

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 27, 2023

PRESENT: BENJAMIN D. KNAPP VICE CHAIRMAN; SALIM BLUME, SELECTMAN; SHERRY M. BURDICK, SELECTMAN; JANICE MATHEWS, SELECTMAN.

TOWN ADMINISTRATOR: Naomi L. Bolton

EXCUSED: FREDERICK W. HIPPLER

GUESTS: Denise Purington, Chief Chris Moore, Tom Flaherty, Beth Rouse, Tom Clow, Steve Najjar, Maria Fossiano, James Drury, Andy Fulton

These minutes were transcribed from the following link: <https://www.youtube.com/watch?v=ICHne06Fmi0>

Vice Chair Knapp called the meeting to order at 6:31 PM.

MANIFEST: Vice Chair Knapp moved; Selectman Mathews seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated November 30, 2023, as included in the following manifests:

Checks Dated November 30, 2023,

Payroll Manifest	\$ 83,087.54 (<i>Weekly payroll checks</i>)
Accounts Payable Manifest	\$ 76,879.59
Weare School Accounts Payable	\$ 300,000.00
John Stark Accounts Payable	\$ 250,000.00

TOTAL:	\$ 709,967.13
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Passed: 4-0-0

Forester/Conservation Commission Discussion: Vice Chair Knapp said that Chair Hippler would like to be in attendance for the discussion. Vice Chair Knapp said they will move the conversation to next week's agenda so they can have a full BOS.

East Street Property Discussion: Denise Purington gave a summary of the East Road Property proposal for use of the property. Purington created a package of information regarding the East Road Property and gave an overview of all the minutes regarding the property. Purington wanted to point out that the Conservation Commission funds are funded through a Land Use Change Tax that would have gone towards taxes. January 8th there was a public hearing on the expenditure for the property in the amount of \$180,000 instead of the \$50,000. There were no members of the public present and the condition set forth during the public hearing is that the Conservation Easement be held by Southern New Hampshire Forestry and that

the Weare Conservation Commission be the managers of the property except for gravel area and recreational area. Purington said that there was no reference in the minutes as to where the recreational fields had to be. She went through the purchase-in-sale documents and there were no written conditions the document stated the purchase and sale price. Mr. Dalberg referenced in a set of minutes that they need to create a plan and diagram of where the ball fields and recreational areas would be along with the gravel pit. She has not been able to locate the drawings, they were not recorded with the warranty deeds. Purington said that 12 acres were approved for recreational fields that would get them a fair number of fields and potentially a replacement for the tennis courts. Purington said that the Conservation Commission only gave her one suggestion of a location of land that could be used for recreational fields, but it is not owned by the Town and that would cost money to obtain the property and then more money to develop the property. Purington presented the BOS with potential warrant articles to present at the Town Meeting. Ms. Purington said they could allow the twelve acres of the front portion of the property to be used for recreation, use eight acres for gravel take the remaining and use it for conservation, and put a conservation easement. Ms. Purington said the second option would be for the BOS to restrict the twelve acres and keep it agricultural, set aside eight acres for gravel, and set aside twelve acres for recreation. If the BOS were to designate another 12 acres, they would have to think of the cost of developing, clearing the property, and getting utilities in place. Ms. Purington stated that the BOS could take it back to the voters to let them decide since there was no clarity from the first vote, or they could turn it back to the CC. Ms. Purington provided example warrant articles for the proposals for recreational fields. Discussion was had about the sales agreement. Selectman Burdick said she would go back into records and try to find the sales agreement. Selectman Blume said going off the deliberative session notes Ms. Purington provided quoting the warrant article states "This is a non-lapsing article and will not lapse until the project is complete or until December 31st, 2018, whichever comes first. Selectman Blume said the two things that were authorized were for the Selectmen to agree to purchase the property that took place and to further authorize the Selectmen to convey certain Conservation Easement. Selectman Blume said they have acknowledged that they did not put an easement on the property and the project lapsed because it was not completed by December 31st, 2018. The town owns property in his opinion and is left with what they can legally do with the property. Selectman Blume said he does not think it is a bad idea to ask the townspeople their opinion. Selectman Blume said that the BOS and CC would be able to look at the nonpublic minutes from the CC. Ms. Purington said that she does not know if they would be helpful but if there was something discussed about the property and the potential easement it may be helpful to the BOS. Selectman Blume asked how much money was spent. Ms. Purington said they do know how much is spent but the document does not break it down. The Conservation Commission Chair said he would like to point out when the project was going to fall through for lack of funding for the grants that did not come through the entity that was trying to get the project complete did not go to parks and rec and they did not go back to voters. They went to the Conservation Commission and Mildred Hall to preserve the land for conservation land. There is no such thing as townland and then conservation land is all the Town's land. CC Chair Fulton said that intent does matter, and it is a poor mode to go forward on the argument largely because we want it. Selectman Blume said that is mischaracterizing if the town owns the land and they are now left in a state where they are not required to follow what was laid out because of a former BOS failing to follow through. Selectman Blume said his question was what the BOS would do with the land that did not have strings attached. CC Chair Fulton said that the Town owns Conservation property and very little of it is under Conservation Easement. It adds a little bit of protection to the property when an easement is put on it. CC Chair Fulton said that he does not think it is ethical to repurpose the purpose of the land when it was purchased with Conservation Funds, and it is a dedicated fund for dedicated purposes. CC Vice Chair Najjar said his background is in natural resources and has been on the CC for twenty years or so and has been involved in many big projects regarding conservation. CC Vice Chair Najjar offered to help PARC find a parcel that could have recreational fields. CC Vice Chair Najjar said that he feels they are working off emotion instead of the science and technical feasibility from an engineering perspective. CC Chair Najjar said that he sent the BOS the option to purchase. CC Vice Chair Najjar mentioned the December 2nd, 2013, meeting minutes and what was discussed at the meeting. CC Vice Chair Najjar said they promised Ray Banks that the fields would be used for agricultural use and does not think it is a good idea to go back on that promise. CC Vice

Chair Najjar said that the land is conservation land and was designated. He would encourage the BOS to investigate what they would need as a town. Selectman Blume asked if either CC Chair Fulton or CC Vice Chair Najjar knew about the surveying. CC Vice Chair Najjar said they have had the property blazed just to make sure they do not have an encroachment. CC Chair Fulton presented a Google map survey of the property to the BOS. Selectman Mathews said that she does think that the easement needs to be completed. Selectman Mathews listed the items she reviewed and after reading through all the information she came up with what she thinks occurred as far as funding the project. The CC originally pledged \$50,000 they increased that by another \$130,000 for a total of \$180,000, Mildred Hall put in \$155,000. Grants were expected but none had come through and that was what caused the additional \$130,000 from the CC. The taxpayers, through the vote of the warrant article voted in the \$200,000 and Alma Schmid gifted the seven acres through the zoning variance application which brought the parcel total up to 137.5 acres. Selectman Mathews talked about the below market value. Selectman Mathews said there is a lot of documentation that the fields are not to be used for recreational fields and would be restricted to agricultural farmland and become part of the conservation easement. The Lot Line Adjustment, subdivision, and variance approvals were all predecessor tasks in the purchase agreement, and they were done. Selectman Mathews said that she does not agree that the whole project is lapsing the lapsing part was the easement and believes the BOS can rectify that. The next question is to figure out how they rectify the easement. Selectman Mathews said that it is in the town's best interest to work on a lease agreement with the gentleman who is haying the field. Ms. Purington said that the record provided by Mr. McSweeny should be a public record. Ms. Purington said for public records there needs to be an understanding that the money in the CC account sounds like it is not taxpayer dollars, but it is because if it wasn't allocated to go to the CC then it would be coming back to the general fund. Selectman Blume said they need to ask legal if the warrant article has lapsed and given that question who has management of the property and did that property ever get properly assigned to the town. Selectman Mathews said that she thinks the BOS needs to sit down with the CC and get their questions to ask to legal. Selectman Blume read a request from the CC into the record. Selectman Mathews said that she would like to clarify the question of the easement lapsed instead of did the warrant article lapsed. Vice Chair Knapp said for the record it is not that the BOS needs convincing for the project or against it. They had originally just asked for facts. CC Vice Chair Najjar said looking at whether this has lapsed or not, he does not think it matters because was a warrant article that authorized the CC to convey easements on any Town Forest or Conservation lands and was open-ended. The BOS will continue to work on the project.

Proposed Police Budget 2024: Police Chief Chris Moore proposed the 2024 Police Department Budget. The Police Department accounted for less than 4.2% of the overall taxes and was 73 cents of the total tax rate. Police Chief Moore said with the grant they are waiting to obtain they would receive \$130,095 in grants. Salary and Benefits have ranged from 80.67% to 86.4% next year it will be 85.4% of the budget. Chief Moore said they still need to stay competitive to attract and obtain personnel. Chief Moore went through the no-change items within his budget from the previous years. The dispatch was a contractual increase within his budget. The Police recruitment line had a slight increase because the background investigations increased by \$100. Chief Moore explained the accreditation process and the fees. There was an increase in ammunition cost of more than 1/2 of the presented line. Body Worn Cameras (BWC) are partially funded. The computer equipment increased due to the Microsoft Office licensing fees for all employees. Police BWC is currently contracted and not part of the Police Department budget. IMC Server increased by \$421 and photocopier services have increased by \$215. Chief Moore said the vehicle maintenance increased because of the needs of the vehicle's life-cycle management. Chief Moore added a grant reimbursement and established the town match 25% and gives a place where they know the 25% is coming from rather than hoping they have a vacancy. Police Chief Moore went through the lines that did not change in the Animal Control budget. There was an increase in the fuel expense. Chief Moore went through proposed warrant articles, the first being one for the vehicle that was presented to the CIP project cost was \$84,900 for a fully fitted patrol vehicle with all the new equipment. Chief Moore provided ways the warrant article would have no cost. Chief Moore said the second warrant article is for a revolving fund and had worked with Finance Director Rouse on the warrant article. Chief Moore said the third warrant

article in regard to a prosecutor and the changes in how arraignments, trial management conferences, and court time change.

Chief Moore said they had six companies interested in bidding but only three did and the bids ranged from \$20-26 thousand and asked if there were any Selectmen who would like to participate in evaluating the bids. Selectman Blume said he would help look at the bids. The BOS discussion ensued regarding the purchasing policy. Chief Moore said that Officer Valero passed the written exam with a 4.7 out of 5. Chief Moore asked about the MOU. TA Bolton said it was sent to Steve Arnold and the meeting representative signed the MOU.

Being there was no further business to come before the Board, Selectman Blume made a motion, and Selectman Mathews seconded to adjourn at 8:05 p.m. Passed 4-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker