

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 19, 2023

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

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS:

These minutes were transcribed from the following link: <https://www.youtube.com/watch?v=tPY0iBWf4xU>

Chairman Hippler called the meeting to order at 6:32 PM.

Selectman Blume read the following statement into the record:

Good evening, everyone. This statement is partially a recounting of recent events from my perspective and partially a set of opinions, but in total, it is meant to increase transparency and accountability for this ongoing appointment and future board activities. I will request that this statement be included in the minutes in its entirety and that a draft of this meeting's minutes be published publicly as soon as possible.

To start off with, how did we arrive here? On October 9th, there was a normal meeting of the Board of Selectmen. At the end of that meeting, then-selectman Cahill tendered his resignation and, after he left the room, the board discussed publicly how to proceed. As it was a surprise to the board, the decision was made to have the Chairman reach out to Town Counsel for guidance and the Chairman expressed his opinion that a swift appointment of somebody experienced was preferable to letting things drag out as we are already in budget season. No one else on the board expressed a different opinion at that time so we were operating under the idea that we should find candidates who could step in quickly and with little assistance.

The October 9th meeting was broadcast on channel 6, but was unfortunately not broadcast on YouTube due to technical difficulties. In the past, we have been able to recover a recording of the video from channel 6 and upload it to YouTube after the fact and it was my belief at the end of the meeting that this is how it would be handled within a day or two. Unfortunately, given that the meeting was on Columbus Day, the Cable Commission had not set channel 6 to record and the meeting was not shared on YouTube, which I did not learn until the following Monday, October 16th.

This failure of both the primary recording mechanism and its failsafe could not have come at a worse time, but we did fortunately have thorough minutes of the meeting and a draft of those minutes was published within the 5 days allowed by RSA 91-A. At this point, those minutes have not been reviewed or finalized, but if we follow our usual cadence they will be reviewed at the regular meeting on Monday the 23rd. If anyone has a recording of the October 9th meeting from channel 6, please email boardmembers@wearenh.gov so we can work with you to retrieve that and make sure the recording is

uploaded to YouTube.

The day after that meeting, on October 10th, the Chairman emailed the rest of the board letting us know how his conversation with Town Counsel had gone, asking us to reach out to him if we had any recommendations on who to contact regarding the appointment. His email included the statement from Town Counsel that we would be making an appointment until March of 2025. I had gone home on October 9th and read the RSAs which pertained to making appointments to the Board of Selectmen and was surprised by Town Counsel's opinion as I had understood the law to say appointments are made only until the next annual meeting, which would be March 2024. After I pushed back by email, Town Counsel confirmed that my understanding was actually the correct one and that we would be appointing until March 2024, 5 months from now.

Also on October 10th, the board received an email from Janice Mathews with her resume and a request that she be considered for the appointment. Ms. Mathews had been in attendance at the October 9th meeting and was the only audience member remaining when then-selectman Cahill tendered his resignation. I know her as an acquaintance, having spoken a handful of times since I moved to town and she helped with my campaign for Selectman, along with a couple of dozen other people.

Given the request by the Chairman for a list of recommendations I reached out to Tom Flaherty that same day to ask if he would be willing to serve. Mr. Flaherty is someone who is immediately familiar to many people for serving on the Finance Committee, frequently attending and speaking at Selectmen's meetings, and organizing events like the town play.

Mr. Flaherty was another volunteer for my campaign and was enthusiastic about my goals to improve transparency and accountability within the town government. He also helped me catch up quickly on the specifics of Weare's budget early in my campaign, given his experience in that area. Based on their resumes and interviews I believe that Ms. Mathews and Mr. Flaherty would both make excellent selectmen, but I look forward to also interviewing the other candidates to learn more about them so this board can make the best possible appointment at this time.

Mr. Flaherty told me he would think about my question, but likely would be willing to serve, and on October 11th, he decided to email the board to express his interest in the position as well. Back on October 10th, after talking with Mr. Flaherty, I called Chairman Hippler to tell him that I had talked with Mr. Flaherty so that Chairman Hippler, as Chairman, could put together the next agenda with as much up-to-date information as possible. In that same call with Chairman Hippler, he expressed to me that he had contacted Jack Meaney and would be contacting Ricky Houde about the appointment as well.

That leads us to this past Monday, October 16th. The board had not met since October 9th and on the 9th we had not set a plan beyond reaching out to Town Counsel, which had been accomplished. We proceeded through regular business, such as swearing in Officer Guilmette back to the Police Department and approving the policy on nonpublic minutes which had been discussed publicly since May of this year.

As a brief aside, I will be proposing an amendment to that policy before we conduct any more interviews. That proposed amendment will read: "All nonpublic minutes shall be written to the same level of detail and specificity as public minutes". Since we have yet to approve the minutes from our interviews on Monday, this will allow us to add more detail to them before they are finalized.

After finishing the other parts of our agenda, we moved to discussing the vacant selectman's seat. Chairman Hippler explained that we had received two requests for consideration by email and that he had spoken with two others. Vice Chairman Knapp added that he also had someone he wanted to

Speak with about the position. The board expressed wanting to have as much of the discussion in public as possible before moving into nonpublic so the board could decide on a short-list and avoid dragging folks through the mud who would be going back to their lives if not appointed. The board said it would follow that up with interviews of prospective candidates and given that the two candidates who had emailed their interest to the board were present in the room, we would potentially interview one or both of them and follow that up with further interviews on Thursday. It is my understanding that this process was approved verbally by Town Counsel.

In retrospect, this is what I believe was the most critical mistake the board made in this process. We used RSA 91-A:3 II (c) which states that a person's reputation must likely be adversely affected by matters being discussed, but if we are interviewing people who are fit to serve on the board then those interviews should not be likely to adversely affect their reputations.

Given this, I do not believe we should move forward with further nonpublic interviews, but that does leave us in a spot where not all candidates will have been treated equally. Because of this, I propose that before proceeding to any further interviews we should publicly recount and discuss the two previous interviews, then go forward with interviewing the remaining candidates publicly. I would like to end up with two or three candidates we can bring to a public meeting for introductions and 10 minutes each of questions posed by the public. I calculated 10 minutes based on the average time per candidate at the most recent Meet the Candidates event. If the board is able to make a final decision after that meeting, we can appoint a new selectman and if not then we can reassess at that time.

On a personal note, I appreciate the vigorous feedback regarding these proceedings and continue to agree that the town can always be more transparent. During my brief tenure, we have already accomplished much towards this end:

- *Hired a dedicated minutes taker for much of the town*
- *Public minutes are now being posted again within the 5 business days required by law*
- *Minutes from nonpublic sessions are now being posted within the 72 hours required by law*
- *Adopted a Nonpublic Minutes Policy*
 - *Covers how they should be written, reviewed, stored, and released*
- *Adopted a Policy on Contacting Town Counsel*
 - *Based on feedback from citizens during public comment*
- *Began using town email addresses for the board rather than personal emails*
- *Pushing for other board/committee/commission town email addresses*
 - *This is beginning with the Conservation Commission*

I have more goals I would like to achieve to improve transparency and look forward to working on them with whomever this board decides to appoint. These include:

- *Sitting down with the Cable TV Committee to determine what is causing our recording failures*
- *Pushing to use our Comcast franchise agreement funds to outfit the upstairs room so that more meetings can be publicly broadcast and recorded*
- *Ensuring that the town's website contains the latest information that is available and that it is easy to find*

If you have further comments or questions about this appointment proceeding or any other board topic, please email the board at boardmembers@wearenh.gov, email me personally, call me, or show up for public comment to know that your voice is being heard.

After reading his statement Selectman Blume said under RSA 91: A-3 II (C) that nonpublic is intended for adversely affecting the reputation of someone other than this board and the board was uncertain of what to do and made a decision as a board that in his opinion turned out to be incorrect. It was not malicious or nefarious, it was based on the information that the BOS had. Selectman Blume said he believes they have the opportunity to correct it. Vice Chair Knapp said he agrees with Selectman Blume it is unfortunate that

it had spiraled out of control. Vice Chair Knapp said none of the BOS members have been in that position before and every interview he has had with people has been in nonpublic session. Vice Chair Knapp said it is not a political gain. Vice Chair Knapp said the only reason they considered reaching out to people was to fill the void until March and if anyone took offense to that, he personally apologized it was not the intent. Vice Chair Knapp said they could pick the next person in line; they could pick someone out of the crowd. Neither one is illegal nor there are many opinions on both sides. He believes it is something they need to discuss. Vice Chair Knapp said there isn't enough time to hold another election and the law does state that the Selectmen choose the next person to fill the seat. Vice Chair Knapp said that he does not know if they should interview any further and if the BOS feels they should interview the people who came. Selectman Blume said they do not meet outside of meetings and if they make an incorrect decision there is nothing they can do until their next scheduled meeting. Chair Hippler asked what Vice Chair Knapp meant by they should not interview tonight. Vice Chair Knapp said they should interview the other ones in public as well. Chair Hippler said that they should interview them tonight and at the end of the day the RSA states that the BOS chooses the person to fill the position. Chair Hippler said they are in the thick of budget season and when they left the October 9th the BOS agreed to allow Chair Hippler to reach out to people. Chair Hippler does not want to wait until the eleventh hour to choose someone and does not agree to do a candidate's night because it is not in the Town's people's hands at this point. Selectman Blume agreed to continue interviewing. Chair Hippler said the amendment of the Nonpublic policy at a work session and if they want them detailed for the session that took place Monday then the BOS should be writing them.

Chair Hippler said he contacted Mr. Houde because he served three years on the Board of Fire Wards and is familiar with the budgetary process, and how the town operates. Chair Hippler said for full transparency his wife works in the Fire Department and Chair Hippler works with her. Chair Hippler said he has had a conversation with Mr. Houde about how the BOS runs due to his potential interest in running in the future. Chair Hippler thinks Mr. Houde would be a great candidate. Vice Chair Knapp asked what is most important to Mr. Houde when department heads create their budget. Mr. Houde said a little bit about himself he has been in Weare for twenty years and works for Honeywell International. He manages a regional territory and is a sales manager who manages about \$35 million worth of territory. To answer Vice Chair Knapp's question Mr. Houde said he worked very closely on the Fire Department budget when he was on the Board of Fire Wards. He is in the fire industry so looking at the budget and discussion about what they actually need versus a little bit of moving and staying within the budget he is okay with that. He said he does have an issue with moving from line to line. It must be an open discussion, and nothing hidden at all. Vice Chair Knapp asked if he feels they need to look out for the department and make sure they have what they need. Mr. Houde said absolutely what he enjoyed was they made the budget to a certain point and were able to give money back to the town which was an important part. Selectman Burdick asked Mr. Houde if he feels the budget has been done well since he left the Board of Fire Wards. Mr. Houde said no not because he is not there but because there have been things that should not have been done that have been and now it is hurting the department. Selectman Blume said they are trying to fill the slot as quickly as possible; do you stay apprised of what is going on? Mr. Houde said yes. Selectman Blume asked what the BOS will need to deal with before March. Mr. Houde said the BOS taking over the Fire Department will be a major task and may need help to bridge that gap. Mr. Houde said having another default budget will be tough. Selectman Blume asked if Mr. Houde had thoughts on how to handle the plow driver situation. Mr. Houde asked if it was possible to an internal training for CDL. Mr. Houde said that back in the day they would bring in a State Trooper to the Fire Department to get them CDL certified. Chair Hippler asked what Mr. Houde's take on social media participation. Mr. Houde said that he would read things put on social media, but he would not engage. Selectman Blume asked if he would be able to make Monday night meetings and occasionally ones that would pop up. Mr. Houde said he was flexible and would tell the members if he was unable to attend.

Chair Hippler said when Selectman Cahill tendered his resignation his first thought was that they would need someone who has sat on the board before and knew the first steps in the budget process and his first thought was Jack Meaney. Chair Hippler said they are neighbors, and he is not hanging out with him he

occasionally sees him walking the dog. Chair Hippler reached out to him because he knows the process of being a former Selectman. Mr. Meaney said he was a Selectman for the Town of Weare for six years. He was a Selectman in another Town for a term before he moved back to Weare. He does not plan to run for re-election come March. Vice Chair Knapp asked Mr. Meaney what was important to him in creating the budget. Mr. Meaney said making the budget fair for everyone. Mr. Meaney said they need to look at the needs of the department, not the wants. The town needs to take care of its employees because retention is important and hard to do. The highway is a big concern because finding a plow driver is hard. Highway is the hardest budget due to fuel and salt. Mr. Meaney said the toughest part is also looking out for the taxpayers. Selectman Blume asked Mr. Meaney what issues he sees arising for the Selectmen to handle. Mr. Meaney said that they cannot always plan for the problems. They all need to be proactive, one of the biggest problems is money and make sure there is enough coming in. Mr. Blume asked what can you tell a taxpayer who is complaining about wasting money? Mr. Meaney said the Town does not waste money if you look at the tax bill. The tax rate is one of the cheapest across the region. Mr. Meaney said most people do not take into account the school budget that is reflected in the Town's budget. Mr. Blume asked if he would be able to hold Monday night meetings and the occasional meeting that arises. Mr. Meaney said that he would be able to make the meetings and that he may miss one in December. Selectman Blume asked if Mr. Meaney had thoughts on the Fire Department being overseen by the Selectmen. Mr. Meaney said it was the Fire department's choice and he was on the BOS when it started. Mr. Meaney said that he does not see them having any issues and the Fire Department now is a good group to work with. Mr. Meaney thinks it will be a smooth transition. Chair Hippler asked about Mr. Meaney's position on social media. Mr. Meaney said he does not have it, nor does he want it.

Chair Hippler said with the current change in the direction of the BOS they probably would not make a decision tonight and asked when they would deliberate to figure out who they would like to be in the seat. Vice Chair Knapp asked if they felt the two other candidates needed to be interviewed in public. Selectman Blume said they could at least repeat it tonight and then if the board decides that they want them to come back in they can. Vice Chair Knapp said that Tom talked about the highway department and seeing what they need and getting more people in that department. Selectman Blume said Tom talked about maintenance vehicles and not just cutting the budget to the point of leaving a bond. Selectman Blume said they spoke to Janice first and spoke to both candidates at fifteen minutes max. Janice was the first to send in her resume. Selectman Blume said they have interacted a couple of times and she had exuded confidence. Chair Hippler said Janice is on the Finance committee and would resign if chosen for the position. Selectman Blume said Tom is on the Town's Republican committee as chair and would resign if he was selected for the position. Selectman Blume said he is also the Vice Chair of the Historical Society which has no affiliations with the Town Government. Chair Hippler said that he asked the same question regarding social media, and he said they both said they read the comments put out on social media, but they do not engage. Chair Hippler said Mr. Flaherty said he did engage in one and then rescinded his comments after rethinking. Selectman Blume said there was a post regarding the dump and Mr. Flaherty was putting facts out. Mr. Flaherty owns his own business. Chair Hippler said they both can commit to the schedule.

Selectman Blume said Mr. Houde was sharp and presented himself well and had good experience. Vice Chair Knapp said he liked that he was involved in the budget. Vice Chair Knapp said that he likes Mr. Meaney because he has been in the position. He also likes the fact that Mr. Meaney is not considering running for the position. Chair Hippler said that Mr. Flaherty and Ms. Matthews said that they were considering running for the position along with Mr. Houde. Vice Chair Knapp said the only negative with Mr. Meaney is that there is still a right-to-know request going on. It would not affect his job. Selectman Blume said that he thinks there is a lot of desire for fresh blood and if they were to appoint Mr. Meaney that could be a step backwards. Vice Chair Knapp said he does not think there are any huge negatives about them. Selectman Blume said he took to heart all the open comments and was willing to take flak on how you come to your candidates. Selectman Blume said he does not think they need to scramble to find someone else. Chair Hippler said he thinks they stick with the four candidates and to Selectman Blume's point they need someone who has kept their pulse on what is going on in Town and he thinks that number

three just has not. Selectman Blume said Chair Hippler talked about the budget process, and he thinks it puts a burden on Chair Hippler to guide three new people through the budget process. Chair Hippler said that the BOS has done their diligence to fill the seat until March of 2024. The BOS discussed the last time they needed to fill a vacant spot on the BOS. Chair Hippler said right, wrong, or indifferent they have interviewed the other two candidates as well. Chair Hippler asked what the Board members would gain from interviewing them in public. Vice Chair Knapp said if it was not legal to do it nonpublic then it would make it legal by re-interviewing them in public. Selectman Blume said he can appreciate that, and he tried to cover the gap. Chair Hippler said if they allow them to speak and allow for public comment, they will be there all night. Chair Hippler said that Mr. Meaney, Mr. Flaherty, and Ms. Matthews are all serving on boards right now other than Mr. Houde. Chair Hippler said that the Finance Committee could benefit from their experience. Selectman Blume asked TA Bolton to go over the proposed agenda for Monday night before deciding on whether to allow time to re-interview the two other candidates. The BOS agreed to re-interview the candidates before public comment and having Selectman Blume read his statement. They will deliberate and appoint at the Monday night meeting. The BOS spoke about moving some other agenda items to the work session week. Chair Hippler thanked all the candidates for applying for the position and the choice of filling the vacant seat lies with the BOS.

Being there was no further business to come before the Board, Chair Hippler made a motion, and Vice Chair Knapp seconded to adjourn at 8:39 p.m. Passed 4-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker