignee for GOFERR COVID 100% reimbursements for the Town of Weare not to exceed \$210,673.00. Passed 5-0-0**

DPW Director Knapp requested authorization to purchase a 6' wide electronic roadside message board. He currently rents it at \$650.00/month. Reimbursement could be applied for if the town uses it for a COVID public notice. Quotes as follows: \$11,900.00 (current one in use/rental fee waived); \$16,750.00 w/ 600.00 shipping; \$17,578.00 w/ 600.00 shipping. The money to come from the Road Reconstruction Fund with any reimbursement received, placed back into that account. This solar, electronic sign has the capacity for eight messages with three lines per side. DPW Director Knapp stated he places the message a week in advance of the road construction. There has been a lot of positive, appreciative feedback as the notice gives travelers time to reroute or make adjustments in their schedules. The town could also use it on Old Home Day, at the Town Parade, at the Transfer Station for public safety notices, etc. It is a multiuse message board. **Selectman Osborne moved, Chairman Meaney seconded to purchase ATS rental electronic signboard for \$11,900.00 with the money coming from the Road Reconstruction fund.**

Passed 5-0-0

Town Clerk Maureen Billodeau asked the Board to rescind their letter to the Governor and the Secretary of State concerning the wedding she performed on April 27, 2020. With the Governor's requested COVID -19 Emergency Order #16 and the Board's Building Closure Notice, STOP We Are Closed For Visitation, that was placed on the Town Office building front and back doors, and the Town's website, the Board deemed the Town Clerk in violation as the wedding she performed was an unnecessary, nonessential gathering by the public. Town Clerk Billodeau at first was only going to administer the marriage license, but then decided to perform their wedding. There was time in her schedule and the couple, along with their parents, were dressed and accessorized for the ceremony.

Chairman Meaney stated he tried to discuss the wedding with Town Clerk Billodeau days prior to the drafting of the letter, but Town Clerk Billodeau walked away, refusing to talk to the Chairman about it. Consequently, the letter was sent with a description of "the number of attendees exceeding ten." To this, a lengthy discussion followed. Town Clerk Billodeau stated there was ten people, including herself and her Town Deputy. Chairman Meaney addressed her disregard of the Board's decision to close the building as it was specifically stated. The building was closed to the public, having only necessary appointments, with proper disinfecting to occur between appointments. Moreover, there were other employees in the building at the time. Acting as a Justice of the Peace performing a wedding inside the town office building was not essential during a COVID pandemic. This is not a necessary town service. Town Clerk Billodeau stated she needs clarification as to what she could or could not do. Administrator Bolton reiterated the declaration of essential vs. nonessential established weeks ago. Everyone knew the building was locked for unusual business.

Town Administrator Bolton also mentioned, the Town Clerk directs residents, upon leaving, to let the next resident waiting for their appointment in the building by themselves. When is there proper disinfecting between public visits?

Selectman Burdick mentioned the letter the Board signed to the Governor and Secretary of State stating an incorrect number of attendees. Chairman Meaney stated the number of attendees, along with the employees in the building at the time, is regardless of the BOS ruling that the building was closed to the public. Selectman Burdick would like the letter rescinded. Chairman Meaney agreed the letter could be rescinded, but there was still a violation of the Board's decision to close the building.

Town Clerk Billodeau stated she does not have anything that states the building was closed. Chairman Meaney stated, somehow, magically, the STOP We Are Closed For Visitation signs that were posted to the town office building front and back doors disappeared.

Town Clerk Billodeau reiterated how many registrations she is doing daily. Selectman Osborne redirected the conversation stating she was getting off base, this is about a wedding not registrations, "I agree with Jack (Chairman Meaney) this building was closed. You should not have performed that wedding." Chairman Meaney stated the necessary part was giving them a marriage license not performing a wedding ceremony. That was above and beyond your necessary role as the Town Clerk. "Their business was done when they got the license," declared Chairman Meaney. Town Clerk Billodeau stated they were all masked. Chairman Meaney answered that is not the issue. Town Clerk Billodeau stated, "It's not me, to go out of my way, to intentionally violate anything." Chairman Meaney stated, to us, it was a serious infraction as the building was closed and employees complained about it.

The discussion continues until Selectman Osborne asked, "What are we going to do about it? We could stay here all night." Chairman Meaney answered, "I think the violation was there, it's just about the letter." Town Administrator Bolton stated, "Yes, the violation to the building occurred, but the numbered that was provided is incorrect...rescind the Governor's Order part."

Vice Chairman Hippler made four points: 1. Our letter that was sent to the Governor is wrong and needs to be rescinded. 2. There is a lot of confusion going on with COVID as to what is considered essential and what is not. 3. I understand where we were at with the 10 number violation, but right now the couple is the only one wearing masks. And, apparently, we were counting the entire floor and the entire building of employees. 4. I think it is a big misunderstanding. I am going to move to rescind the letter entirely.

Vice Chairman Hippler moved, Selectman Osborne seconded to rescind the letter in its entirety. Passed 5-0-0.

Town Clerk Billodeau thanked the Board.

MINUTES:

May 4, 2020 Minutes: Vice Chairman Hippler moved, Chairman Meaney seconded to accept the minutes of May 4th, as written, passed 5-0-0

May 6, 2020 Minutes: Vice Chairman Hippler moved, Chairman Meaney seconded to accept the minutes of May 6th, as written, passed 5-0-0

MANIFEST:

To order the Treasurer to sign the payroll and accounts payables checks dated May 21, 2020 as included in the following manifests:

<i>Payroll Manifest</i>	\$	57,510.94 (Weekly payroll)
<i>1st Responder Stipend Manifest</i>	\$	6,902.90
<i>Accounts Payable Manifest</i>	\$	335,124.37
<i>John Stark Accounts Payable Manifest</i>	\$	86,600.00
<i>Weare District Accounts Payable Manifest</i>	\$	300,000.00
<i>Total</i>	\$	786,138.21

The following manifests were previously ordered to sign at the May 4, 2020 Board of Selectmen meeting:

Payroll Manifest 05/14/2020)	\$ 58,588.60	(Weekly payroll checks dated
1 st Responder Stipend Manifest	\$ 7,032.90	(Stipend Checks dated 05/14/2020)
Supplemental Payroll Manifest	\$ 618.00	(Check dated 05/17/2020)
Accounts Payable Manifest	\$ 48,233.99	(Checks dated 05/14/2020)

As there is no Selectmen meeting scheduled for Monday, May 25, 2020

Please vote:

To order the Treasurer to sign payroll checks dated May 28, 2020 estimated to be about \$70,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$75,000.00 for accounts payables that cannot wait until the next scheduled meeting. Reports and actual check amounts will be reported to the Board of Selectmen by inclusion on the Manifest Memo at the next scheduled meeting.

Chairman Meaney moved, Selectman Osborne seconded to accept the manifest as follows, which passed 3-1-1. Vice Chairman Hippler voted no, Selectman Van abstained

Chairman Meaney made a motion, Selectman Burdick seconded to have the Finance Administrator void a check dated May 4, 2020 for \$3750.00 for the supplemental accounts payable. Passed 5-0-0

ADMINISTRATOR'S REPORT: Administrative Topics:

- Thibeault Corporation, Londonderry, NH - gravel permit to expire – **Chairman Meaney moved, Vice Chairman Hippler seconded to grant a 1-year extension concerning a renewal application for an Earth Excavation Permit for Thibeault Corporation of New England, excavation sight of Clough Park Road, Tax Map 409, Lot 107. Passed 4-0-1 Selectman Osborne**
- Dick Ludders was renominated, signed by the Board, to be the Weare representative on the Local River Management Advisory Committee.
- Board of Selectmen signed the cemetery deed for Connie St. Clair.
- 2020 Flower Bids – Moody Pond, Weare, NH., \$1850.00; Rhonda Gregg, Weare, NH., \$1880.35. **Chairman Meaney moved, Selectman Burdick seconded to award Moody Pond the 2020 Flower Bid for the 17 whiskey barrels at the Stone Building and Town Office Building. Passed 5-0-0**
- Houle – Skyes lot, Concord Stage Rd.: Conservation Commission is concerned about the encroachment on town land clearly marked with yellow glazing. To be looked into further and revisited in two weeks.
- Chase Park – Town Administrator Bolton discussed the reopening of the boat ramp. Having called NH Fish & Game, she learned they view Chase Park as town owned, private property with the Board having the authority to open or close. This is based on the fee of \$30.00 to put your boat in. PARC commission would like to start meeting to begin interviewing and hiring staff. Town Administrator Bolton stated giving the PARC two weeks to meet, hire and train their staff with a tentative, first come first serve, boat ramp weekend opening of June 6th/7th, and 13th/14th. Additionally, if the Governor allows the beaches to reopen, then we would be looking at Monday, June 15th to open the beach, as traditionally, it opens once the school year ends.

Selectman Osborne stated his concern of waiting until June 6th will be a “logistical nightmare” of traffic getting camp boats and the general public boats launched. Vice Chairman Hippler asked if this was the wishes of the PARC. Town Administrator Bolton explained it is the thoughts of the PARC Chairman, to give them time to interview, hire and train. This would allow the boat ramp to be open to everyone not just Horace Lake landowners. Town Administrator Bolton reminds the Board of the May 30th Governor’s orders TBD.

Vice Chairman Hippler stated he and Selectman Van have discussed this, he agrees with the PARC Chairman and feels people need to understand the Board is trying to do the right thing. Perhaps their previous judgement was wrong in only allowing the landowner's access to the boat ramp, in retrospect, he feels it is best the PARC do what the Board of Selectmen have entrusted them to do. As always, the Board is available to meet with the PARC once they have a plan in place.

Selectman Van suggested a meeting with the PARC for Wednesday, May 20th to then open the boat ramp for Memorial Day weekend. Chairman Meaney stated with that many people it would have to be outside and he would not be available. He also stated this would not allow the staff to be trained for invasive species. Training for Milfoil is a responsibility to Horace Lake, its landowners and the town in general. He reiterated, a rush judgement was made previously, with good intentions, and it did not work out the way the Board thought it would. Chairman Meaney continued, logistically; take a step back and get the rest of our ducks in a row. Selectman Osborne added we need a couple weeks to get no parking signs posted along the road.

Selectman Burdick reminded the Board we do not know what the Governor is going to do. If he opens up that area, you have to train people. Vice Chairman Hippler concurred with Selectman Burdick; you still have to train the gate attendants on how to take and issue permits and fees. Chairman Meaney agreed there is not enough manpower to staff the gate and to restrict the beach area making it premature to rush having a meeting in trying to open for this weekend.

Vice Chairman Hippler suggested putting something on the town website once the game plan comes together with PARC's projected boat ramp opening of June 6th. Chairman Meaney stated, without a crystal ball to figure out what is going to happen; they have been trying to play catch up this whole time. Navigating all the hazards coming into this, the Board probably acted in haste previously. This time they need to make sure they have the trained staff for boat inspections, paperwork, issuing stickers, for residents, non-residents and handing out what they are supposed to, along with keeping track of the closed beach area.

Town Administrator Bolton stated how other towns are opening at a 25% capacity; she also agreed not to rush to judgement. Selectman Burdick mentioned a liability with separating high school kids from young children playing.

Chairman Meaney mentioned, based on the stuff that is being put out on some of the different venues, (ie. Facebook, etc.) some adults will be running rough shot over the staff at Chase Park. The Board does not want that to happen either. He continued the Board wants to make sure everybody (staff) is prepared and well versed.

Town Administrator Bolton shared the Lake Horace Owners Association has reached out to offer to help. They understand the Board is trying and have been very gracious. Chairman Meaney stated for every negative, there has been ten positives.

The Board stated it is best to have PARC have their meeting with the tentative opening date of June 6th. Selectman Van asked for clarification as to Chase Park being closed for Memorial Day weekend. The Board responded in the affirmative.

Town Administrator Bolton explained the PARC would notify the landowners with appointments on the list about the new decision to hold off on opening the boat ramp for the time being. Looking ahead, weekend opening of the boat ramp on June 6th/7th and 13th/14th, with an everyday opening of June 15th, tentatively.

Selectman Osborne stated PARC committee member, Tara Mann, resigned. He, the Board and the PARC would like to thank her for her service.

CORRESPONDENCE & OTHER BUSINESS:

Selectman Burdick received a letter from a resident, Mike Haas, stating how pleased he was with the DPW for the paving repair on Riverdale Road regarding the pot holes while entering on to Depot Street.

Chairman Meaney read the letter that he referenced with Chief Moore earlier. It was from a Bogue Road resident concerning the serious issue of a 45-caliber bullet projectile that his daughter found on his patio. Chairman Meaney stated they do take this serious, following the state statute, having the WPD involved. Chief Moore and his department will be investigating further.

Chairman Meaney read an email from a town resident concerning the flag at the Town Hall. This pole has been fixed and the flag replaced.

NONPUBLIC SESSION:

Chairman Meaney moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 8:45 p.m. pursuant to the authority granted in RSA 91-A: 3II (a&c). A roll call vote was taken, Selectman Van – yes; Selectman Osborne - yes; Chairman Meaney – yes; Selectman Burdick – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Vice Chairman Hippler moved, Chairman Meaney seconded to exit this nonpublic session @ 9:11 p.m. A roll call vote was taken, Selectman Van – yes; Selectman Osborne – yes; Chairman Meaney – yes; Selectman Burdick – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Vice Chairman Hippler moved, Selectman Burdick seconded to seal and restrict these nonpublic session minutes. Passed 5-0-0

NONPUBLIC SESSION:

Chairman Meaney moved, Vice Chairman Hippler seconded to enter into nonpublic session @ 9:11 p.m. pursuant to the authority granted in RSA 91-A: 3II (c). A roll call vote was taken, Selectman Van – yes; Selectman Osborne - yes; Chairman Meaney – yes; Selectman Burdick – yes; Vice Chairman Hippler – yes. Passed 5-0-0

Chairman Meaney moved, Vice Chairman Hippler seconded to exit this nonpublic session @ 9:13 p.m. A roll call vote was taken, Selectman Van – yes; Selectman Osborne – yes; Chairman Meaney – yes; Selectman Burdick – yes; Vice Chairman Hippler – yes. Passed 5-0-0

The Board discussed passed due taxes per request received.

Being there was no further business to come before the Board, Chairman Meaney moved, Selectman Osborne seconded to adjourn at 9:14pm. Passed 5-0-0

ADJOURNMENT

A True Record.

Karen Nelson

Karen Nelson transcribed from
TA Bolton notes & YouTube recording