



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
SEPTEMBER 11, 2023

**PRESENT:** KEVIN J. CAHILL, SELECTMAN; FREDERICK W. HIPPLER, CHAIRMAN; SHERRY M. BURDICK, SELECTMAN.

**ABSENT:** BENJAMIN D. KNAPP, VICE CHAIRMAN; SALIM BLUME, SELECTMAN

**TOWN ADMINISTRATOR:** Naomi L. Bolton - **ABSENT**

**GUESTS:** Finance Administrator Beth Rouse, Police Chief Chris Moore, Ethics Committee Chairman Wendy Curry, Frank Campana, Kyle Parker, Travis Corcoran, Vinny Iacozzi, Ernie Thibeault, Shane Bradley, Jackie Pratte, David Pratte, David Bradley, Mr. Devriendt

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

Chairman Hippler recognized a moment of silence for those lost during 9/11.

**Public Comment:**

Shane Bradley is building a home at 222 Upper Craney Hill Road. He stated that the part-time building inspector told him he needed to have engineered plans to build a small ranch. He said it does not make sense to him because the part-time building inspector said “code submittal documents consisting of construction documents and other data should be submitted in two or more sets, with each application or permit. The construction documents shall be prepared by a registered design professional. Whereas required by this jurisdiction in which the project is to be constructed, in which the project is to be constructed, where special conditions exist the building official is authorized to acquire additional construction documents to be prepared by a registered design professional. Mr. Bradley said as far as he is aware, Weare does not require engineered plans. He asked why are engineered plans holding up his building permit. Mr. Bradley said that Kyle Parker and David Bradley came with him to speak on his behalf. Kyle Parker said Mr. Bradley had asked to be on the agenda but the agenda had already been posted. Mr. Parker said that Mr. Bradley is looking to seek the BOS time to speak about the issue tonight because the issue has become a financial burden for him. David Bradley said they have provided the Building Inspector with a floor plan that was drawn by Belletetes. It is standard construction. David Bradley explained the floor plan to the BOS. Selectman Cahill said they have only one side of the story and they would not be able to give any feedback at this time until they speak with the Building Inspector and what he is looking for as far as engineer plans. Selectman Cahill asked how many times has Mr. Bradley met with the Building Inspector. Mr. Bradley said he had only met with him one time.

Jackie Pratte of 51 Winter Road wanted to thank the BOS for putting RSA 91: A Right to Know and invoking Town Counsel Policies back on the work sessions. Ms. Pratte said she did watch the BOS meeting and listened to the discussion and wanted to love the conversation, but she did feel like the BOS missed what the residents were trying to state that they wanted to see. Ms. Pratte said she does not believe that

there is a form issue as much as it is a checks and balances and also a format issue. Ms. Pratte used an example that TA Bolton mentioned she had three Right to Know requests and one of them was from Mr. Cochran. She said he wanted the correspondence in emails from between TA Bolton and himself. Ms. Pratte said she would like to think that it was not just her preparing it and sending it to him because that would be a red flag. Ms. Pratte said she is not accusing anyone of anything but there are no eyes on it other than the person it was for. Ms. Pratte said she would like to see a format where there is a preparer and a viewer for when someone does a Right to Know request and then the individual gets the form back showing who prepared the request and who reviewed the request. Ms. Pratte said she thinks the more eyes on it the fewer mistakes there would be. Ms. Pratte said she would also like to see Committee members sign off on something as well holding them accountable. Ms. Pratte said as far as invoking Town Counsel there are many things, she is disappointed with. Ms. Pratte said that she has a situation she can send to the BOS that she would not like to share publicly but she believes the BOS would not agree with Town Counsel on how it was handled. Ms. Pratte said that there should be a discussion with the BOS before anything goes to Town Counsel because the BOS uses them frequently. She stated that requests must go to Town Counsel and if they have a question, they get something sent back saying that it is Attorney-Client privilege and are not allowed to know anything more. Ms. Pratte said she does not believe that is right and does not allow them to get anything answered because it is Attorney-Client privilege. Ms. Pratte said she feels as though she is the client because she is a taxpayer and is paying for it double because she then must get her lawyer involved. Ms. Pratte said on August 10<sup>th</sup> the Planning Board discussed a rental ordinance and Bruce Fillmore said that they received bad advice from Town Counsel in regards to a rental ordinance and it was not reflected in the minutes. Ms. Pratte said if the committees are getting bad advice and we are getting bad advice Ms. Pratte asked where are the checks and balances with Town Counsel. Lastly, Ms. Pratte wanted to thank the Town of Weare Police Department and Selectman Blume. Ms. Pratte said that she appreciates Selectman Blume because he brings up public comments to address at the end of the meetings and it makes the Townspeople feel as though they are being heard and listened to whether anything happens with it or not.

Travis Corcoran of 275 Quaker Street said he is in support of the Prattes and their suspicions on the answers they are getting back and about the checks and balances when filing 91A requests. Mr. Corcoran stated that he has previously documented Town Administrator Bolton lying. Mr. Corcoran stated that he found a second place where she puts an explicit falsehood in response as part of the cover-up that she is orchestrating with Jack Dearborn as far as events not getting into the minutes. Mr. Corcoran said that TA Bolton is the one who puts together the minutes and there are no checks and balances. Mr. Corcoran said that falsifying records is a crime and there is a real issue with citizens trying to receive documents.

**Quaker Street Discussion:** Travis Corcoran of 275 Quaker Street read his testimony into the record to read as follows:

*On 28 Aug I received a letter from the town zoning enforcement officer stating that "a portion of the rock wall in front of [my] property has been removed." I responded in writing by saying that*

***This statement is absolutely false.***

*Not a single stone in the wall has been removed.*

*I know that Jack and Eilieen Meaney witnessed me adding rocks to the wall on two different occasions, and I suspect that they may be behind this false report.*

*I'd like to find out, which is why the letter I sent two weeks ago continued:*

*This is a request under RSA 91-A for public records.*

*Please send me:*

100 *Any emails (to or from town or non-town email addresses), texts, phone logs, memos, or*  
 101 *other records*

102

103 *1. alleging that I removed a portion of a rock wall,*

104 *2. containing [alleged] evidence that I removed a portion of a rock wall*

105 *3. discussing the allegation that I removed a portion or a rock wall,*

106 *4. discussing what might happen if I removed a portion of a rock wall,*

107 *5. discussing the possible enforcement of the rock wall ordinance or other*

108 *ordinances against me, or*

109 *6. discussing my possible reactions to enforcement of the rock wall ordinance or*

110 *other ordinances against me.*

111 *Given that I have asked for multiple distinct things, I suggest using the above numbering*  
 112 *when responding.*

113 ***Given that Naomi Bolton has lied in writing*** in response to earlier RSA 91-A requests

114 *and denied the existence of documents (a) that existed, (b) that she knew existed, and (c) which later came*

115 *to light under - and only under - the threat of a lawsuit, the record is*

116 *clear that the Town Administrator is happy to falsify government records in order to deny*

117 *me access to public documents. I therefore request that the town select someone*

118 *(Perhaps the town attorney?) who is not **a known liar** to respond to this request.*

119 *Digital copies are fine, so there is no need to print out or charge the \$0.50 per page fee.*

120 *Note that under RSA 91-A:4 the town of Weare has 5 business days to comply with this*

121 *request.*

122

123 *Travis Corcoran*

124

125 Mr. Corcoran stated that he does have a history with Jack Meaney and he was involved in the setback  
 126 situation at 271 Quaker Street. Mr. Corcoran said that Mr. Meaney rose at the administrative hearing about  
 127 five years ago to speak firmly in defense of the building going up. Mr. Corcoran said that Mr. Meaney  
 128 violated the Towns Ethics Code by not recusing himself when the same issue was before the Planning  
 129 Board. Mr. Corcoran said he would like find out and maybe it is wrong and would not want to falsely  
 130 accuse somebody that is why he submitted a 91: A requests for the public records.

131

132 **Department Head/ Committee Items:** Police Chief Moore presented the BOS with the 2024 Highway  
 133 Safety Grant. Chief Moore said that they have been participating in the Highway Safety Grant for two  
 134 years. It is a combined award. The award they are being offered is \$9,200 which will go for DUI  
 135 enforcement, speed enforcement, and texting while driving enforcement. They were also awarded \$9,771  
 136 for speed equipment. The total award amount is \$18,971 and the matching requirement for the funds is  
 137 \$5,557. Chief Moore said breaking down the different types of work starting with the scope of work which  
 138 will be covered by administrative hourly fees and the use of the vehicle for the enforcement action is  
 139 \$2,300. The speed equipment match is \$2,500.50 which Chief Moore proposes comes from end-of-year  
 140 funds. SAU 24 had requested a speed sign and their match would be \$756.50 and Chief Moore is  
 141 coordinating with the SAU. Chair Hippler asked when the deadline for the grant was. Chief Moore said it  
 142 starts October 1<sup>st</sup>. Chief Moore said they are behind on getting it to the BOS. Selectman Cahill suggested  
 143 moving the grant to next Monday night's work session. Selectman Cahill said the decision to take money  
 144 from year end can not happen tonight. Chair Hippler agreed with Selectman Cahill to add it to the Monday  
 145 night work session to discuss funding. Chair Hippler said the issue is the \$18,000 coming out of funds and  
 146 not getting reimbursed until 2024. Chief Moore said he presented a conceptual for the grant at the beginning  
 147 of summer. He suggested at that time that they could use the end-of-year funds or dam patrol money. Chair  
 148 Hippler asked if Chief Moore opted to use money from within the Police Department Budget. Chief Moore  
 149 said he would have money in the end-of-year funds but not in the equipment lines. The discussion will be  
 150 moved to the September 18<sup>th</sup> meeting agenda.

**Renewal of gravel permit for Thibeault Corp. of NE, Tax #409-107, Clough Park Road**  
**CONTINUED:** Vinnie Iacozzi said the gravel pit had an ongoing existing AoT permit and has been bonded since 2002. Mr. Iacozzi explained the updated plans to the BOS. Mr. Iacozzi said that the trucks from their gravel pit are not loading up until at least 7:00 a.m. He said it is his understanding that the trucks coming from Mount William and other sources are having to use the road to get to 89 because of the bridge. Mr. Iacozzi said he can appreciate the abutter that spoke about the trucks, he stated that it is not their trucks coming down by their house. Mr. Iacozzi said what they are asking for tonight in addition to the 409-107 permit extension is to decide on the existing 104. They are asking to operate and remove the remaining pile, under the agricultural exemption that is admissible under the Town's Ordinance as well as the 155: E. Mr. Devriendt can get the remainder of the lot finished off and planted for the winter so it can be ready to go for the spring. Mr. Thibeault said that Mr. Devriendt has been using fields for about five years from Thibeault Corporation and they do not get any money for it. It is a family farm and they are glad to help. Mr. Thibeault said that he would like to find some way through the local ordinance or State to give an agricultural exemption they would appreciate it. Mr. Thibeault said that the reclamation will be completed within 45 days and the BOS can grant them the ability to seed and loam under the agricultural exemption. Chair Hippler asked if they wanted to remove all the material. Mr. Thibeault said not all of it, if you were to visit the site you would see there are articulated rock trucks. They were bringing some of the material off-site and shape up the back site. Some will go off-site and some will stay on site. Selectman Cahill stated going back to the last meeting it became confusing because they did have a screening plant or a mobile screen plant out there and were screening materials. The claim was that the materials that were being stored there were to be moved out onto the back lot. Mr. Thibeault said he does not believe that is exactly accurate. Selectman Caill said that was his understanding but it is not a big deal. He said he had visited the site himself and some of what had been stored there would be a waste of money to take that to fill a low spot and create a flat field. Selectman Cahill said that it is his understanding that the processed material will be leaving and what is remaining is going out back to start reclamation of the backfield. Mr. Thibeault said that is correct. Mr. Devriendt said it is a big bonus for them because they fight all the time to get agricultural property and lose it as fast as they get it. He said they can work with the property for more than four or five years and it helps them build up the soils. Selectman Burdick asked how much loam they are putting down. Mr. Devriendt said they have been putting down eight inches but depends on what they are going to plant. Selectman Cahill clarified that they will no longer be processing materials on 104. Mr. Thibeault said they may screen some material if needed. Mr. Thibeault said they were there before zoning and have been grandfathered for crushing equipment. Mr. Thibeault said they are asking under the agricultural ordinance to give us the right to remove the material to create a field for a farming operation. Selectman Cahill asked if the material piles that are currently on site are the only ones they are talking about. Mr. Thibeault said that is correct. Selectman Cahill said to be transparent they are not going to be mining additional material and there will be no additional material added to the staging area and they will be using the piles that are there to level and prep for the farming field. Chair Hippler asked if the long-range plan would be to turn the whole area into field. Mr. Thibeault said there is so much land there he is not sure. Selectman Cahill asked that they would not exceed the 5,000 yards of alteration per the Town's Ordinance. Chair Hippler said that it would be covered because it is incidental to agriculture.

**Selectman Cahill motioned to accept the renewal of the Earth Excavation permit date received July 26, 2023, for Thibeault Corporation on Map 409 Lot 107 with a three-year term starting September 11, 2023. Seconded by Selectman Burdick. Motioned passed 3-0-0.**

**Selectman Burdick made a motion to allow Map 409 Lot 104 to be used for agricultural purposes and for the completion of the project to be no more than 45 days with an agreement drawn up between Thibeault Corporation and Deverriendt Farms. Seconded by Selectman Cahill. Motion passes 3-0-0.**

**Ethics Committee Request:** Wendy Curry Chair of the Weare Ethics Committee came to the BOS with a request to run the documentation they had been working on all summer by Town Counsel. Chair Hippler



asked when the former committee went offline. Ethics Committee Chair Curry said they went offline in 2006. She said there is a lot of talk about transparency right now and the Right to Know Law has changed since then. They have had to make changes to some of the information. Chair Hippler asked if there an approval for an estimated time. Ethics Committee Chair Curry said they have had a goal to finish this up by the end of the month. Selectman Cahill asked if October 1<sup>st</sup> would be fair to have the Town Counsel have it back by. Ethics Committee Chair Curry said yes. Chair Hippler asked how many booking hours are they going to allot to this. He said he cannot see it taking more than two hours. Selectman Cahill agreed and it should not to exceed three hours.

**Chairman Hippler motioned to allow Town Counsel 3 hours to review the Ethics Committee's Document. Selectman Cahill seconded. Motion passes 3-0-0.**

Mr. Corcoran said that he is happy that the BOS took the time to make the vote on approving Town Counsel hours. He asked the BOS to follow up on the same topic he initiated about a month ago. The Town and Mr. Corcoran are both going to the Supreme Court and he has asked for information about that. Selectman Cahill said the BOS can add that as a topic on asking the question of why they are proceeding forward with the particular case.

**MANIFEST: Chairman Hippler moved; Selectman Cahill seconded:  
To order the Treasurer to sign the payroll and accounts payables checks dated September 14, 2023, as included in the following manifests:**

Checks Dated August 24, 2023

<b>Payroll Manifest</b>	<b>\$ 73,362.36</b> <i>(Weekly payroll checks)</i>
<b>Accounts Payable Manifest</b>	<b>\$ 149,630.04</b>
<b>Weare School District</b>	<b>\$ 250,000.00</b>
<b>John Stark District</b>	<b>\$ 250,000.00</b>

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<b>TOTAL:</b>	<b>\$ 722,992.40</b>
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**The following manifests were previously ordered to sign at the August 28, 2023, Board of Selectmen meeting:**

**Payroll Manifest \$ 67,961.38 (Weekly checks dated (09/07/2023))**

**Accounts Payable Manifest \$ 33,239.10 (Checks dated 09/07/2023)**

**Supplemental Accounts Payable Manifest \$ 15,008.75 (Check dated 08/31/2023)**

**Passed: 3-0-0**

**Minutes 8/21/2023; 8/28/2023:** Selectman Cahill suggested allowing for the full BOS to get a chance to look at the minutes. The BOS agreed and tabled the review of the minutes.

**Correspondence/Other Business:**

Selectman Cahill said there is a Conservation member term ended in March 2023. The Board did not reappoint the individual, Andy Fulton. The Board needs to go through the process of reappointing him for an additional 3-year term. The Conservation Commission will need to vote for him as Chair. Selectman Cahill asked the Finance Director to notify Mr. Fulton to be able to get an answer from Mr. Fulton if he would like to be re-appointed so they can add it to the work session agenda.

Chair Hippler said TA Bolton mentioned probing of the Town Clerk's cemetery plot which was performed on Saturday and completed.

Chair Hippler said there was a site walk performed on Saturday at the East Road Town Pit and then at Ineson Field on Quaker Street with Parks & Rec, a member of WAC, and some public individuals. The meeting was about an hour and a half. Selectman Cahill said the purpose of the meeting is because WAC is looking to expand the practice fields. During the walk, it became apparent that there was a crop harvest happening and it was a continuation of the Brown Farm Property. They will have to notify the farmer that he has to update his liability insurance. Chair Hippler said there is a lot of moving parts with the property and there needs to be some investigation done to see if it is even viable to legally utilize the property.

Chair Hippler said there was an email about an impending tree at the cemetery on Buzzell Hill near a neighbor's property that needs to be looked into coming down before damage.

Chair Hippler said it is off Concord Stage Road, Dow Peasley Cemetery tree between Woodbury and Route 114 needs to be looked at by Public Works Director Jason Fiske.

Chair Hippler said they had received an email about negligence at a dog boarding facility. That email has been forwarded to the proper people.

Chair Hippler said there was a request from a resident requesting meeting minutes of other Boards be posted.

Selectman Cahill said there was a bid opened at 2:00 p.m. at the Town Office for the backup power generator. He said they had two bidders. Some minor details needed to be followed up on. The first bid received was from Yestramski Electrical Services, Inc. & Emergency Power Systems of Contoocook, NH. The total proposal for the generator and electrical work was presented at \$10,850.00 with an additional cost of \$339.00 for an ATS surge protector and an additional cost of \$300.00 for a Kohler on-cue monitoring system. The total combined project cost of \$11,489.00. The second bid received was from A.Pro Electric of Weare, NH combined with K.Pro Generators of Henniker, NH. The proposal for the generator was presented at \$7,786.80. The proposal for the electrical work of the job was \$3,125.00. The total combined project cost of \$10,911.80. The Selectmen agreed to table this until the work session next week. Chair Hippler said on the K Pro it does say surge protector but it does not say the ATS Style. Selectman Cahill said he would get clarification. Selectman Cahill said he did not ask Yestramski about a concrete pad and he did like that it was added in K Pro. Chair Hippler said he did like that K Pro had an oil heater kit for an easier start when it gets too cold. The BOS agreed to add it to the work session agenda.

**Chairman Hippler motioned to end the public meeting and enter into a nonpublic meeting at 8:21 pm to RSA 91: A-3 II (b). Selectman Cahill seconded. All in favor. 3-0-0**

**Chairman Hippler motioned to come out of non-public. Selectman Cahill seconded. All in favor. 3-0-0**

**Chairman Hippler motioned to enter into nonpublic at 8:41 pm per RSA 91: A-3 II (c). Selectman Cahill seconded. All in favor. 3-0-0**

**Chairman Hippler motioned to come out of non-public. Selectman Cahill seconded. All in favor. 3-0-0**

**Chairman Hippler motioned to exit non-public at 8:51 pm. Selectman Cahill seconded. All in favor. 3-0-0**

305 **Selectman Cahill will follow up with the Part-Time Inspector regarding the property on Upper**  
306 **Craney Hill.**

307

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309 **Being there was no further business to come before the Board, Selectman Cahill made a motion, and**  
310 **Chairman Hippler seconded to adjourn at 8:55 p.m. Passed 3-0-0**

311

312 **ADJOURNMENT**

313 A True Record.

314 *Kearsten O'Brien*

315 Kearsten O'Brien, Minute Taker

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321 These minutes were transcribed from the following link: <https://www.youtube.com/watch?v=5rvRdVkItp0>