

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
December 11, 2023

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

ABSENT: FREDERICK W. HIPPLER CHAIRMAN,

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Lee Wetherbee, Steve Najjar, Bradley Casperson, Vinnie Iacozzi, Ernie Thibeault, Laurie Gordon, Maria Fossiano, Tom Clow, David Erikson, Sam Small, Andrew Fulton

These minutes were transcribed from the following link:
<https://www.youtube.com/watch?v=qq8g0Ltu9XY&t=3s>

Vice Chair Knapp called the meeting to order at 6:32 PM.

Vice Chair Knapp motioned to end the public meeting and enter into a nonpublic meeting at 6:32 p.m. to RSA 91: A-3 II (c). Selectman Mathews seconded. Roll call vote: Mathews-yes; Knapp-yes; Blume-yes; Burdick-yes. All in favor. 4-0-0

The Board met with former DPW employee, Lee Wetherbee for an exit interview. Mr. Wetherbee stated that things had changed when the leadership changed at the Public Works Department. He was receptive to a possible return in the future.

Vice Chair Knapp motioned to come out of nonpublic at 6:46 PM. Seconded by Selectman Blume. Roll call vote: Mathews-yes; Knapp-yes; Blume-yes; Burdick-yes. All in favor. 4-0-0

Vice Chair Knapp welcomed everyone, stated that the Board started with an exit interview of a former DPW Employee and asked everyone present to join in the pledge of allegiance.

Wetlands Permit: Selectman Blume recused himself from the discussion. Brad Casperson an engineer with Meridian Land Services is representing New Boston Aggregate Corporation in regards to the Duck Pond subdivision. Mr. Casperson said that the bridge that was part of the original subdivision plans was not feasible to construct because it allowed for three feet of cover whereas the presented scenario is closer to 15 feet of cover. They have gone to the Planning Board with the conceptual and the Planning Board suggested they go to Keach Nordstrom. Selectman Mathews asked if he had anything in writing from the engineer. Mr. Casperson said that he sent it to TA Bolton on Friday. Vice Chair Knapp said that he did read through the submission and it seemed reasonable. Selectman Mathews asked if they had gone back after the conceptual submission. Mr. Casperson said that they have not gone back to PB because it does not fall under any applications and they went to them to make sure it was what the board wanted because

they were unsure of how this needed to be dealt with. Selectman Mathews asked if any zoning requirements needed to be circled back on. Mr. Casperson said he is not aware of any and would assume that Keach Nordstrom would have something if they did. Ernie Thibeault said that originally TF Moran designed it and was extremely expensive and would have disturbed a lot of land. It is a smaller box culvert and would use fill on-site. They had given the town some land to the town in an easement when all the open space was given and they needed the BOS to sign the easement giving them a little piece to fill because it is permitted. Selectman Mathews said she watched the April 27TH meeting and it referred to the conceptual and having a public hearing. Mr. Casperson said that he does not remember any specific direction to come back around to the planning board. Selectman Mathew asked if there would be any concern from DPW from a maintenance standpoint. Vice Chair Knapp said no he does not think so. Mr. Thibeault said this was a design flaw from the original application and was fully permitted. The DES easements were given and they are just redesigning something much simpler and disturbing less land. Mr. Casperson said there is a small culvert on the downstream side that is hydraulically backing up the stream and part of what they are proposing is to pull that out and make a stream that is hydraulically connected.

Selectman Burdick motioned to allow Vice Chair Knapp to sign the agreement. Due to the lack of a second, motion fails.

Selectman Mathews said that if she knew that PB was okay with moving forward on this she would be willing to second the motion but without information from the Planning Board she can not move forward with the request. Mr. Casperson said that he feels that the Planning Board minutes read that they were directed to get the plans reviewed by Keach Nordstrom because of the construction engineering. TA Bolton said Keach Nordstrom is the Town's Engineer and the PB would go with their recommendation. TA Bolton said it did not seem like Keach had an issue with the proposal. TA Bolton was able to get ahold of the Planning Board Vice Chair and he would like it to be discussed at the meeting Thursday night. Mr. Thibeault said if everything goes well Thursday night maybe the Town could find a way to sign the application and get it to the State. TA Bolton said that sounds reasonable and the BOS agreed. Mr. Thibeault spoke about the reclamation of the agricultural fields and will be coming back in the winter for a permit.

Solar: David Erikson said he is with the Solar Committee. The committee is a group of Weare residents who have been meeting and would like to work closely with the BOS. They have been meeting for over a year now to explore new possibilities for energy cost savings for the Town. Mr. Erikson went through the different ways the townspeople can reduce carbon emissions and cut costs. Mr. Erikson said they would like the BOS permission to become an official town committee. TA Bolton said she would need to check on how to establish the committee. The Board agreed to have TA Bolton look into how to form the committee and what goes along with it.

Forester: Conservation Commission Vice Chair Steve Najjar said that the CC unanimously voted to ask the BOS not to go out to bid for a Forester and to sign the proposed agreement with Meadowsend Timberlands (MTL), that MTL signed on October 23, 2023. CC Vice Chair Najjar went through the one change to the contract and explained why the CC would like to continue working with MTL. CC Vice Chair Najjar said he would suggest signing it for five years but if that is not going to work then they would suggest giving it a year or two and having meetings lined up on how they will deal with the bidding process because it will not be easy. Selectman Blume said that he is in favor of putting the contract out to bid. Selectman Blume said that they may be chosen like CC Vice Chair Najjar says since there are some complicated criteria and they are not obligated to choose the lowest bid. Selectman Mathews said she was not here for most of the discussion. She would agree that there is a benefit to going out to bid but also would agree there is a benefit to selecting preferred service providers such as a forester. Selectman Burdick said she is on the CC and that MTL has done a great job. Selectman Burdick said that if the CC does have to go to bid the CC has to be involved. TA Bolton said if she is not mistaken the structure was to have the bids go out and have them reviewed similarly to what DPW Director does for a truck or to paving companies and make the recommendation. Vice Chair Knapp said that he thinks they have had good luck

with MTL and he does know the other things that they need to go out to bid for. Vice Chair Knapp said since they started talking about Felch Farm, he would like to see MTL see the project through. Vice Chair Knapp said that he does think in the end they would need to go out to bid but there is already work that has been done regarding the harvest at Felch Farm and they need to figure out how they will be handling that. Selectman Mathews said that CC Vice Chair Najjar did suggest a one-year contract and working with the CC on how they will manage the bidding process going forward. TA Bolton said she is trying to wrap her head around it that they had looked at a draft and then the draft was circulated to the CC which had the corrections made with Jeremy Turner's initials and that statement is now being removed. TA Bolton asked CC Vice Chair Najjar what has changed between what is okay then and what is okay now. CC Vice Chair Najjar said that Mr. Turner did not pick up on it but he cannot speak for him. TA Bolton said that the contract would have been signed had they had not waited and asked if they would have to pay both ways. CC Vice Chair said that they got billed for what they have traditionally been billed for. The actual prospectus preparation, solicitation of bidders, and the showing of the operation were on the hourly. The timber sale administration which is the marking of the trees is going to come from the harvest. Discussion ensued on how the forester could be paid and the overarching agreement. Vice Chair Knapp asked for any further work on the Felch Forest job if it would be paid out of the stumpage. CC Vice Chair Najjar said that they would need to find out what the new cost for the prospectus is going to be and then encumber it or use conservation funds to deal with it. CC Chair Fulton said that this is multi-year planning so anywhere you stop it you know things are going to start banging into each other and work will slow down or cease, and then restart. CC Chair Fulton said that it could be a question of how much background work you need to become current. CC Chair Fulton said he would like to make a point that the forester is a unique service, unlike most other services with the operations of the town. Vice Chair Knapp said he does not disagree but it will not be any different from the Town Attorney or the Town Engineer. CC Chair Fulton would like to know what the BOS purpose of the re-bid is to get a better price. Vice Chair Knapp said the bidding process helps keep the contracted company honest because they knew the Town goes out to bid and other people could be bidding against them and they could lose the contract if they were not performing to the standards of the town. Selectman Blume said that another company could put in a bid to do the same job and is half the price and that is a win for the town. TA Bolton said that the company could be the only one that bids. Selectman Mathews said from her perspective the reason they go out to bid is to make sure they are spending the taxpayer's dollar wisely and should would think that the CC would want to do the same thing with their money. CC Vice Chair Najjar said with forestry there is a lot of land to manage and if they become familiar with the land would it be worth it to save five dollars an hour and have someone new learn the land? To him, there is not much of a savings. The BOS talked about doing a year-long contract with MTL until December 31, 2024.

Selectman Mathews motioned to extend and sign the general services agreement between the Town of Weare and Meadowsend Timberlands with the outlined changes: the dates on page one, the dates, and names on the last page, remove the strike through in Article 2b section A, and to change the expiration date to December 31, 2024. Seconded by Selectman Burdick. Motion passed 4-0-0.

Vice Chair Knapp said that CC Vice Chair Najjar requested that the BOS would make a motion to move forward with the rebid of Felch Forest. Selectman Blume said that he thinks that it is up to the CC to make the decision and does not want to set the precedent that the CC has to go to the BOS for the bidding of Timber Harvests. CC Vice Chair said that he thinks it would be a good idea to have the motion for this harvest. Selectman Mathews asked if the money came out of the conservation fund. CC Vice Chair Najjar said it goes into the Forest Funds. Selectman Mathews said she does think they are the agents to expend on the forest fund and if there is money being used from that account the board would decide to sign. Discussion ensued about the Town forest fund. CC Vice Chair Najjar said what he thinks will happen is the commission will get the statement of work and they will review it and make sure they got everything in there and focus around the recreational trail and gate. That will be publicly advertised by the town with the date and time for when the proposals will need to be back and they will be publicly open with the CC and if the CC does not meet that month, it will be open in the BOS meeting.

Vice Chair Knapp motioned to let the Conservation Commission go back out to bid for Felch Farm with the provisions that the Commission will review the scope of work and the bids will be open in public session either at the Conservation Commission meeting or at a Board of Selectmen meeting with the commission present to make a recommendation. Seconded by Selectman Mathews. Motion passed 4-0-0.

Poor Farm Letter: Selectman Blume said he did not feel comfortable signing yet because it made a statement that needed more information about going for a quiet title. Selectman Blume read the following statement from the letter “The town proposes that its attorney prepare a boundary line agreement to memorialize the boundary and prevent any disputes in the future.” Selectman Blume said if he is putting his name next to something the town is proposing he would like to understand. It also reads "If you are not agreeable to doing so the town will contemplate filing a quiet title action in the Hillsborough superior court to resolve this issue." CC Vice Chair Najjar said that Steve Caggiano got in touch with the CC saying that he had a survey done that indicated he owned a significant portion of the poor farm. The CC recently blazed and the CC had a surveyor go out and verify and the reports indicated that CC does own it. The same issues impact the County property that we purchased after this problem came up and they are confident that the rock wall is the actual correct line. CC Vice Chair Najjar said they are just trying to reach an agreement and get it recorded or if he does not then it will go to court.

Discuss Department Head Reviews: Vice Chair Knapp said the board should find a template and proceed with the reviews. Selectman Mathews said there are templates and they will need to make sure the templates are job-specific. Vice Chair Knapp asked if they should look for three templates for the different positions. Selectman Mathews said she could look at the descriptions and come up with the questions for those roles. They need to figure out if they will be discussing teamwork, communication, budgeting, etc. They need to figure out if they are doing a rating scale of 1 to 5 or 1 to 4. Discussion ensued about templates for the reviews. The Board agreed to have TA Bolton send Selectman Mathews the templates she receives off the list serve and then have Selectman Mathews work on the templates and use a 1 to 4 scale.

Meeting Schedule: Selectman Mathews when the first meeting for January would be. The BOS agreed the first meeting of 2024 will be January 8th.

MANIFEST: Vice Chair Knapp moved; Selectman Mathews seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated December 14th, 2023, as included in the following manifests:

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| <u>Checks Dated December 14th, 2023,</u> | |
| Payroll Manifest | \$ 74,707.41 <i>(Weekly payroll checks)</i> |
| Accounts Payable Manifest | \$ 571,437.54 |
| John Stark Accounts Payable Manifest: | \$ 250,000.00 |
| Weare School Accounts Payable Manifest: | \$ 300,000.00 |
| Hillsborough County Taxes: | \$ 1,316.798.00 |
| TOTAL: | <u>\$ 2,512,942.95</u> |

Passed: 4-0-0

Other Business: Selectman Mathews asked about the professional stamps and the legal review and also about East Road. TA Bolton said that she got an email back late today from NHMA and nothing back from PRIMEX. TA Bolton said she needs to send more information regarding East Road and will send that along. Selectman Mathews said she would like to know more about Pratt's right-to-know request so she can have a better understanding. Selectman Blume said that he could send the information over and TA Bolton said that Selectman Mathews could look at the folder.

Being there was no further business to come before the Board, Selectman Blume made a motion, and Selectman Burdick seconded to adjourn at 8:31 p.m. Passed 4-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker