

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
SEPTEMBER 18, 2023

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

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Jason Fiske, Steve Ploude, Chris Moore, Tom Flaherty, and Andy Fulton.

(These minutes were transcribed from the following link: <https://www.youtube.com/watch?v=r5ovMEA2xOk>)

Chairman Hippler called the meeting to order at 6:34 PM.

Chairman Hippler motioned to end the public meeting and enter into a nonpublic meeting at 6:34 p.m. to RSA 91: A-3 II (b). Selectman Blume seconded. Roll call vote: Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes.

Chairman Hippler motioned to come out of non-public at 6:40 p.m. Selectman Blume seconded. Roll call vote: Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler - yes; Selectman Blume – yes; Selectman Burdick - yes.

The BOS met with a potential DPW Employee during the nonpublic session.

Chairman Hippler motioned to end the public meeting and enter into a nonpublic meeting at 6:34 p.m. to RSA 91: A-3 II (a & c). Selectman Blume seconded. Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler - yes; Selectman Blume – yes; Selectman Burdick - yes.

Chairman Hippler motioned to come out of non-public at 7:00 p.m. Selectman Blume seconded. Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler - yes; Selectman Blume – yes; Selectman Burdick - yes.

The BOS met with the DPW Director to discuss an employee matter.

Chairman Hippler motioned to hire Steven Plourde for the part-time seasonal non-CDL truck driver at \$30.00 an hour. Seconded by Selectman Burdick. Motion passed 5-0-0.

FY24 Highway Grant & Speed Enforcement Equipment: Police Chief Chris Moore brought forth the fiscal year 24 New Hampshire Department of Highway Safety Grant application to the BOS. The grant is a combined scope of work is \$9,200 and the awarded for speed equipment is \$9,771. The award totaled \$18,971. There is a total matching requirement of \$5,557. The scope work match of \$2,300 will be covered

through administrative fees and the use of vehicle. The speed equipment match is \$2,550.50 which would come from the Police Department budget. SAU 24 requested a movable speed sign, and their match is \$756.50.

Chairman Hippler motioned to approve the Department of Highway Safety Grant and the Weare PD Highway Safety Grant agreement number 24-193 for a total of \$18,971. Seconded by Selectman Cahill. Motion passes 5-0-0.

Selectman Blume motioned to authorize the Chairman of the Board of Selectmen and the Chief of Police to sign. Seconded by Selectman Burdick. Motion passes 4-0-1 abstention from Chairman Hippler.

Crosswalk on 114: Chief Moore said they monitor Facebook and there have been a lot of citizen complaints regarding the school opening and closing times with traffic. The Town Administrator has been working with the Director of Public Works to get sidewalks painted, there is a small pedestrian crossing going over to Zoomie's. The State is not taking the initiative. The complaint recently was for vehicle traffic. Chief Morre said he has contacted the superintendent of the schools to try to figure out solutions. There has been an increase in parents dropping off their children at school rather than utilizing the buses. The middle school specifically is where the traffic backup generates coming out of East Road onto 114. They had looked at some solutions such as a four-way stop light with vehicle detection, redesign of the access egress, Police Detail, SRO, or lastly what Chief Moore recommended alternating pick-up times. Selectman Cahill said in Henniker they have a crossing guard who monitors the intersection. Would this situation result in the need for one? Chief Moore said the crossing guard would be for pedestrians and right now the pedestrians are not the problem, it is the vehicle traffic. With the vehicle traffic, it must be someone certified by the State to direct traffic. Selectman Burdick suggested utilizing the road that comes down next to the building. Chief Moore said this just came up and he wanted to make the BOS aware of this. Selectman Cahill asked if this was combined with the crosswalk issue. TA Bolton said no but she has been keeping Chief Moore in the loop. She has been working with DPW Director Fiske on it because they have received a letter from the State stating the Town will have to do something with the sidewalk once they rebuild 114. TA Bolton said no one can tell us when the rebuild will be. She has included the SAU superintendent and the business manager in the solution. She has talked to Tom Weston who is the facilities gentleman and DPW Director Fiske has purchased paint and they will paint it. The school will be splitting the purchase of the signs \$475 will be covered by the town and then another \$475 covered by the school. The school has offered to add the crosswalk to their list to be freshened up every July. Vice Chair Knapp asked if they were the signs that went in the middle of the road. TA Bolton said yes. Vice Chair Knapp asked who would be responsible for putting them up and down. TA Bolton said they were going to put them up and leave them out. Vice Chair Knapp said he had put one out for East Road and then no one could decide who is responsible for them during plow season. TA Bolton said they have not talked about the plow season yet but they will work it out. Vice Chair Knapp said there used to be a light there and then the State had the light removed. TA Bolton said in the letter they would like the light to be installed again. She said the schools agreed to work with the Town in 2025 to put some sort of light there. Vice Chair Knapp said there should be some sort of light there because it is a liability telling kids they can cross on such a busy road. Selectman Cahill said this is why he would suggest a crossing guard. Chair Hippler said he believes that on the southbound side, there is no end-of-school zone sign. Chief Moore said he would check on that. Vice Chair Knapp said the issue of the vehicle traffic is the two exit lanes painted. Chief Moore said they are faded. Vice Chair Knapp suggested repainting them because it can be confusing if you cannot see which lane is which. Selectman Burdick said to make sure the blinking light is at 20 mph during school hours. Chief Moore said he has put many calls into the state to get the time adjusted and nothing has come of it, but there is a new person now and he will check in with him.

Reappointment Conservation Commission: Selectman Cahill said he reached out to Mr. Andy Fulton and some confusion led to asking Mr. Fulton to step down in his role on the Conservation Commission

until the BOS reappointed him. When the decision was made it was the assumption that he had been appointed in March, which would have made Mr. Fulton's terms expire. Selectman Cahill said we found out that Andy was appointed on October 5th, 2020. There was a comment innuendo that the BOS was somehow trying to be disruptive to the Conservation Commission and that was not the case. Mr. Fulton and Selectman Cahill had a conversation regarding the BOS position at the September 11 meeting regarding his appointment. Selectman Cahill said the BOS was under the impression that he was not appointed. He said he would like to get Mr. Fulton back on the March appointment cycle. Chair Hippler asked Mr. Fulton if he would entertain the idea of being re-appointed and put back on the March appointment cycle. Mr. Fulton said that was fine with him. Chair Hippler said he agrees with Selectman Cahill that at no point was it to disrupt the Conservation Commission. Selectman Blume asked why the email went out in the first place and the ways it had unfolded was embarrassing. Chair Hippler said at last week's meeting Selectman Cahill referenced wanting to get everyone back in check with appointments. Selectman Blume said he watched last week's meeting and did not get the impression that the BOS was altering anything. Selectman Cahill said they could discuss why or how the Town Administrator interpreted Mr. Fulton was to be removed as opposed to reappointed. Selectman Blume said that he sent emails saying that Mr. Fulton should be able to sit at the Conservation Commission meeting and they were ignored. Selectman Cahill said he is wondering how they went from July 12th because that was the date it was brought to his attention and discussed it the following day with Selectman Burdick and attended a meeting asking if this was the case. Selectman Cahill said he received a call from the Vice Chair of the commission where he discussed the reappointment, and now it is eight weeks later without any responses. Selectman Cahill said there has been a terrible breakdown in communication and he does not understand how within 24 hours of the BOS saying they were going to bring Mr. Fulton in to reappoint him and then an email showed up with an October 5th date that had gone out in May. Selectman Cahill said he did read the email from Selectman Blume but at that time it was 6:30 pm on a Wednesday and it was too late. Chair Hippler said at that point they could not hold an emergency meeting to override anything. Selectman Blume said there should have been nothing to override because the BOS did not make a decision. Selectman Blume said the only thing they would have been overriding is the email that went to Mr. Fulton. TA Bolton said that she took it out of context as she was not present at that meeting, and she owns up to that. She has worked with Mr. Fulton for 21 years and she had made a mistake. She stated that she is one person, she is human and entitled to a mistake and apologized to Mr. Fulton and his wife Wendy. Selectman Blume commented twice that we hear that a lot. TA Bolton asked for clarification. Selectman Blume again repeated that we hear that a lot. Chairman Hippler replied yes, she is one person and we as a board load her up terribly. We have her here streaming all the other meetings. She is here five days a week. Chairman Hippler stated that he understands the frustration, he gets it but as short staffed as we are the Town Administrator is trying to take on a considerable role, so yes mistakes are bound to happen. Chairman Hippler added we need to come up with a solution as five instead of pointing fingers. TA Bolton stated that she is going to request that everything be put in writing. Selectman Blume stated that he didn't think we as a board make enough motions. Selectman Cahill said that Mr. Fulton would be reappointed and that would put him on the three-year cycle and then the Commission would have to re-establish him as chair. Mr. Fulton said that if he had an interruption in service then he would not have been a member of the commission and would need to be re-established but in the case where his appointment did not expire, he would be duly sworn in and would not need to be re-established as chair. Selectman Cahill said in reading the bylaws the election of the Chair and Vice Chair follows the appointment date. Mr. Fulton said they hold their commission annual meeting after the town meeting and is written that no later than 30 days can they elect a Chair and Vice Chair. Selectman Cahill said he is having trouble finding the election in the minutes. Mr. Fulton said he will try to find the records and will reaffirm the election of the Chair and Vice Chair if they are not in the minutes. Discussion ensued about staggering appointing members of all Committees, Commissions, and Boards.

Selectman Cahill motioned to appoint Andy Fulton to the Conservation Commission effective March 2023 for a three-year term to expire in March of 2026. Seconded by Chair Hippler.

Selectman Blume said the way he reads the RSA is if he is currently appointed, Selectman Blume said he is not sure that they can just change the appointment date while he is active. Chair Hippler asked if they fix the appointment date after the October term expires. Selectman Blume said they could reappoint him to be effective after October 5th to be reappointed until March of 2026.

Selectman Cahill rescinded the motion of effectively making the date March 30th, 2023 for the reappointment of Andy Fulton to the Conservation Commission. Chair Hippler rescinded his second to the motion.

Chair Hippler motioned to reappoint Andy Fulton to the Conservation Commission for a term from October 6th, 2023 to March 2026. Seconded by Selectman Burdick. Motioned passed 5-0-0.

Selectman Cahill said that he and Mr. Fulton did have a conversation about several things that are up in the air and agreed to have an open dialogue to try to harmonize the two boards so there is a better line of communication. Selectman Blume said he saw that the Commission is trying to get their own Town emails for the commission members and asked how that was progressing. Mr. Fulton said the commission has discussed having its own emails for Town functions only. The commission understands there is some expense and there needs to be some sort of mechanism for the conservation commission to contribute or cover the expense. Chair Hippler said each Microsoft Office account can be linked to five devices and suggested linking all the members to the one Conservation Commission email. Chair Hippler said that Steve and Andy could be linked to the Chair's email and the other commissioners could be linked to the commission's email. Selectman Blume said that is an interesting idea, but the cons outweigh the pros for security purposes. Selectman Blume said that once they have the individual accounts backed up and forward the emails. Selectman Cahill said that they did hear the 91: A request for the Commission and the BOS is not ready to speak about that request yet but they do have a deadline to meet.

Award bid for Town Office Generator: Selectman Cahill said that the Town received quotes for the generator. Selectman Cahill said that Chair Hippler's A-Pro K-Pro is broken down into two quotes one is the licensed electrician and the other is the generator installer. Selectman Cahill said in their quote they did not have a surge suppressor on the switch gear but appears they do have it and was written as the ATS surge protector. The difference in price between the two bidders is \$177.20. Selectman Cahill said that when you look at how their numbers are broken down it aligns and makes him feel confident in the two numbers. Selectman Cahill said he is a low bidder guy and because they met all the criteria and did the field inspection, there is no reason it should not be awarded to them. Selectman Cahill said Yestramski did help with figuring out what the Town needed, and he did speak with Tom, and he did mention the direction of the BOS was to go with a low bidder. Chair Hippler said he agrees that bids are aligned. There are two things about K-Pro, the first being that is larger than 22k and it has an oil kit and a ccv2 breather kit heater. Therefore, when it gets cold out those will turn on. Chair Hippler asked Selectman Cahill if he knew anything about service or warranty contracts. Selectman Cahill said they come with a five-year warranty on the generator. If they were to finish this by August 30th they would come with a ten-year warranty. Selectman Cahill said he has not discussed service agreements yet. Chair Hippler wants to make sure they do not lose sight of a service agreement. Selectman Cahill said he would make a note. Vice Chair Knapp asked about the 100-amp switch on the K-Pro quote. Selectman Cahill said it was corrected and it is a 200-amp switch. Vice Chair Knapp asked if it was going to be the same cost. Selectman Cahill said yes it would be the same cost. There is room with a 200-service amp to move more circuits over if they deem it necessary. Selectman Burdick asked if it would cover the computers. Selectman Cahill said it would never cover the whole office but a substantial amount. Selectman Blume asked how far the wires were going to have to run. Selectman Cahill, it would not be far. Vice Chair Knapp said the battery is better on the other one. Chair Hippler said there would be other costs associated because neither of these have gas hookups. Vice Chair Knapp asked to refresh his memory, the generator they have currently is not big enough to run the whole building. Selectman Cahill said the generator does not meet code, its proximity to the exhaust pipe to this window does not meet code and it does not have a surge protector or an inverter.

Selectman Blume motioned to accept the A-Pro Electric invoice number one and K-Pro generators invoice number 1094 for the installation of a generator at the Town Offices for a total cost of \$10,911.80 to come from last year's encumbered funds. Seconded by Selectman Burdick. Motion passes 4-0-1 abstention from Chair Hippler.

Discussion of Maintenance Man: Chair Hippler said that some things need to be done by a handyman service more of an on-call type position, not a full-time position. This would be to fix things like the handrail on the handicap ramp or someone to shovel. Selectman Cahill said some trees were growing over the side of the building and there was a hole in the north face of the building. Vice Chair Knapp said he agreed 100% and would like to acknowledge everybody over the last 30 years DPW has always done that. Vice Chair Knapp said that DPW does not have the staff to do that now and he wanted to give credit to them for that apart from the sidewalks being shoveled. Chair Hippler said in the past they have put things out positions out to bid for an on-call hourly rate such as for an electrician and plumbing and heating. Selectman Blume said it would not be a bad thing to give DPW a person who does not drive the trucks but could do some of the described items. Selectman Cahill said they need someone to take care of the liability issues in town. Chair Hippler said he is not disagreeing about having someone to fill in with the DPW and kind of fulfill the role of a handyman service for the town. Would it be prudent for them to try and put an RFP out for general handyman services for the town? Selectman Cahill said that they should Google Handyman Services and reach out to those places and let them know they have an RFP out for the services. Vice Chair Knapp said they are not making it so stringent to have every license there is. Selectman Cahill said they are going to have to walk through the door with their insurance unless they become an employee of the Town they would be covered under the Town's insurance. The BOS discussed the qualifications they would like for the handyman RFP. Vice Chair Knapp said he disagrees with the landscape and snow removal because it narrows down the pool of people, but they can try for it. Selectman Cahill said he would like the person to have general electrical skills to be able to know the breaker's tripped. The following is what the BOS agreed upon for the general handyman services:

- General basic carpenter skills;
- Access and ability to climb a step ladder;
- Must have their own tools;
- General upkeep of minor painting;
- General understanding of plumbing and electrical work;
- Light shoveling may be required.

The Town Administrator will put together an RFP and bring it back to the BOS meeting the following work session meeting.

MANIFEST: Chairman Hippler moved; Selectman Blume seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated September 21, 2023, as included in the following manifests:

<u>Checks Dated August 24, 2023</u>	
Payroll Manifest	\$ 67,855.17 (Weekly payroll checks)
Accounts Payable Manifest	\$ 47,107.09
-	
TOTAL:	\$ 114,962.26

Passed: 5-0-0

Discussion of possible CIP Requests/ Projects: Selectman Cahill said the BOS has some CIPs that they need to think about. Selectman Cahill said he sent out a picture of the roofing on the carriages behind the Town Hall and he did do an estimate and gave it to the Town Administrator if the BOS would like to propose it as part of the CIP. Selectman Burdick asked how much the estimate was. TA Bolton said \$10,200. Selectman Burdick said it was low and she had a couple of roofing companies look at it and it came out to \$16,000. Selectman Cahill said he did do the breakdown and if Selectman Burdick has other

quotes to bring them in because the roof needs to be fixed. Selectman Cahill said that the back side of the building is rotting because the previous roofer did not put a drip edge and Selectman Cahill had only carried over \$1,000 for miscellaneous wood repair. Vice Chair Knapp said that for years he has heard about the Town Hall is something the Board would like to look at and start to work on some projects before they have to spend the million dollars. Selectman Cahill said in his opinion he would level the carriage sheds before he spent the \$10,000 on them. They are old buildings that have little purpose to them, and they are not storing anything. Selectman Burdick said she is not sure if it is included with the Town Hall and if it is then it is part of the National Register. The Town may be able to apply for a grant for the roof through LCHIP. Chair Hippler asked when that process was. Selectman Burdick said she believes it has to be in by June unless something has changed. Selectman Cahill said he ran rough numbers and would be happy to firm the numbers up if the BOS would like to move forward with it. Selectman Cahill said that the Town Hall needs a new sign, along with replacing rotten wood, and paintwork from the spire down. Selectman Burdick said the windows need replacing. Vice Chair Knapp said the Town Hall and the Carriage Shed should be the first to look at. Selectman Cahill said that he would volunteer to take a deeper dive into those two buildings if that is what the BOS would like him to do. Chair Hippler said it would not hurt because it would refresh the list because the last time, they had it looked at was when he first was on the Board in 2015. Selectman Cahill said the Town Hall sign would be a great senior project or Eagle Scout project. TA Bolton asked what the BOS would like to tell the CIP subcommittee. Selectman Burdick said that they should put \$20,000 towards it. Chair Hippler said they could put the money under the maintenance fund for the Town Hall and Carriage shed. Selectman Blume said if it is going to be an individual warrant article then he would be okay because then they would have the vote of the Town and if they feel it is worth doing. Chair Hippler agreed with Selectman Blume and with that, no means no and if a wall falls, they cannot touch it. Vice Chair Knapp said they need to decide if they want to ask for money for the carriage shed roof because it is a specific project and then maybe ask for a certain amount to be put into building maintenance in case something was to happen, and they need to fix it. Selectman Cahill will investigate the carriage shed roof more and have it back to TA Bolton no later than Wednesday. Chair Hippler would like the Board Members to go and take a lot at the buildings as well. Selectman Cahill said to tell the CIP subcommittee that the BOS is working on it and will have an estimated budget and will firm it up.

Policy for Unsealing Nonpublic Minutes: Selectman Cahill recognized Selectman Blume's efforts in putting together the policy for unsealing nonpublic minutes. Selectman Cahill said that he is ready to pass the policy along to Town Counsel for review and if it comes back clean then he would be ready to vote yes. Chair Hippler agreed with Selectman Cahill. Selectman Blume said it only has his fingerprints on it and he is sure he may be missing something but if Town Counsel gives the okay and everyone is okay with the policy then he would be good with it. Chair Hippler asked which Town Counsel they would be sending it to. Selectman Cahill said he just wants a cursory review and can have a turnaround in two weeks and clarity on the house bill.

Policy for Contacting Town Counsel: BOS agreed to table the discussion.

Policy for Right-to-Know Requests: TA Bolton gave a draft to the BOS. Selectman Cahill said that the document is a tremendous improvement from what they had. Selectman Cahill said it will need to be reviewed by Town Counsel. TA Bolton will send it to Town Counsel for review and ask to have it back by October 2nd.

Review Draft Ads for Sexton and Cemetery layout: Selectman Burdick asked if they were going to put the opening for Sexton out. TA Bolton said that she did find a job description for Sexton. Chair Hippler asked if TA Bolton could send it to them. TA Bolton said yes.

Correspondence/Other Business: TA Bolton said there is a body in Concord that needs to come home and someone needs to probe the lot. It is over at Johnson Cemetery, and it appears to be three people there already. The lot is 12 by 22, there is conflicting information that one is cremation. Chair Hippler said that

they will let TA Bolton know by Wednesday so they can schedule it. Selectman Cahill said he could only do two more before winter.

Selectman Cahill motioned to end the public meeting and enter into a nonpublic meeting at 9:05 pm to RSA 91: A-3 II (a & c). Chair Hippler seconded. Roll call vote: Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes.

Chairman Hippler motioned to come out of non-public at 9:43 pm; Vice Chairman Knapp seconded. Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes.

Selectman Blume moved to seal and restrict the minutes of this non-public session; Selectman Burdick seconded the motion. All in favor 5-0-0.

Being there was no further business to come before the Board, Selectman Cahill made a motion, and Chairman Hippler seconded to adjourn at 9:45 p.m. Passed 5-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker