

DRAFT



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 1, 2023**

PRESENT: BENJAMIN D. KNAPP, VICE CHAIRMAN; FREDERICK W. HIPPLER, CHAIRMAN; SALIM BLUME, SELECTMAN; SHERRY M. BURDICK, SELECTMAN.

ABSENT: Kevin J. Cahill, Selectman

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Hobart Kiblan; Lori Davis; Alan Rockenbach; Peter Westfahl; Paul Gannon; Travis Corcoran; James Anglin; Craig Young; Judy Nettele; Jon Morton; Howard Kaloogian; Jason Fiske; James Warrell; Samuel James; Jen Matlock; Frank Campana; Steve Roberts; JaNeen Lentsch; Tom Flaherty; Rick Brown; Brian Sullivan; Tom Clow; Christopher Olsen; Jon Moul; Craig Moul; Pamela Moul; Mark Roarick; Michael Hiller; Noah Brent; Wayne Meattley; Amanda Charest; Officer Chad Averill; Office Barry Charest; Emily Dauphanais; Sgt. Ryan Frisbie; Captain Frank Hebert; Officer Andrew Vollaro; Sgt. Brandon Montplaisir; Corporal Mike Muise; Police Chief Chris Moore.

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

NONPUBLIC SESSION:

Chairman Hippler moved; Vice Chairman Knapp 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, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

The Board conducted an exit interview with DPW Employee Hobart Kiblin who has turned in his resignation, but offered to help in case of emergency if needed due to the short staffing. Mr. Kiblan felt that the moral and the demise started when a Board representative arrived at the DPW once the former director resigned to explain how the transition was going to proceed. Mr. Kiblin explained that a little more money would go a long way, but making the mechanic the Interim DPW Director and not filling the position was added pressure. They got through the winter but he is worried for the crew when it is time for Interim DPW Director Fiske to take a vacation. Another mechanic needs to be hired if the Board plans on making Interim Director Fiske the permanent director. The Board thanked Mr. Kiblin for his time with Weare and wished him the best.

Chairman Hippler moved; Selectman Blume seconded to exit this nonpublic session @ 6:53 PM. A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved; Selectman Blume seconded to enter into nonpublic session @ 6:52 p.m. pursuant to the authority granted in RSA 91-A: 3II (b). A roll call vote was taken, Vice Chairman

Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Police Chief Chris Moore introduced a potential new full time police officer. There are a couple more testing requirements that have to be passed. The Board met and interviewed the candidate. Upon successful completion of the final two tests Chief Moore would like to get him sworn in at the next meeting so that he can be enrolled in the next Police Academy without having to wait. The Board agreed and Chief Moore will work with Town Administrator Bolton once the completion of the tests.

Chairman Hippler moved; Selectman Burdick seconded to exit this nonpublic session @ 7:01 PM. A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved; Selectman Burdick seconded to enter into nonpublic session @ 7:01 p.m. pursuant to the authority granted in RSA 91-A: 3II (c). A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved; Selectman Burdick seconded to exit this nonpublic session @ 7:06 PM. A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved; Selectman Burdick seconded to seal and restrict these nonpublic session minutes. Passed 4-0-0

OPEN PUBLIC PORTION OF THE MEETING:

Chairman Hippler called the meeting to order at 7:15 PM. Chairman Hippler stated that we began this evening with two nonpublic sessions. The first was for an exit interview with a DPW Employee that is leaving and the second was an interview a potential full-time Police Officer candidate. He then asked all present to join in the pledge of allegiance.

PUBLIC COMMENT: Chairman Hippler stated as a reminder there is a 5 minute time limit.

Travis Corcoran, 275 Quaker Street stated that he has practiced his statement several times and it is about 5 minutes and 3 seconds. Mr. Corcoran stated that he has practiced it at home several times and he has it down to 5 minutes and 2 seconds.

Mr. Corcoran read from a handout that he provided to any and all that wanted a copy. It reads as follows: *“Thirty three years ago I was an ROTC cadet attending field training at Plattsburg Air Force Base. One thing I remember was an ethical test that asked us if we would bend the rules. The trick is that each question was followed by another, where the stakes were higher...but having already bent them once, you were almost trapped into bending them again. First, your friend needs to leave work early - would you cover for him? Then, having already covered for him, one now has to undo one small white lie, or just agree to a second ethical lapse - a little bit bigger than the first. And so forth, until in the final step, an airplane has blown up, and the cadets taking the test are to blame, because through a long series of steps, they ended up faking inspection reports.*

I come before the BOS today to ask this body to consider the lesson of that test. Legal and ethical mistakes have been made by others. The best time to correct those would have been at the time, but the second best time is today.

Specifically, I am asking the BOS to inform the town's attorney that she is engaged in defense of a lawsuit that

the Bos has never legally authorized, and ask her to withdraw from it until and unless legally authorized.

Timeline

- *On 6 October 2018 Chip Meany **illegally issued a building permit** that violated town zoning codes.*
- *On 12 October 2018 Chip Meany doubled down, saying in writing that he was allowed to **make a judgment call and override the zoning code**.*
- *On 24 October 2018 I sent a formal appeal. Chip said that my appeal didn't matter because **his network would just issue a variance anyway**.*
- *on 4 Dec 2018 in a ZBA meeting then Bos member Jack Meany, a friend of the party at 271 Quaker, said that he personally wanted to see the barn go up".*
- *During this time the property owner violated the Cease and Desist. The town has a mandatory process, but **the building department refused to follow their own code**.*
- *In December 2019 I filed suit. The town defended and lost. Who authorized the [losing] defense? Who authorized the expenditure of taxpayer dollars? Did Jack Meany recuse himself, or did he violate the ethics code and vote? We have no idea because this was all done **in secrecy, in violation of state law**.*
- *On 1 Dec 2020 Jack Dearborn decided to delay a variance hearing. Only later did the explanation become clear: Jack had **secretly coordinated** with the Planning Board, and was delaying the meeting to give the Planning Board time to change the zoning code.*
- *On 8 Dec 2020 the ZBA held a site visit...but Jack Dearborn refused to inspect 95% of the site because - in his own words - "we want it [the barn] here". What I didn't know at the time was that Jack returned to the site three days later in **illegal secret coordination** with one party to the dispute and other members of the ZBA.*
- *On 10 Dec 2020 the Planning board voted to change the zoning code - a special change designed to benefit a friend of Jack Meaney's. The town Ethics Code required that Jack Meaney disclose the conflict and recuse himself. Instead he **violated the Ethics Code** and voted for the change.*
- *On 14 Jan 2021, Neal Kurk, having learned the secret intent of the article, asked for reconsideration. There was a long awkward silence, finally broken by a board member saying that they were all aware of that, as per discussion. There had been no public discussion. Any that happened happened outside of formal meetings, in **illegal secret coordination**.*
- *At the same time Kelley Dearborn-Luce violated the town Ethics Code by contacting one side to the dispute by email, saying simply "call me". There's an interesting detail about Security and Exchange Commission investigations - the email that says "call me" is the smoking gun which signals the beginning of the **illegal secret coordination**. In this case the attempt failed because the property owner at 271 Quaker called back, got the secret message that Kelley had for them... and then screwed up the conspiracy by responding to the initial email, and referencing the discussion in writing. Those emails were initially **illegally hidden by Naomi**, but were eventually revealed.*
- *In ~~February~~ March, and April of 2021 I asked Naomi multiple times for specific emails. Time and again Naomi said that she had no such emails. Let me be clear: **Naomi was explicitly lying**. She had the emails, and she was lying in **secret coordination** with Jack Dearborn. Proof is attached*

as an appendix to this document.

- *On 6 April 2021 the first attempt at the variance hearing was held on Zoom. **Naomi violated the law** by preventing supporters - including Martha Kaloogian, Howard Kaloogian, Michael Anthony O'Day, and State Rep Leah Kushman - from joining. Naomi then violated the open meeting law by ejecting me from the meeting.*
- *On 4 May 2021, without the documents I needed, I headed into the second variance hearing where I was ambushed by Jack Dearborn. I had requested ahead of time that Jack recuse himself as per the Ethics Code, but Jack refused to do so. Instead he tried repeatedly to stop me from testifying, lied about various laws and supreme court precedent, and helped one party in the dispute. He was joined by Michael Meyer who argued on the record that **the ZBA was not bound by NH Supreme Court precedent**. In the end the ZBA violated the law and granted the variance.*
- *Under threat of lawsuit Naomi finally turned over public records, and we learned that*
 - a. *Jack Dearborn - knowing that the variance application required a survey and yet did not have one - commissioned Bruce Fillmore to **create one for the benefit of the variance applicant**, and may have used town funds to pay him.*
 - b. *Jack Dearborn had a second, **secret, and illegal site visit** on 11 Dec 2020, where he did - now that I wasn't present - exactly what he later said in falsified minutes was impossible because of the office: he visited the corners of the building lot, saw that other locations were possible, and took pictures documenting this.*
 - c. *Naomi **violated state law** on 3 May 2021 by **explicitly lying to me**, falsely saying "Attached you will find all the Jack Dearborn emails I have". These documents, had I had them at the time that the variance hearing was held, would have made it extremely clear that Jack Dearborn was an interested party who had not just a thumb, but all five fingers, on the scale.*
- *At this point I sued the town to overturn the illegally issued variance. For the second time the Bos is somehow spending taxpayer money to defend, despite never having legally voted to do so."*

At this point in the reading, Chairman Hippler interrupted and explained to Mr. Corcoran that he has reached his five minutes. Mr. Corcoran stated that he is going to read one more paragraph and he can haul me out if you want and he proceeded.

"Conclusion

I mentioned earlier the ethical exercise at Plattsburgh Air Force Base. I'd like to return to that.

*Certain employees and members of various boards have broken laws and violated the ethics code. That can't be undone. The only thing that **THIS BOS** can control is how they vote today.*

I am asking the BOS to inform the town's attorney that she is engaged in defense of a lawsuit that was never legally authorized, and ask her to withdraw from it until and unless legally authorized.

Having done so, the Bos is free to consider the question again, the ethical and legal way: it can go into a meeting (either public or non public), have a discussion, take minutes, and hold a vote to see if it wants to spend taxpayer dollars defending the actions of a handful of actors... knowing that those minutes and those

votes will eventually become public records which taxpayers will review when deciding how to vote next year."

Richard Brown, 37 George Moody Road stated that he would really like to know when the Board is going to fix Duck Pond up. The guys made a real mess down there now. It looks like a clam flat not a pond. There were geese and stuff in there. What are you going to do? Chairman Hippler stated that he would have to go look at it. Mr. Brown continued by saying that there ain't much to look at. They keep digging it down, digging it down deeper and deeper. It needs to come to a stop. Mr. Brown stated that he is going to DES tomorrow. He's already been there once. It is disgusting what you guys are doing to that pond. Trap the beavers out of there, that's all you got to do. Instead of ripping the bank out every time. The thing's (pond) is about two feet deep right now. He stated that he has been here for 65 years and that's always been a pond. He pointed out Selectman Burdick and said she knew that and she is on the Conservation Committee, where's the Conservation Committee they ain't done nothing about it. Selectman Burdick replied that she doesn't know that they are really aware of it. Mr. Brown replied, well they ought to be looking. Selectman Burdick responded that this just happened in the last couple of weeks and she is not sure they are aware of it. Mr. Brown stated, they're aware of it now because I'm telling you. Last Tuesday they had the water going across Duck Pond Road, they just let too much water out. If you work where Mr. Brown works and see what's going on there you would just laugh. It's a waste of time and taxpayers money. You got two guys down there and the backhoe. All you got to do is just take a little dam out you don't have to rip the whole thing out. Mr. Brown stated that he had one more comment. How many hours do we have on that manlift down on River Road. Chairman Hippler asked to rent it? Mr. Brown stated yes. Chairman Hippler replied it was a set fee and I'm not sure the exact amount. Mr. Brown stated per month right. Chairman Hippler replied per week. Mr. Brown stated it doesn't even look like it's been used, so we are paying for a "dead horse"?

Craig Young, Quaker Street, he lives across from the property that Mr. Corcoran was describing. Although he moved in after it was built and he doesn't really have a problem with the building itself and he considers Gil and Travis personal friends. Before he continued by saying before he moved here, he is an attorney and was representing municipalities, schools, cities and counties and I'm the kind of guy that you would drag into non-public meetings and discuss this kind of thing. This is very disturbing, what's laid out in this document, and he thinks that these parties wouldn't be at each other's throats but for the actions of the town.

Dave Pratte, Winter Road, stated that first he would like to say that he supports Mr. Corcoran's request. That the Board should have a meeting and vote on this subject. Secondly he would just like to respond to an email he got recently which stated on December 5th, 2022 I came before the Board of Selectmen to present my concerns regarding the neighboring property and the roles that the Town has played in the development of that issue. At the end of that presentation, he included six questions directed to the Board and requested answers to those questions. On January 30th he received notice from Ms. Bolton that the request was forwarded to Town Counsel who would in turn be responding to my questions and to this day do not understand why this transfer of response took place. They did not invoke their lawyer in this, however he was informed by his lawyer on 1/19, 11 days prior to Ms. Bolton's notice that he was informed by the Town of Weare counsel that she would be preparing a response. Though he was not given consent of the notice or the contents of the notice. Finally February 9th he and his wife received a letter of response on April 2nd that the Board was all copied on. This was after numerous attempts to contact Mrs. Bolton and receiving no response. In their response he posed 5 questions and returned a request for a response to one of the original questions left unanswered. Mr. Pratte received an out of office email from Attorney Spector-Morgan stating return on April 18, 2023. After getting no response from anyone, he sent a follow-up email on April 26, 2023 on which you were all copied. The response to that email, again on which you were all copied was surprising at best and is as follows: "Mr. Pratte the right to know law does not require me or the town to answer the questions you have posed and therefore we decline to do so. I encourage you to speak with your attorney should you have any further concerns regarding this matter. Laura" Mr. Pratte

continued by saying that he did not feel were unreasonable he admits that his wife and he are truly disheartened and disturbed that the Town of Weare Board of Selectmen and Town Administrator would agree to this course of action and you would have this level of contempt for the Town residents that are merely looking for answers.

Jackie Pratte, 51 Winter Road stated that she wants to start off by saying that she agrees with Mr. Corcoran. She would like for the Board of Selectmen to have a formal and legal on what he had said and that Town Counsel should not be used for this purpose unless the vote is in agreement. She continued and wanted to elaborate a little bit on what her husband had said. She doesn't for the life of her understand why the Board could not answer a question when you decide to take it upon yourselves to consult their lawyer, who they pay. They pay for their lawyer and the Board doesn't. They had no idea he was involved. He had no idea he was involved. He reached out to Mrs. Pratte in an email saying he didn't know what the Town was referring to. A week later she gets an email from the Town Administrator saying it was turned over to Town Counsel. They put the pieces together and figured it out. So, who's paying that bill Mrs. Pratte asks. She then continues, and they the Board has the audacity to tell them that you don't have to answer the question on why he was notified without their permission or without their consent. Mrs. Pratte stated that he is on their retainer and they pay for the man, why do they not have a right to know that. She doesn't understand by the Board can not answer that question. She doesn't care if the Board doesn't want to answer the other ones but the Board needs to answer that one. What gives the Board the right to do that, she now has a bill and she thanked the Board for that, and because it was copied to the Board of Selectmen, the Town Administrator and Town Counsel, she assumes the Board is in agreement that they don't need to know that you are going to tack on our lawyer without our permission, without our consent, without their knowledge. Mrs. Pratte thanked the Board.

Frank Campana, Quaker Street stated that he is a little bit behind in this public comment. On Monday, April 3rd he called the Town Administrator's phone, it was about four minutes before nine. He had a question to ask. He let it ring a few times, he never knows how long to let it ring, but anyway there was no answer. Same day, about quarter of twelve, tried the same phone number, had the same questions to ask and he got a recording, the same he has gotten before, to leave a message and it says she will get back to him, so his short message was "Naomi, this is Frank I think you have my phone number, if you could kindly return my call". Mr. Campana stated that well, he hasn't heard back. He is really upset. He doesn't know if it has to do with her increase in pay that she's distanced herself from the population or if it is in a job description that she's distanced herself from the population. Mr. Campana, stated that he knows the Board doesn't like to answer questions but I don't know where to go to get information. What he wanted to ask her was, when would be the appropriate time for him to request these several memorandums of understanding that the police department seems to be throwing out there. After the fact, after the voting. Mr. Campana sarcastically asked, where do I go, the Road Agent, do I go to a Selectman, he doesn't know where to go. He is really at a loss after being in town for 50 years. He's really at a loss, when he follows directions, "I'm away from my desk, I'm busy with somebody, leave a brief message". He did exactly that and Mr. Campana stated that he hasn't heard back. One other example Mr. Campana gave, he called during the winter time because there was a lot of logging going on by his road and the trucks were going Thorndike Street. He did call Naomi, as she's always seemed to have the answers and I asked her if she knew where the logging was going on, there was truckload after truckload, he was amazed. So Naomi told Mr. Campana to call downstairs to speak with the Assessing Administrative Assistant as she does the intent to cuts. He found out it was the logging operation by Perkins Pond and something that was being done by the State. He tried to get in touch with Naomi just to pass the information on to her and same thing, never heard back, so where does he go. He asked for an answer tonight. Mr. Campana stated that he has never had an issue before and she has been very respectful of him, very cognizant of getting back to him, but he is fed up.

James Anglin, Quaker Street stated that he can't say much more than he would respect and appreciate a legal, open vote in order to fund the lawsuit.

Paul Gannon, Flanders Memorial Road stated that he would like to reiterate what Mr. Brown said regarding the beavers. He doesn't understand the town and how much the Town spends to reduce that beaver dam a few times a year. He sees guys going down there, at least two to three times every year, someone's in there tearing that beaver dam apart. Mr. Gannon thought that it would be pretty advantageous to reach out to Fish and Game to see if they have a list of trappers. Guys that trap, according to Mr. Gannon are like guys that hunt, if a farmer comes up and says they have coyotes and see if you want to sit on my field and shoot them, they are happy to do it and not going to charge them. Guys that want to trap would love to get the opportunity to trap those beavers. If we could trap them maybe we will save ourselves some money. He's unsure if the Town has thought about that, but that is Mr. Gannon's position. His position with regard to the information from Mr. Corcoran. He didn't expect to see it. He read through it and seems like where there's smoke there's fire. Mr. Gannon thinks that the Town should vote to see if the Town should pay for an attorney to deal with this issue. Dealing with attorney's or accepting money from the Southern New Hampshire Planning Commission to do our master plan, the people need to vote it, it shouldn't be decided by a committee.

Brian Sullivan, 18 Perkins Pond Road stated he is here to support Mr. Corcoran and what he said. He also wanted to remind the Board of a Landmark decision by the Supreme Court in 1964. It was New York Times versus Sullivan and in that decision it said that it reaffirmed the First Amendment right of citizens to publicly pull out names of elected officials and give them their due course in public without any recourse of defamation. So with that being said Bolton, Dearborn, Fillmore, Meaney, those names all have to be put out in the light and everything that Mr. Corcoran said here needs to be put out in the light. Mr. Sullivan continued, honestly as a taxpayer in this town he's appalled to read something like that, that this sort of family and friends and good old boy network is continuing in this town. It may have been fine 50 years ago that's not working today, no way, not with the taxes that we pay absolutely not. Mr. Sullivan urged this Board to give this man his due and the things that are required of this particular situation and all of the people that Mr. Sullivan named are people that have to be brought to light.

Howard Kaloogian, Colby Road stated that he is a retired attorney and he stated that he is going to go before Brian Sullivan next time. He wanted to also express his support for Travis Corcoran and ask that this Board confirm that participating in this lawsuit is something that this Board, not the last Board, that this Board chooses to do. Mr. Kaloogian continued, that as a retired attorney he couldn't imagine representing a client who didn't want to be represented in the case. You have to specifically decide if this is worth defending. You have lost once, you're going to lose again and you're spending our money. Mr. Kaloogian asked that the Board not do that or intentionally do it with a vote. He support's Mr. Corcoran's motion.

Jon Morton, Eastman Way stated that he absolutely supports what Mr. Corcoran has put together here and he stated that he has personally witnessed and experienced some interesting things in town here. The second topic Mr. Morton stated was that he has had a number of people that are interested in moving the election, totally separate subject, to May 7th which is the alternate date of elections. He stated that he spoke with Cordell Johnson who is the Henniker Town Moderator, because we share a school district we have to work together and either keep it the same day we have it now. It's going to snow next March, which he thinks everyone can imagine that that's most likely going to happen, just like it snowed last year and the year before. Mr. Morton continued by saying that in 2017 or 2018 when 70 other towns cancelled the election like a bunch of babies, here in New England it snows, so we didn't cancel, Henniker didn't cancel and there was a little bit of feedback on that. There are towns that did cancel and there was feedback as people were upset about that. Mr. Morton continued, but you can't win either way. If we were to move it to May 7th, it would be closer to the school budget as well, so there's a couple of good reasons for that. He's asking the Board to consider moving the election going forward to May 7th. Cordell Johnson agrees with this and he is going to speak with his Board in Henniker as well. Mr. Morton stated that just to give the Board background, he is new to this role and only been doing it for a little over a year. Cordell worked as legal counsel for the New Hampshire Municipal Association who oversees elections for the State for 18

years. He's pretty much experienced in what he's talking about and he says it's a very good idea that we move it to May 7th so we don't run into these issues where we find out that we don't have enough plow drivers in town, so we can't get people to the polls; then we find out that we don't have a school generator working and another thing again we could add that to the things that are being hidden or he then stated that why don't we approve the Town drone for the police department and then they can film all the meetings.

Mike Hillers, Colby Road stated he is here in support of Mr. Corcoran and the stuff that's going on there. Mr. Hillers didn't know all the details of it but he moved here for transparent small town government and he thinks a vote on this would reassure him.

Peter Westfall, 1 Ski Tow Road stated that he is in Mr. Corcoran's move for a vote. Mr. Westfall stated it just seems like general good practice to get things on the record especially for moderately large to large expenditures such as legal fees.

Travis Corcoran thanked everyone that came to support him.

EAGLE SCOUT PROJECT – BENCHES AT CHASE PARK:

Jon Moul, Troop 529, was present and stated that he is working for his eagle scout project. Mr. Moul stated that his project plan is to build at least 10 benches for Chase Park so people will be able to sit and enjoy the park. He plans to start to build the benches in late spring/early summer. Benches will be built offsite. Once benches are built, they will be delivered and placed around the park. Parks and Recreation Commission requested that they be secured to the ground. They will be secured by stakes and wire. The benches will be built out of ground contract pressure treated lumber. Since benches are already treated with weather shield they will need to be painted. This will be less maintenance for the town and keep the benches looking good. The benches will be no cost to the town. Funding will come from fundraisers such as car washes and raffles. The benches should be done early summer. Benches will be built by scouts, friends and other volunteers. Chairman Hippler asked what he was going to use to hold the benches together. Mr. Moul replied 2" screws. Vice Chairman Knapp asked Mr. Moul what made him decide to do this project. Mr. Moul replied that he noticed when he went to the park there are no seats except for big picnic tables and those you really can't lean back and be comfortable on. He wanted to make something that was comfortable to sit on and there were multiple around the park, they are small and you can move them where you want. Selectman Blume asked if he already presented to Parks and Recreation. Mr. Moul replied yes. Chairman JaNeen Lentsch stated that he did present and the commission approved. Selectman Blume stated you said you can move them around and they can be secure, how will they be able to move them around. Mr. Moul stated that they are going to be staked in but you will be able to take the stakes out and move them. They will be stored in the same location as the picnic tables, there is room according to Chairman Lentsch. He will work with Parks for location. **Chairman Hippler moved to accept the proposal from Jon Moul for the Chase Park Bench project for the amount of 10 benches to be placed at Chase Park under the strict authority of the Park Committee; Vice Chairman Knapp seconded the motion. Passed 4-0-0**

DEPARTMENT HEAD/COMMITTEE ITEMS:

Introduce Interim Fire Chief: Steve Roberts, Chairman of the Board of Firewards was present. They are here tonight to introduce the Board and everyone to the Interim Fire Chief. The Board of Firewards has been doing a search for a new fire chief. An ad was placed, the response was not what they were looking for so they hired MRI to conduct the search. The top 3 candidates were brought to the Board, interviews were done and there was a candidate that came out on top, which is Captain Mark Roarick who was present, but due to divisions that were occurring on the board, MRI suggested that we take a path of going with an interim chief for six months; so that some things could be done within the department that needs to be done. One would be to develop a strategic plan and so the Firewards hired an Interim Chief for six months with the marching order of doing that and mentoring Captain Roarick and prepare him for that position. Steve Roberts introduced Christopher J. Olsen. Interim Chief Olsen gave his background by starting in

Cape Cod. He spent a few years as a police officer and then moved onto the fire department. He retired and returned back to New Hampshire in Rochester to be close to the grandkids. This is the 10th town he has done this for through MRI. He thanked everyone for allowing him to come here. The fire station is always open and his office is always open as well. He met the fire fighters and stated that there are a lot of great people. Chairman Hippler asked Interim Chief Olsen's plan when five and a half months roll around, where do you envision the fire department and where do you envision Captain Roarick at that time. Interim Chief Olsen stated that there is a lot of work to be done and right now he is just processing each shift today. Today was his first day. After five months he sees a strategic plan for sure but also he envisions the Fire Department being the heart of this community and it should be. He plans on working diligently with the captain to get him to where he needs to be and he sees him taking the role as Fire Chief. If down the road things change, Interim Chief Olsen stated he would communicate that for sure. Communication is paramount and he indicated that we will see a lot of communications from at least his office because they need to be out there. He would like to see the call department grow. He would like to jump into the school and see what they have and get an adventure post there too. Selectman Blume asked how many in New Hampshire has he been Interim Chiefs. Interim Chief Olsen replied three. He did a lot of homework on this community before he came here.

AWARD FOR OFFICER VOLLARO: Police Chief Moore introduced Captain Vetter from the New Hampshire State Police who has an award for Officer Vollaro. Captain Chris Vetter is here tonight to present one of the Weare officers for some exceptional work. He is in charge of Highway Safety and they deal with a whole bunch of initiatives, grants, enforcement and anything to do with highway safety. They fund DWI initiatives, and they encourage police departments to take their grant money and get them off the street. Office Vollaro was chosen for the State of NH, and he is exceptional at what he does. The plaque/award presented reads as follows:

"Officer Andrew Vollaro has honorably served citizens of the State of New Hampshire, your unyielding dedication to the mission to reduce crashes on New Hampshire roads has undoubtedly resulted in countless lives being saved. The Office of Highway Safety thanks you." Dave Martinelli from the Office of Highway Safety was present. He runs the drug recognition expert program that deals with removing drug impaired drivers from the roadway. One of the things that they started doing on top of presenting the award was to provide training and to get out of New Hampshire to see what the rest of the world is doing in terms of training. A drug recognition convention will be held in Anaheim California, and they are taking Officer Vollaro on their dime.

SWEARING IN INTERIM FIRE CHIEF: Vice Chairman Knapp administered the oath of office to Interim Fire Chief Christopher J. Olsen.

SWEARING IN NEW POLICE OFFICER: Police Chief Chris Moore stated that tonight we are here to hire and swear in Officer Justin D. Brophy. He is originally from Worcester, Massachusetts. Resides in Pembroke, NH with girlfriend Donna who is with him tonight to pin on his badge. He is a certified police officer, a graduate of the NH Police Standards and Training Council Academy 176, full-time. He and Officer Averill attended the same academy. He is a US Army Veteran active duty. He was field artillery and automated tactical data system specialist. Holds a Bachelor of Science obtained at Westfield State University, majoring in criminal justice. He meets standards of hire from the NH Police Standards and Training Council. Chief is recommending hiring at the same pay and earned leave rates as Officer Averill since they were the same Academy. He would be Step 5 on the pay scale at \$29.80 per hour, 5 years of credit hired on April of 2018 on the CBA scale, so he would be at 150 hours annual leave and will start this Friday, May 5th with the Board's approval. He will also get the \$0.48/hour for the bachelor's degree. **Chairman Hippler moved to hire Justin D. Brophy at the rate of \$29.80 with the \$0.48 per hour stipend for the bachelor's degree, with 5 years of credit getting him 150 hours annual leave; Selectman Burdick seconded the motion. Passed 4-0-0**

Chairman Hippler then administered the oath of office to Justin D. Brophy.

AWARDS PRESENTATION TO OFFICERS: Chief Moore had a few awards for his officers and were as follows:

SGT. AUSTIN MAGUIRE-COMMENDATION BAR FOR METORIOUS POLICE SERVICE:

Sergeant Austin Maguire was hired by the Weare Police Department in 2013 and promoted to Sergeant in 2016. During his tenure, Sergeant Maguire has proven to be an asset to the department and the community. He was placed in charge of the department's field training program and without being directed, re-wrote the program's policies and procedures. His efforts raised the standards of the program to bring it more in line with community expectations of law enforcement by emphasizing community outreach and transparency to improve our overall effectiveness.

In 2019, Sergeant Maguire was involved in an Officer Involved Shooting incident where an officer was critically injured. As a result of that incident, Sergeant Maguire recognized the department's need for additional resources regarding the management of stress after being involved in a critical incident. Sergeant Maguire sought out training opportunities and completed the International Critical Incident Stress Foundations Assisting Individuals in Crisis and Group Crisis Intervention course. With that training he developed a program for the department, established policies and procedures, and partnered with neighboring communities to ensure officers encountering a critical incident would have the resources they need.

Sergeant Maguire represents the best qualities of the law enforcement profession; integrity, attention to detail, resiliency, and compassion. His dedication to the department and the community has had many positive impacts. It is for his recognition of identifying areas of need within the department and then taking action to provide for those needs, he is being awarded the Weare Police Department's Commendation Bar for Meritorious Police Service.

SGT. BRANDON MONTPLAISIR-COMMENDATION BAR FOR LIFESAVING (3rd AWARD)

On October 12, 2022, Sergeant Brandon Montplaisir was at the Weare Mobile Station, 100 Concord Stage Road, when he noted the absence of a regular patron so inquired as to his whereabouts. Sergeant Montplaisir was informed the elderly gentleman had not visited this establishment for approximately one week's time. Being very familiar with the patron's longstanding routine he had some concern and decided to conduct a welfare check at the patron's residence. Sergeant Montplaisir knocked on the front door and immediately heard a voice inside calling out for help. Without delay, he initiated the response of Weare Fire and Rescue and kicked in the door to gain entry, investigate further, and provide aid.

Once inside, Sergeant Montplaisir found the patron positioned on the hallway floor after having suffered a heart attack and being unable to recover without assistance. Sergeant Montplaisir remained with him until Rescue members arrived and ultimately transported the patron to the hospital for evaluation and treatment. It is for his actions Sergeant Montplaisir is awarded the Weare Police Department's Commendation Bar for Lifesaving (3rd Award).

OFF. SETH GUILMETTE-COMMENDATION BAR FOR LIFESAVING (1st AWARD)

On May 6, 2022, at approximately 10:00pm, while off-duty, Officer Guilmette was at O Steaks and Seafood in Concord, NH when he observed a male patron grab his throat and stand up while gasping for air. Officer Guilmette realized the individual was actively choking and took immediate action by performing abdominal thrusts "Heimlick Maneuver" on him. The abdominal thrusts dislodged the food from the victim's throat and restored his normal breathing.

Due to Officer Guilmette's response and swift action the medical emergency was resolved without injury to the victim. It is for his actions Officer Guilmette is awarded the Weare Police Department's Commendation Bar for Lifesaving (1st Award).

GROUP AWARD:***SGT. RYAN FRISBIE-COMMENDATION BAR FOR LIFESAVING (2nd AWARD)******OFF. SETH GUILMETTE-COMMENDATION BAR FOR LIFESAVING (2nd AWARD)******OFF. ANDREW VOLLARO-COMMENDATION BAR FOR LIFESAVING (1st AWARD)******MRS. GAIL WATTS (RESIDENT)-CERTIFICATE OF COMMENDATION AWARD***

On November 7, 2022, at approximately 8:00pm, Sergeant Ryan Frisbie, Officer Andrew Vollaro, and Officer Seth Guilmette were dispatched to the 400 block of North Stark Highway for an Echo Level Medical Call involving a male subject, who was unconscious and in respiratory distress. All officers were advised Cardiopulmonary Resuscitation (CPR) was being performed on the victim by a citizen, Mrs. Gail Watts.

Sergeant Frisbie arrived approximately 3 minutes later and took charge of the scene, directing Mrs. Watts to continue CPR while he applied an Automated External Defibrillator (AED) to the patient. Sergeant Frisbie then took over CPR while the AED analyzed the patient; a shock was not advised. Officer Vollaro and Officer Guilmette reached the scene and assisted with life-saving efforts (CPR). The AED analyzed the patient a second time, and again no shock was advised. The officers established a rotation of CPR to provide continuous life-saving efforts until members of Weare Fire and Rescue Department arrived. Fire and Rescue personnel took over the care of the patient and prior to the patient being transported, he had a pulse and was breathing.

Due to Mrs. Watts, Sergeant Frisbie, Officer Vollaro, and Officer Guilmette's swift response and actions taken, they were able to provide life-saving efforts until medical responders arrived on scene and transported him to the hospital. Medical personnel later provided an update, indicating the patient had survived his medical emergency and made a full recovery. In recognition of their commendable actions which sustained the life of another, Mrs. Watts, Sergeant Frisbie, Officer Vollaro, and Officer Guilmette are being awarded Weare Police Department's Commendations.

OFF. CHAD AVERILL-COMMENDATION BAR FOR LIFESAVING (2nd AWARD)

On April 5, 2023, at approximately 11:00pm, Officer Chad Averill was advised of a missing person whose cell phone was traced to the area of Collins Landing on Reservoir Drive. Officer Averill obtained a description of the victim's vehicle and checked the area but was unable to locate it after an initial search. He continued to search and observed what appeared to be recent tire tracks in the snowbank along with freshly scattered wooden debris. Officer Averill exited his cruiser and began searching on foot while calling out in hopes of contacting the missing person.

Officer Averill heard a female's voice respond, and subsequently located her approximately 75 feet off the roadway down a steep embankment in a heavily wooded area. Officer Averill requested Weare Fire and Rescue respond and then began to maneuver his way down to the operator to evaluate her condition. Upon approach, Officer Averill was able to observe the vehicle had extensive damage and its air bags were deployed. The victim was out of her vehicle lying on the ground which was covered in snow and the air temperature was thirty-five degrees and falling. Officer Averill learned the vehicle had crashed approximately 2 hours prior and the victim had existing physical disabilities which left her unable to self-rescue. The victim also indicated she did not have service on her cell phone to call for assistance. Officer Averill evaluated the victim for injuries and after determining there were none, assisted her up the embankment and onto the roadway where she was evaluated by Weare Fire and Rescue.

Due to Officer Averill's exemplary observations skills and attention to detail, he was able to locate and bring the operator of the vehicle to safety which likely saved her life due to the existing weather conditions. It is for his actions Officer Averill is awarded the Weare Police Department's Commendation Bar for Lifesaving (2nd Award).

DPW UPDATE: Interim DPW Director Fiske was present to give the Board updates on the following items. First he would like to go over the 10-Wheeler Truck Bids and Equipment bids that were opened last week.

10-Wheelers:

Allegiance – Hx520 – new truck would be in the first quarter of 2024

Cab & Chassis:	\$ 159,000.00	Stainless Fuel Tank Straps	\$200.00
Trade Allowance:	\$ 12,500.00	Aluminum Air Tanks	\$400.00
Sub-Total:	\$ 146,500.00	Chassis Coating	\$500.00
Extended Warranties	\$ 7,964.00	Stainless DEF Tank Cover	\$200.00
Bid Total:	\$ 155,889.00	Air Compressor Lines Stainless	\$125.00

Advantage Truck Group – Western Star 47X – new truck would be in the last quarter of 2023

Cab & Chassis:	\$ 144,948.00	Aluminum Fuel Tank Straps	\$0.00
Trade Allowance:	\$ 00.00	Aluminum Air Tanks	N/A
Sub-Total:	\$ 144,948.00	Chassis Coating	N/A
Extended Warranties:	\$ 7,500.00	Aluminum DEF Tank Cover	\$0.00
Bid Total:	\$ 152,349.00	Air Compressor Lines Stainless	N/A

Advantage Truck Group – Freightliner 114SD Plus – new truck would be in the last quarter of 2023

Cab & Chassis:	\$ 132,550.00	Aluminum Fuel Straps	\$0.00
Trade Allowance:	\$ 00.00	Aluminum Air Tanks	N/A
Sub-Total:	\$ 132,550.00	Chassis Coating	N/A
Extended Warranties:	\$ 7,500.00	Aluminum DEF Tank Cover	\$0.00
Bid Total:	\$ 140,050.00	Air Compressor Lines Stainless	N/A

HP Fairfield – Western Star 47X – new truck would be available in June of 2023

Turn-key Package:	\$ 281,932.00	Aluminum Fuel Tank Straps	\$0.00
Trade Allowance:	\$ 0.00	Aluminum Air Tanks	N/A
Sub-Total:	\$ 281,932.00	Chassis Coating	N/A
Extended Warranties:	\$ 7,500.00	Aluminum DEF Tank Cover	\$0.00
Bib Total:	\$ 289,432.00	Air Compressor Lines Stainless	N/A
		Aluminum ALCOA Wheels	N/A

Equipment Bids:

HP Fairfield – Tenco Plow Equipment - \$109,475.00

Donovan Spring Co. & Equipment – was invited but submitted no bid

Interim DPW Director Fiske is recommending the Hx520. This would be similar to the one that was ordered in 2022 and received just this week. The Board asked questions about warranty and other components and discussed the effort of trying to keep the truck similar. There was no discussion about the equipment upfit because there was only one bid and they are the real only game in town. **Chairman Hippler moved to award the upfit equipment bid to HP Fairfield for a price of \$109,475.00 with money to come from the Capital Reserve Fund for Highway Truck and Equipment; Selectman Burdick seconded the motion. Passed 4-0-0**

Vice Chairman Knapp moved to award the 10-Wheeler truck bid for the cab and chassis to Allegiance for the Hx520 for a price of \$155,889.00 with the money to come from the Capital Reserve Fund for Highway Truck and Equipment; Selectman Blume seconded the motion. Passed 4-0-0

Update on Truck involved in Accident this winter: Interim DPW Director Fiske stated that he called Friday and they close at noon. We will call tomorrow and email an update to the Board. Selectman Blume asked

how much did it cost in insurance money. Town Administrator Bolton stated that Finance Administrator Rouse is holding a check for around \$70,000 that the Board will need to hold a public hearing for to accept it. We are just waiting to hear the status. Interim DPW Director Fiske stated that around \$50,000 is for the motor alone.

Transfer Station Compactor: Interim DPW Director Fiske stated that the Transfer Station relining today. They got the whole ram out and are working diligently on it.

Duck Pond Public Comments: Interim DPW Director Fiske stated that they are not dredging it out. He does not plan to take the water level any lower than it is. He would like to see it come up a little bit more because there is a bunch of mud, obviously none of those trees grew up in the water and that bank that is right on the corner, if that gets any more saturated than it already is and if that bank lets go we are going to be in a mess. Vice Chairman Knapp stated that he would like to give about five minutes of back history. The State used to take care of that. They fooled around with it a little every day. When a resident came in to the Board and pleaded with us to direct the State to stop messing with it. When he was the Director he strongly urged the Board not to do that but he got overruled by the Board and he had to call the State and they said fine they are done and basically it left the Town to take care of it. It has been a nightmare. The Town didn't touch it for a while and it built up and ran around duck pond onto Duck Pond Road and everyone got up on arms about that. The beavers actually would go from one dam to another. They have been trapping the beavers out of it. DES was called on the Town last year and they said as long as you're not disturbing the mud and you're pulling out the sticks you're not doing anything wrong. The Town guys were just pulling sticks. Interim DPW Director Fiske wanted it to be known publicly that they do not want to drain Duck Pond all the way down. Vice Chairman Knapp stated that what hasn't been brought here is the 3-4 residents that live on Duck Pond Road complaining about the water getting so high that it was backing up into their back yards and killing their trees. Director Fiske's plan is to keep removing the sticks and get it to a manageable level, trap the beavers to a manageable population. They have 5-6 kits every spring and there is three lodges there. There's a lot of activity out there. It is not free its approximately \$400 to set up and \$100 per beaver. Fish and Game will have nothing to do with this. Interim Director Fiske is a licensed trapper with the State of NH and he has been doing a little of it before and during work all over town in problem areas.

Paving: Interim DPW Director Fiske met with the Town engineer about pipes that need to be replaced. He is going to draw up some designs for. He has had a flood of requests from residents. There has been an email chain sent over to him. Interim Director Fiske asked Vice Chairman Knapp if they could get together to see what he had in mind for this year for a plan for roadwork. Vice Chairman Knapp asked if he had gotten any preliminary numbers yet for paving. Interim Director Fiske stated that when he talked to the engineer, he had some numbers from other different towns, and it looks like it's a couple of dollars more per ton than last year but didn't seem outrageous. Chairman Hippler asked Interim Director Fiske if he thought the DPW would be able to do the same job as we have in the past without sacrificing the regular maintenance work because of staffing. Interim Director Fiske replied that he is hoping to get a presentation together for the Board about that. Chairman Hippler felt that in his mind we are not going to be able to do that because of staffing shortages, vacations, etc. We are hiring people, but it is going to take time.

Washing Bridges: Chairman Hippler asked if the DPW will be washing bridges. Interim Director Fiske stated that his plan is to get the Fire Truck up and look it over and get that started as well. This is a good project for a few guys when people are on vacation.

Culvert Survey: Interim Director Fiske is working on a spreadsheet to inventory and grade the condition of each culvert, just like what was done on the roads when it came time for a road bond. Using the same yellow, green and red color systems and keeping them in mind.

Manlift at River Road Bridge: Interim Director Fiske stated that we are on the fourth manlift at the project and that has been a huge problem. Selectman Blume stated a resident asked earlier tonight about the cost and some background as to why the resident might be upset. Chairman Hippler stated that the lift has been down there. It is \$8,000 per month. It is being used to allow the workers to needle scale the problem spots, allow the engineer to be able to look for an inspection and it will be needed for the welder to weld on the new plates. All the work is done under the bridge and over the river, so it had to be a specific manlift and there were only a couple in the State with that amount of reach. The one that was delivered has had issues, of which we are not paying for the down time. Interim Director Fiske stated that with all of the problems that they have had, we were supposed to be done at the end of last month, but it hasn't worked out that way because of the lift breaking down. We are shooting for the end of this month, so two more months total.

Roadside Mowing: Vice Chairman Knapp stated that there were no bids on roadside mowing. Interim Director Fiske replied that he spoke to the gentleman that does some surrounding towns, last Friday. He was called a couple of times by Director Fiske who left him voicemails. He called Director Fiske back and informed him that he was on vacation and would not be back in time to put in a bid. That gentleman will be sending Interim Director Fiske a quote. Vice Chairman Knapp asked how it was bid. Interim Director Fiske stated that it was done per mile. This gentleman does it by the hour. The plan would be to take the hourly rate and our budget number and see how many hours we can get. It would then be further evaluated as to high priorities and get as much done as possible. A central location will need to be declared so that he does not spend lots of time travelling back and forth. Other communities spoke very highly of this gentleman.

**MANIFEST: Chairman Hippler moved; Selectman Blume seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated May 4, 2023, as included in the following manifests:**

Payroll Manifest	\$ 68,780.20 (<i>Weekly payroll</i>)
Accounts Payable Manifest	\$ 16,219.91
Weare School Accounts Payable Manifest	\$ 400,000.00
John Stark Accounts Payable Manifest	\$ 250,000.00
TOTAL:	\$ 735,000.11

Passed: 4-0-0

ADMINISTRATOR REPORT:

- DPW Department Items:*
Interim DPW Director Fiske just went over all his items.
- Police Department Items:*
There is nothing new to report.
- Parks & Recreation Items:*
Bolton Field: Driveway and drainage work – DPW putting together a proposal.
Chase Park Hours & Fee Schedule: Public hearing scheduled 5/15 @ 7:30 PM
Boat Ramp Repair Options: DPW proposal – after water is drawn down in the fall
- Conservation Commission Items:*
No new update.
- Town Office/Town Administrator/Board of Selectmen:*

Cemeteries: met with Keith Racine of Cornerstone Cemetery Services; the new section of Pine Grove appears to be marked. A metal detector may need to find all the markers. The metal markers that we were able to find represent the top left corner of the site. The other three are marked in yellow mushroom markers.

Solid Waste Ordinance: need to pick date for public hearing; other hard copies of Towns ordinances are being provided tonight for an upcoming discussion. This would be a separate discussion and will not be combined with the upcoming fee schedule public hearing.

DPW Job Description: finalization set for work session of 5/8/23.

Police Chief Job Description: the Board would like to have an answer from Town Counsel for our work session of 5/8/23, to see if we can prepare a job description.

Ethics Committee: May meetings scheduled for 5/3; 5/17 & 5/24 @ 6 PM.

RFP for Auditing Services: no bids were received.

Perambulation with Dunbarton: Selectman Blume and Selectman Burdick volunteered. Contact will be made with Dunbarton and provide the Dunbarton representative with both Board members information so that they will be able to coordinate their own schedules. Letters will be sent to all other communities as well.

6. *Correspondence:*

Letter to Selectboard dated 4/29/23 regarding gunfire every single weekend and often weekdays: Board will discuss this later in the evening under Other Business.

7. *Building & Maintenance Projects:*

Town Hall Bathroom Renovations: The final inspection has been done and approved by the Building Inspector.

Solar Project: an update for the community members working together – for 5/15/23 agenda.

Stone Building: copper cap needs to be put back on corner of building. Selectman Burdick stated that she had it schedule for last week, but they had an emergency at their shop

East Road Barn: roof needs repair – panels missing, lost or slid off. Selectman Burdick stated that when the gentleman comes for the copper cap he is going to go up and reattach that panel. It's attached up there but not great.

Town Office Vault Storage: HVAC for basement to have contractor look at it on 5/11/23 @ 11 AM

Building Inspector: Selectman Blume asked who is doing the inspections for the Town. Town Administrator Bolton replied that we are working under a Mutual Aid Agreement with the Town of Goffstown. His name is Jack Shepard. He is currently in Weare on Thursday for the entire day. We had him for 2 days, but work in Goffstown is starting to pick up so they dropped it to one day. We are going to have put an advertisement out and job description. Mr. Shepard is making it work but we really need to advertise and get someone on board to take care of our own residents.

MINUTES:

December 19, 2022: tabled for now until Selectman Cahill returns.

April 17, 2023: **Selectman Blume moved; Selectman Burdick seconded to approve the April 17, 2023; minutes as amended. Passed 4-0-0**

April 24, 2023: **Selectman Burdick moved; Selectman Blume seconded to approve the April 24, 2023; minutes as written. Passed 4-0-0**

CORRESPONDENCE/OTHER BUSINESS:

Website: Selectman Blume pointed out that the website still needs updating, as it still shows weare.nh.gov it needs to be changed to wearenh.gov. The group email needs to be checked as well. Town Administrator Bolton will make updates.

Email from concerned citizen: It was signed: Fed UP WEARITE regarding gun shooting noise and asked the Board to do something about it. The email doesn't indicate the location. Selectman Burdick asked how we are going to correct it when we don't know where it is. The Board agreed that we can't. The police have been notified. There was a long-time discussion about a noise ordinance. There were committees created and nothing came of it. There is legal process if they want to file with police department and most people don't want to report the disturbing the peace. It's unfortunate but there is nothing the Board can do. There was a lot of negative support for a noise ordinance, basically wanting to be left alone.

Public Comment Responses: Selectman Blume stated that things get brought up under public comment that might be able to answer and he would like to bring them up under other business to see if we can address them now. He is going to bring it up now, but at some point, we should talk about the possibility of answering while the public is here. Chairman Hippler gave some history. We have gone back and forth on that to the point of "do we engage" or "do we not engage". It's a can of worms because you engage and that becomes a two-way communication line and then how far does it go. Do you limit the rebuttal or answer to two minutes, three minutes. Obviously, we had a room here with the Interim Fire Chief, all the Police people, we had a room here for Mr. Corcoran. We had a lot of people here, so where is that line and that's where the issue is. Over the tenure of Chairman Hippler it has been a back and forth on what to do. Do we not even allow public comment, that is the Board's right, he doesn't feel that is proper. He feels the public should be able to speak. If it is a yes or no answer and it's very clear that you can say yes or no, that's proper, but if you are going to have to engage in a 10-minutes explanation back and forth that is the proper place in the schedule to do it. The previous board went back and said no it's not the proper time and with public comment you have no idea what's coming so we don't even know what the questions are going to be and to say it may not be the right idea either. The previous board thought that replying to the public comments at the next regular meeting would be the right moment, as research could be done, and a proper reply given. Selectman Blume stated that the one that is alive for him would be the one from Dave and Jackie Pratte. We get the emails and as of April 26th email, they are saying that this Board is hanging them out to dry, why are we not answering all their questions and the Board has not set down and had a meeting because we cannot make decisions outside of these meetings. So, this Board has not made that decision, that action did occur where Town Counsel responded and said you should talk to your lawyer if you want more information, but he is also curious as it was before him and why was it sent to their lawyer costing them money. Selectman Blume stated that the path as he understood was that on December 5th they asked questions of the Board, the Board sent it to Town Counsel who then sent it to their attorney, which cost them money when they thought they were asking the Town a question and now the Town cost them money. Chairman Hippler stated that we did discuss it and back in December there was a lawyer involved so the Board asked Town Administrator Bolton to forward it to Town Counsel. It has been a rule that has long been abided by that once a lawyer gets involved the Board allows the lawyers to work together. Chairman Hippler recalled the Board asking Town Administrator to forward them to legal counsel. Selectman Blume stated that they are clearly upset and that's understandable. There is a question that they are still looking for an answer to, which the reply is that this Board voted to do so in January. Selectman Burdick we voted to send it to our lawyer, but we didn't tell our lawyer to send it to their lawyer. It was further pointed out that if we as a board asked to send it the response should have been sent to the Board first and not to that person's lawyer. The Board agreed and the answer to the Pratte's is that it is an action that the Board took but should have included more specificity to the attorney as to where to reply. Selectman Blume stated so if the Pratte's don't feel whole their recourse is to sue the Town.

Selectman Blume stated that speaking of suing the Town, we had a resident who's still sitting here. He said specifically, "I'm asking the Board Selectmen to inform the town's attorney that she is engaged in defense of lawsuit that the Board has never legally authorized and ask her to withdraw from it until and unless legally authorized." Selectman Blume asked what is the current state of that lawsuit. Chairman Hippler referred to Town Administrator Bolton. Town Administrator Bolton stated that it is her understanding is that it's waiting for a rehearing but it is believed that there is a deadline for a reply for a rehearing request. Chairman Hippler asked, would it be prudent for Town Administrator Bolton via the

Board to ask our town counsel for an update to that question; for her to provide the Board an update to that question. Selectman Blume stated he felt it was a question of us and given all of this tonight he didn't think we should be defending it at all. Chairman Hippler stated that which, he's not trying to take anything away from this, but there is always two sides to every story; so he would like to hear our side of it from our legal counsel with maybe an email of this is where we're at, and we as a Board can decide once we hear both sides. We got Mr. Corcoran's tonight now we need to see our side. Chairman Hippler felt that it would not be unreasonable to get this addressed in a response to this Board. Selectman Blume stated that he would love to know what this is costing the Town. Chairman Hippler stated that is perfectly fine and prudent. Town Administrator Bolton asked for clarity, the Board would like this document sent over to Town Counsel to ask where it is and to reply only back to this Board. The handout from Mr. Corcoran is asking for the Board to take an action, which Town Counsel can't but again there is no question in the handout the Board needs to come up with their own, but needs to have the Town's side of the story/background to be able to make an educated decision. Town Administrator Bolton reminded the Board that this has spanned over 5 years. It first started in 2018 with previous employees, which got quickly equated to a lot of money, but without having the costs in front of the Board it's hard to know that. The Finance Administrator could be asked for a breakdown per year per case. Chairman Hippler stated that it will take a little time to come up with it because of the 5 years. Mr. Corcoran added from the crowd it was a couple different law firms as well. Chairman Hippler stated that the answer could be gathered but not in a week. Chairman Hippler stated that would be a Beth question. Selectman Blume wanted to make sure we have our ducks in a row, so what are we going to ask counsel. Chairman Hippler stated that we want to ask counsel for a quick readers digest version of where are we at and then the Board will know and make a decision, so we will be informed of his side and our side. Selectman Blume then asked if the Chairman would allow him to ask Mr. Corcoran if there's anything, while he is sitting here like we are a bunch of dummies, you're going to miss something and it's going to cost us another four weeks. Chairman Hippler stated that if the Board wants to recognize Mr. Corcoran for a minute or two we can, it's up to the Board. Selectman Burdick stated that she didn't have an issue. Selectman Blume moved that the Board recognize Travis Corcoran.

Mr. Corcoran approached the podium and stated that first of all he takes absolutely no offense in your phrasing of we need both sides, that's prudent and that's the right approach. He thinks that asking for billing is correct and where are we is correct, but the specific thing that his document speech calls for would result in the question of, can you tell us when we authorized this. What set of minutes in what public or non-public session and that's also something you can certainly ask her but it's also something that you can go through the minutes yourself. He has done that and it doesn't take too long and whenever the Board goes into nonpublic session on the minutes it specifically calls out RSA 91-A section 2 and the clause and Mr. Corcoran believes it is clause "L", which is defense of lawsuit. So you can just flip through in about 10 minutes and see if the board has ever done that with regards to this. Town Administrator Bolton asked if "L" was a new one because she recalls it being "E" for legal. The Board felt that it probably would have been under "E". The gentleman for counsel that started with the Board is now deceased. Mr. Corcoran reapproached the podium to add that the initial lawyer is still alive, he signed as the primary in all the paperwork, his father, also an attorney retired was brought in as a guest in the court case and he has passed away. Chris Drescher was the attorney, and he is still alive.

Selectman Blume, so we have where are we, as far as the Town is concerned and when was this authorized. The Board agreed that they would like the readers digest version as well to bring us up to speed. A comment was made about the costs, to which the Board replied that is a Beth question. Selectman Blume then asked Town Administrator Bolton if she would like to respond to any of what you were mentioned in this document. Town Administrator Bolton stated no, she is going to reserve her replies because there is two sides to every story. Selectman Blume stated that he didn't know if Town Administrator Bolton had some extra information that is not in the handout. Town Administrator Bolton added that she got thrown into this half-way through and there is a whole bunch of information.

Selectman Blume continued, in going through his asterisk, Frank Campana asked how he can get copies of the MOU's from the police. Town Administrator Bolton can call him in the morning to see what ones he would like. Selectman Blume again stated that if we can respond to the citizen in some way.

Next concern was from Paul Gannon, asked how much are we spending on dealing with the Duck Pond issue, which we forgot to ask Interim Director Fiske when he was here. Chairman Hippler stated that it would be just our hourly employees going out there. Vice Chairman Knapp stated that it's not much and it is being dealt with properly. The State let the Town know if it was ever a problem to let them know and they could help, but it's the same people that are upset who are the ones that didn't want the State involved anymore. It did not cost the Town anything when the State went out. They went out and took care of it by hand every day but they didn't want any water let out. Over time it is going to cost the Town to trap the beavers, but now the Town has to deal with it. What has cost the Town money is when we didn't deal with it and couldn't deal with it for a while then we got a big gully washer like we did and blow out and was Duck Pond Road. It took out the dam and it came in took out Moody Pond which would affect the use of the fire pipe. Vice Chairman Knapp stated to answer Paul Gannon's question I don't know the dollar amount. Chairman Hippler stated that it would be negligible.

Selectman Burdick stated, speaking about lawyers, did the Town ever spend money on this 706 Reservoir Drive. She was sent the information, went on vacation but was sent not to do anything more with it as the Board gave Town Administrator Bolton that direction to get to Town Counsel. We will have to look and see if anything was spent on that. The Board looks at and signs for all the bills. Selectman Burdick stated that she wasn't sure as she was not here for December and January.

Selectman Blume stated that it goes back to policy and how will this Board interact with Counsel. Chairman Hippler stated that he has it as a work session topic. It is legit, it is a line item that the Board of Selectmen controls.

Town Administrator Bolton stated that there is one more to discuss and she is unsure of the answer, but it has to do with moving the town meeting to May 7th. She didn't feel it was just something this Board can do it would need to go before the Town for a vote. It is nice that we coordinate because we share a school but both towns would have to put it on the ballot. Vice Chairman Knapp stated that there will be pros and cons on that until the cows come home. It's always been in March, but Chairman Hippler added again do I disagree with it, no; do I agree with it, not sure. Town Administrator Bolton stated that it would have to be redone as far as budgeting because now it is done on a calendar year, and this would make a change to that. Vice Chairman Knapp stated that the first thing that came to mind was not dealing with snowstorms which he loves that idea. Then department heads try to order plow trucks that late in the year plus paving would be the big thing too. You would have to budget for 18 months that first year, Selectman Blume asked Town Administrator Bolton to see if she can reach out to the list serve for this (May town meeting); the counsel policy; the building inspector advertisement and job description; and nonpublic meeting minutes to be unsealed.

SET WORK SESSION AGENDA:

The Board discussed items and Vice Chairman Knapp stated that list was a lot for a work session and felt the Board should put them in order.

The Board pushed the InvestNH grant until May 22nd work session.

Selectman Blume stated that Town Administrator is doing a fine job in getting the minutes out within five business days, but they also include nonpublic sections which are required within 72 hours, so we just have to tighten the screws a little bit. Town Administrator Bolton stated then the Board needs to talk about getting somebody else. Town Administrator Bolton stated that she has been spending all weekend doing minutes and she is done doing that. Let's look at the right to know requests, you answer one and get another

one, she is up to number 6 from one person. There is just not enough time. People are complaining that she is not getting back to them. She stated that she is one person and is giving up her weekends to do the Board's minutes to keep legal, as try to have a normal life outside of the office. Chairman Hippler stated that we need to discuss a minute taker and we've talked about it before but was put on hold. There is a person that was interested, and she is still interested. Chairman Hippler stated that we need to put that on this work session as topic #4. After lots of discussion and prioritizing things, the work session looks as follows:

May 8, 2023:

Swear in Police Officer

Minute taker position & advertisement w/Finance Administrator

Finalize – DPW Director Description

Building Inspector Job Description & Advertisement

Selectman Blume stated that the policy stuff is falling off the table? Chairman Hippler stated that it is like whack a mole. The Board will get to it but may have to wait for another meeting. Selectman Blume stated that he will take a stab at a policy for unsealing minutes for the Board to look at. It will be done before Monday.

Town Administrator Bolton asked for clarification on how to do two portions of a nonpublic when it wasn't been sealed. It will be called the same, which is usually the date and if someone helps with the rest of the minutes it will be done by two people. It just sounds crazy because the two portions really should be combined when finalized.

Being there was no further business to come before the Board, Selectman Burdick made a motion, Selectman Blume seconded to adjourn at 10:05 pm. Passed 4-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton, Town Administrator