



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
February 25, 2019

**PRESENT:** JON OSBORNE, SELECTMAN; JAN SNYDER, SELECTMAN; FREDERICK W HIPPLER, CHAIRMAN; SHERRY BURDICK, SELECTMAN.

**RECORDING SECRETARY:** Hannah Smith

**TOWN ADMINISTRATOR:** Naomi L Bolton

**GUESTS:** Rad Betts, Eric Marquis, Lynda Fiala, Betty Straw, Tom Jones, Chris Wells, Heleen Kurk, Tim Matheson

At 6:35 Chairman Hippler opened the meeting and requested those present join the Board in the Pledge of Allegiance.

**CHARLES & ETHEL EASTMAN FUND EXPENDITURE DISCUSSION:** As there was no public comment or department head/ committee items, Betty Straw was present to read a letter to the Board from the Mildred Hall Bequest Advisory Committee. The Mildred Hall Bequest Advisory Committee requests that \$50,000 be paid from the Eastman Fund to the Piscataquog Land Conservancy (PLC) to help purchase 205 acres of conservation land that will include the headwaters of Bartlett Brook. This 205 acre land would connect to 473 acres of existing conservation land owned by the PLC as well as the Weare Town Forest. This 205 acre land has been identified by town as high priority for conservation and is currently owned by Meadowsend Timberlands.

Tom Jones, land agent of the PLC, was also present to distribute a packet of information to the Board, including the initial request to the Mildred Hall Bequest Advisory Committee and a letter of support from the Conservation Commission. The purchase of this land will cost \$300,000. The DES has already given \$185,000 to the purchase of this 205 acre land due to its optimal location (wetlands, Bartlett Brook headwaters, vernal pools, 400+ year old black gum trees). The Merrimack Conservation Partnership has already given \$15,000. The PLC has applied to the Trustees of the Trust for the Emma Sawyer Fund (requesting \$50,000) as well as the Mildred Hall Advisory Committee for the Eastman Trust (requesting \$50,000). Selectman Snyder inquired about future possibility of PLC selling 205 acre land; Mr. Jones confirmed not unless PLC went bankrupt, dissolved, or ceased to exist, in which case the NH Attorney General and Charitable Trust Division would be responsible for ensuring continuing conservation. Selectman Snyder inquired regarding timbering; Mr. Jones confirmed 205 acre land has been recently timbered. Chris Wells, Chairman of the PLC, was present to comment regarding the agreement with Meadowsend to pause timbering until contract is complete. Selectman Snyder inquired regarding PLC receiving future timbering revenue; Mr. Wells confirmed and Town would get timber tax. Selectman Burdick

inquired where the PLC's future revenue off this 205 acre land might be directed – to purchase other conservation land in Town. Mr. Wells commented the PLC has only ever timbered once (Ferrin Pond land in Weare and Tuthill land in New Boston). The intent of future revenue would go to purchase more conservation land, but unsure of guarantee in Weare only. Mr. Jones requested confirmation Emma Sawyer Trust and Eastman Trust are trust funds not tax dollars; Selectman Snyder confirmed. Town Administrator Bolton inquired regarding forest land; Mr. Jones confirmed all but 10%. Town Administrator Bolton inquired if PLC had explored the Town's annual warrant of \$150,000 for purchase of town forest land as a source of funding; Mr. Jones confirmed the PLC had discussed with the Conservation Commission – land would then be Town-owned, not PLC-owned. Town Administrator Bolton inquired regarding “unusual but necessary” stipulation of Emma Sawyer Trust; Mr. Jones confirmed land is biologically and locationally unusual, as well as necessary for the Natural Resource Inventory, the Open Space Plan, and the Master Plan. Town Administrator Bolton expressed concern with giving funding to an outside organization to purchase land within Town. Chairman Hippler inquired regarding land value appraisal and conclusion of \$300,000 figure. Mr. Jones clarified 205 acre land was appraised at \$1,200/ acre by a third party that assessed general forestry conditions and appraised at \$1,400/ acre by Meadowsend who assessed timbering potential. The PLC averaged those figures together to agree upon \$1,300/ acre and reminded the Board that all charitable land trusts are only able to purchase land at assessed value. Chairman Hippler commented regarding tax card value at \$132,000. Mr. Jones commented regarding quality of appraisals and that tax maps are often ball parking. Mr. Wells commented regarding possibility of losing opportunity due to price discrepancies. Town Administrator Bolton inquired regarding the listed expense for stewardship/ legal defense (\$10,000); Mr. Wells clarified one-time fee for national accreditation for conservation land & easements, ensures long-term legal defense. Mr. Jones commented regarding listed expense for contingency (\$1,000); Mr. Wells explained unanticipated soil testing if land has been used as junkyard or dump. Selectman Snyder inquired regarding potential future uses of 205 acres; Mr. Jones commented regarding experimental or demonstrational low-impact timbering as well as priority for educational and recreational use for the public. Selectman Snyder inquired regarding maintenance; Mr. Jones confirmed landowner and listed stewardship funds. Chairman Hippler inquired regarding opinion from Town Counsel Laura Spector-Morgan; Town Administrator Bolton clarified Stephen Whitley (in Town Counsel Spector-Morgan's absence) and handed document to the Board to review – most likely considered necessary but not considered unusual. Town Administrator Bolton inquired regarding wording of grant, especially any expectations attached; Mr. Jones commented regarding deed language and management plan – the PLC would be happy to provide old contracts with language similar to a conservation easement. Town Administrator Bolton inquired regarding obligation to annual stewardship; Mr. Jones confirmed.

Lynda Fiala, Chairman of the Trustees of the Trust Fund, was present to comment regarding the principal component (~\$642,000) and interest component (~\$115,700) of the Emma Sawyer Trust. The Trustees of the Trust Fund has voted in favor of giving \$50,000 to PLC for purchase of 205 acre land, but did not specify if from principal or interest. Board approval would be necessary to use the principal component of the Emma Sawyer Trust to fulfill the PLC's request. Town Administrator Bolton commented regarding usual practice of public hearing at least 3 weeks out. The Trustees of the Trust Fund would have to meet again to confirm giving \$50,000 to PLC for purchase of 205 acre land specifically from interest of Emma Sawyer Trust. Chairman Hippler

requested a legal opinion in writing from Town Counsel Laura Spector-Morgan. Selectman Snyder reminded the Board the Mildred Hall Trust holds approximately \$880,000. Lynda Fiala inquired if \$50,000 to PLC for purchase of 205 acre would come from interest or principal of Eastman Fund; Betty Straw clarified Mildred Hall Bequest Advisory Committee has made an agreement to withhold certain amounts and to try to only use interest portion. The Board is in favor of moving forward with a public hearing.

**STONE WALL REMOVAL REQUEST:** Eric Marquis was present to request permission to temporarily move a stone wall on his property so he can put in a temporary driveway to construct a swimming pool. Mr. Marquis distributed information to the Board. Selectman Osborne inquired regarding anticipated length of time; Mr. Marquis confirmed several months due to the tree company; pool company; and seasonal constraints. Town Administrator Bolton reminded the Board of approval from the Planning Board on the condition of stone wall being replaced once construction was finished. Chairman Hippler inquired regarding DPW Director Benji Knapp; Town Administrator Bolton reiterated stone wall must be replaced. Chairman Hippler requested a copy of the Planning Board recommendations suggested a binding document to ensure stone wall would be replaced; Town Administrator Bolton read email from the Planning Board and inquired regarding timeframe. Chairman Hippler suggested July 4<sup>th</sup> 2019; Mr. Marquis agreed. **Chairman Hippler moved to allow temporary removal of stone wall with conditions from Planning Board deadline of July 4<sup>th</sup>, Selectman Burdick seconded; passed 2-1-0 with Selectman Osborne nay.** Town Administrator Bolton reminded Mr. Marquis of driveway permit from DPW Director Knapp and building permit from the Code Enforcement Officer.

**APPROVAL OF MINUTES:** The Board tabled the minutes of 2/11/2019 until the next meeting.

**MANIFEST: Chairman Hippler moved to approve the manifest, Selectman Osborne seconded; vote: 2-2-0 (Chairman Hippler and Selectman Snyder opposed).** Chairman Hippler stated this creates an issue because a tie means the motion fails. The issue is not with the current manifest but with the one that has payable checks dated 2/21/19. Chairman Hippler has an issue with the payment for the truck body boxes for the Fire Chief's truck as the expense was over \$1,000 and 3 quotes were not obtained, only 2 were. Selectman Snyder has an issue with the Irving bill for the repairs to the South Weare Fire Department furnace. Town Administrator Bolton reminded the Board of two weeks ago at the meeting the bills from Irving were asked if they could come from the Government Building and Maintenance Fund and the reply was yes. The two bills total \$713. The slip for the withdrawal of funds from the Government Building and Maintenance Fund is with the bills and the Board needs to make a motion to spend this out of the Government Buildings Fund. The \$713 is present on Accounts Payable because check was already cut. **Chairman Hippler moved to appropriate \$713 out of the Government Buildings Fund; Selectman Burdick seconded; passed 3-1-0 Selectman Snyder nay.** Selectman Burdick inquired regarding going out to bid. Chairman Hippler commented regarding only 2 quotes received – goes against purchasing policy. Selectman Burdick inquired regarding possibility of only 2 bidders available; Chairman Hippler clarified that must be explicitly stated. Town Administrator Bolton stated that she will have Vice Chair Meaney look at the accounts payable manifest with only 2 signatures dated 2-21-19 when he returns from vacation. If he approves he will sign the manifest and it will be approved. If not then the Board will have to take it back up at the next meeting.

*To order the Treasurer to sign the payroll and accounts payables checks dated February 28, 2019 as included in the following manifests:*

<i>Payroll Manifest</i>	\$ 63,547.13 (Weekly& monthly payroll)
<i>Accounts Payable Manifest</i>	\$ 46,897.45
<i>John Stark Accounts Payable Manifest</i>	\$ 250,000.00
<i>Weare School District Payable Manifest</i>	\$ 450,000.00
<i>Total</i>	<span style="border: 1px solid black;">\$ 810,444.58</span>

-----■-----■-----■-----■-----■-----■-----■-----■-----■-----■-----■-----  
**The following manifests were previously ordered to sign at the February 11, 2019 Board of Selectmen meeting:**

Payroll Manifest	\$ 59,581.72 (Weekly payroll checks dated 02/21/19)
Accounts Payable Manifest	\$ 33,767.92 (Checks dated 02/21/19)

Selectman Snyder inquired regarding \$2100 for CivicPlus. Town Administrator Bolton confirmed that is the cost for the annual web hosting and support with links and uploads.

#### **ADMINISTRATOR'S REPORT:**

Joint Loss Management Committee: The Joint Loss Management Committee will be meeting on Wednesday March 6<sup>th</sup> at 11:00 AM. Selectman Burdick inquired regarding Board attendance; Town Administrator Bolton confirmed not. The Joint Loss Management Committee consists of DPW Director Benji Knapp, Transfer Station Foreman Matt McLain, Police Sgt. Ryan Frisbie, Amanda Charest from the Fire Department, Dena Ventiere from the Library, Tax Collector Sharon DeStefano, and Code Enforcement Officer Chip Meany. The Committee meets once a quarter.

Harassment Policy & Personnel Policy: Town Administrator Bolton and Finance Administrator Beth Rouse have completed a corrected copy of the personnel policy, but Town Administrator Bolton would like to make one last review with the possibility of cross-referencing with 4 or 5 other towns.

Town Mailer and Town Report: The mailer and town report should be ready this week for distribution. Selectman Burdick inquired regarding tax impact; Town Administrator Bolton confirmed for 2019 with Finance Committee providing an informational table to calculate future tax rates.

Meet the Candidates Night: Only one seat in contention with 3 people running. Meet the Candidates Night will be at the Town Hall on Tuesday, March 5<sup>th</sup> at 7:00 PM.

#### **GOVERNMENT BUILDINGS & MAINTENANCE PROJECTS:**

Security Camera Project: Town Administrator Bolton has reached out to other vendors in an attempt of getting one of them to review the RFP and the quote in an effort to try to come up with a solution as to why this project is not or cannot be completed and put

on line. Town Administrator Bolton suggested the Board discuss next meeting when all 5 members would be present.

Electrical Quotes & Plumbing Quotes: The Board agreed to put 2019 plumbing and electrical out to bid again for 2019. Town Administrator Bolton is happy with current electrical vendor. Selectman Snyder inquired regarding a list of all businesses in Town – reach out to local electricians and plumbers; Town Administrator Bolton commented regarding preference to bid on projects rather than as on-call plumbing. Insurance is also a concern.

Bell Tower: Selectman Osborne inquired regarding the bell tower; Town Administrator Bolton will reach out to Walker Roofing. Selectman Osborne suggested project start within next month or so.

### **CORRESPONDENCE & OTHER BUSINESS:**

Chairman Hippler received a correspondence from former Selectman Keith Lacasse praising the Town Police.

The Board received questions regarding a leak in the DPW garage roof, which had been forwarded to Town Administrator Bolton – Turnstone will be coming in this week to check in. The oil burner at the DPW garage is also in need of constant cleaning due to dirty waste oil. Chairman Hippler commented regarding similar concern with his employer. Selectman Burdick suggested a timed delay to let the oil settle and separate. Chairman Hippler suggested letting the oil settle out in the cold. Selectman Osborne commented regarding problems with synthetic oils.

Selectman Burdick suggested a write-up for *Weare in the World* asking residents to buy aluminum instead of glass to reduce glass-crushing burden on Transfer Station. Chairman Hippler suggested reaching out to Mike Sullivan the Librarian, who puts out the *Weare in the World* paper to see if he has any suggestions. There is a pile-up of glass because the Transfer Station hasn't been crushed in a while and only so much can be used in the road base. Selectman Burdick inquired regarding State interest; Chairman Hippler and Selectman Osborne confirmed not, also not Goffstown. Chairman Hippler commented regarding burden of management – haul or crush are the alternatives.

### **NONPUBLIC**

**Chairman Hippler moved, Selectman Burdick seconded to enter into nonpublic session @ 7:51 p.m. pursuant to the authority granted in RSA 91-A:3II (c ). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0**

**Chairman Hippler moved, Selectman Burdick seconded to exit this nonpublic session @ 8:05 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0**

**The Board met to discuss a taxpayer's outstanding tax situation.**

**Chairman Hippler moved, Selectman Osborne seconded to enter into nonpublic session @ 8:06 p.m. pursuant to the authority granted in RSA 91-A:3II (a & c ). A roll call vote**

was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved, Selectman Osborne seconded to exit this nonpublic session @ 8:34 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0

Selectman Burdick moved, Chairman Hippler seconded to seal and restrict these minutes of this nonpublic session. Passed 4-0-0

Being there was no further business to come before the Board, Chairman Hippler moved to adjourn at 8:35 PM, Selectman Burdick seconded; passed 4-0-0.

#### **ADJOURNMENT**

A True Record.

A handwritten signature in cursive script that reads "Hannah Smith".

Hannah Smith  
Recording Secretary