



WEARE BOARD OF SELECTMEN
MEETING MINUTES
March 18, 2019

PRESENT: JON OSBORNE, SELECTMAN; JAN SNYDER, SELECTMAN; FREDERICK W HIPPLER, CHAIRMAN; SHERRY BURDICK, SELECTMAN; JACK MEANEY, VICE CHAIR.

RECORDING SECRETARY: Hannah Smith

TOWN ADMINISTRATOR: Naomi L Bolton

GUESTS: Rad Betts, Tom Jones, Police Chief Sean Kelly, DPW Director Benji Knapp, Eileen Meaney, Chris Wells, Neal Kurk, Heleen Kurk, Lori Davis, Rhonda Gregg, Frank Campana, Betty Straw, Lynda Fiala, Tim Matheson, Tom McCarthy, Paul Doscher, Bill Bolton, Jeff Jackson, Mike Pelletier, Andy Fulton, Marc Phillips, Mike Boyko, Peter Flynn

At 6:32 PM Chairman Hippler began the meeting and asked those present to join the Board in the Pledge of Allegiance.

SWEARING IN ELECTED OFFICIALS: Chairman Hippler swore in Vice Chair Meaney and welcomed him back to the Board of Selectmen. Chairman Hippler and Vice Chair Meaney signed the oath of office documents.

PUBLIC COMMENT: Heleen Kurk was present to congratulate Vice Chair Meaney and wanted to explain why she chose to run for the Board of Selectmen. Ms. Kurk read the following statement: *"First, townspeople want more transparency. Transparency is not going to a department and asking for some paper. Transparency is having as much informational material as possible on public view. The material could go on the Town's WEB site or hard copies could be available at the Board meeting. The key objective is to ensure that the public has easy access to whatever the Board is discussing. Equally as important, all Board members should have all the information needed to discuss each agenda item well before their meeting. The town administrator's job is to prepare the full Board ahead of time. Giving them all the information ahead of time enables them to digest it and prepare questions and discuss the items intelligently. They should be doing the talking and discussing at their meeting, not the town administrator. Second, there is a real lack of good organization and management and planning by the Board. No goals are set, no evaluations are done, no time lines are established, no oversight occurs, no standards are set, no follow through occurs, no review of non-publics is done. Without these things you cannot run an effective, efficient organization, and that's what all of us want. Third, townspeople want all town employees treated fairly. Treating some employees one way and other another when it comes to pay increases, or on-the-job clock time, or unreasonably lengthy visiting during hours, isn't fair, nor does it feel like our tax dollars are being spent wisely. Folks resent that. I hope you'll think carefully about each of these three issues. Changes in what the Board does and how it operates will go a long way in making our town run the way we all expect and hope for."*

Frank Campana was present to urge fiscal conservancy from the new Board. Mr. Campana was particularly concerned about Fire Department spending and disappointed in voter turnout.

Neal Kurk was present to pass out a suggested outline regarding the Chief of Police selection process. Mr. Kurk suggested that background information about the applicants could be made public so residents could learn more about them, MRI's hiring criteria could be made public so residents have a better understanding of the process, all members of the Police Department and other department heads could interview the applicants, a public forum could be held for residents to meet the applicants, terms of the offer could be made public, the employment contract could be approved by voters in a separate warrant article, and a probationary period could be considered. Mr. Kurk also passed out suggested interview questions.

DEPARTMENT HEAD/ COMMITTEE ITEMS:

10-Wheeler Truck and Body Bids: DPW Director Benji Knapp was present to thank the residents for their patience during mud season and to bring the 10-wheeler truck and body bids before the Board. Per the Town purchasing policies, DPW Director Knapp had solicited bids as well as advertised the truck bid. While DPW Director Knapp did not inquire regarding a trade-in due to the uncertain timeline of the build date, he would like to resolve this with a sealed bid this summer. Chairman Hippler inquired regarding previous trade-in; DPW Director Knapp confirmed \$7,000. DPW Director Knapp reviewed the vendor responses to the truck bid: Western Star at \$127,821 and Mack at \$147,869, both with extended warranties. Chairman Hippler commented regarding the benefit of extended warranties. Chairman Hippler also inquired regarding success with previously using Western Star and benefits of uniformity across fleet; DPW Director Knapp confirmed. **Vice Chair Meaney moved to award to the truck bid to Western Star for \$127,821 (cab and chassis at \$120,918, extended warranty at \$6,903), Chairman Hippler seconded; passed 4-0-1 with Chairman Hippler abstaining.** Chairman Hippler inquired regarding the trade-in: sealed bid or State surplus auction? The Board agreed on a sealed bid occurring in the summer. DPW Director Knapp confirmed truck arrival no later than August 1st. Per the Town purchasing policies, DPW Director Knapp had solicited truck body and plow equipment bids; unfortunately there was only one vendor response. Chairman Hippler reviewed the vendor response to the truck body and plow equipment: Tenco at \$77, 817. **Vice Chair Meaney moved to award the truck body and plow equipment bid to Tenco for \$77, 817, Selectman Burdick seconded; passed 5-0-0.** Vice Chair Meaney inquired regarding the turnaround timeframe; DPW Director Knapp confirmed build date of September 1st.

PUBLIC HEARING: At 6:53 PM, Chairman Hippler opened the concurrent public hearings regarding the expenditure of \$50,000 each from the Charles & Ethel Eastman Fund and Emma Sawyer Trust Fund for the purpose of providing financial support to the Piscataquog Land Conservancy (PLC) in purchasing 204.86 acres off of Mountain Road, Tax Map 410-008.

Chairman Hippler recognized Tom Jones, land agent for the PLC, who deferred to Betty Straw to open the conversation. Betty Straw read an excerpt of the letter presented to the Board on February 25th.

Tom Jones, land agent for PLC, distributed a copy of the PLC's application to Mildred Hall as well as 2 maps regarding the property in question (same documents as were distributed at the meeting of February 25th). Mr. Jones reviewed the project will connect existing conversation land, contains valuable natural resources (such as wetland, vernal pools, wildlife habitat, and

400 year old black gum trees), and has valuable recreational opportunities. In addition, this project would fulfill the Natural Resource Inventory, the Open Space Plan, and the Master Plan. This project has full support of the Conservation Commission. This project is intended to be completed without any direct Town funds: it has already received \$185,000 from the State's Aquatic Resource Mitigation Fund and \$15,000 from the Merrimack Conservation Partnership. The Mildred Hall Advisory Committee has unanimously approved the funding of \$50,000.

Chairman Hippler recognized the public to comment.

Lori Davis, a member of the Conservation Committee, was present to inquire regarding the value of the property and to inquire regarding logging revenue. Tom Jones confirmed that while the PLC is located in New Boston, the PLC is no more affiliated with New Boston than any of the other Towns they work with and confirmed logging revenue from this property would not be controlled by New Boston. Chairman Hippler requested clarification regarding logging revenue; Mr. Jones confirmed that after the timber tax paid to the Town, the revenue would go to the PLC, and would be put back into land conservation, ideally in the same location. Mr. Jones reminded the public that the PLC has only one precedent for logging (in New Boston, as part of the forest management plan developed by a registered forester), and that the PLC is not a timbering organization and is not attempting to purchase this land with the intention of using it as a woodlot. Mr. Jones also reminded the public of the strict water guidelines the PLC would be adhering to, per the Merrimack Conservation Partnership. Vice Chair Meaney inquired regarding the forester the PLC plans to work with; Mr. Jones clarified the PLC has not yet selected one but has worked successfully with Jeremy Turner of Meadowsend Timberlands multiple times in the past. Ms. Davis reminded Mr. Jones of her question regarding the evaluation of the property at \$133,000. Mr. Jones reminded the public the PLC cannot pay more for a property than the documented fair market value, and that a third-party independent appraisal was undertaken. The property was appraised at \$1200/ acre by Scot Heath Appraisal Services and evaluated at \$1400/ acre by Meadowsend Timberlands. The PLC had budgeted at \$1300/ acre, which was settled on by all parties. Selectman Osborne inquired regarding necessity of Meadowsend Timberland evaluation; Mr. Jones confirmed Meadowsend has been transparent and data-based in previous transactions; the Meadowsend evaluation was also provided to the appraiser. Chris Wells, Chairman of the PLC, reminded the public of concerns the landowner could fully timber and *then* sell rather than sell in current high-quality condition. Chairman Hippler referenced the PLC's expense/revenue sheet, commented regarding the extensive legwork done by the PLC, and inquired regarding the financial contributions of the PLC. Mr. Wells confirmed the PLC is a non-profit with an operating budget of ~\$200,000 with substantial fundraising. Mr. Wells also commented regarding legal commitment to steward this property forever, and benefit of \$10,000 earmarked for long-term legal defense.

Tom McCarthy, a Trustee of the Trust Funds, was present to inquire regarding proceeds from Ferrin Pond timbering; Chris Wells confirmed ~\$24,000 after the timber tax. Mr. McCarthy inquired regarding life cycle; Mr. Wells reminded the public they very recently began timbering and confirmed a ~20 year sustainable life cycle. Mr. McCarthy inquired regarding \$133,000 figure vs \$260,000 figure – how much is timber value? Mr. Wells confirmed “liquidation value” several \$100,000s. Tom Jones commented regarding disparity of Town appraised values; Mr. Wells confirmed Avatar database is referential, which is why the PLC has every property appraised. Mr. McCarthy expressed concern with timber sales and potential future sales of the property and requested an agreement that would make clear the benefits of the Town (such as recreational). Mr. Jones confirmed the PLC can never and will never sell the property and

reminded the public of the PLC's federal tax status. In addition, the State has a third party right of enforcement, and if the PLC were to cease to exist, the State Attorney General would reassign a steward (other land conservancy, the Town, Fish & Game, etc.).

Bill Bolton of the Weare Winter Wanderers was present to discuss the snowmobiling corridor trail through the property and expressed concern with the wording "snowmobiling COULD continue" – requesting certainty such as "snowmobiling SHALL continue." Mr. Bolton is a member of the Conservation Commission and commented on excellent relationship between Weare Winter Wanderers and Meadowsend Timberlands. Mr. Bolton reminded those present of low impact of snowmobiles, stewardship component, and \$2m liability to protect landowner. Chairman Hippler inquired regarding relationship between Weare Winter Wanderers and PLC; Tom Jones clarified no previous memorandums in writing, but could be possible for this property. Mr. Bolton commented regarding former easement in Lillian Sizemore property – revoked by previous Executive Director of PLC. Selectman Burdick inquired regarding Martin property; Mr. Bolton confirmed easement. Mr. Jones clarified Martin property easement specifically due to Weare Winter Wanderers. Mr. Jones thanked Mr. Bolton for pointing out fragile language and confirmed deeds will be very explicit; the PLC has a similar agreement with the Wilton-Lyndeborough Winter Wanderers and Brookline snowmobile club. Chris Wells inquired if Weare Winter Wanderers has a standard agreement; Mr. Bolton confirmed not, as they are typically verbal agreements, but he will follow up and provide one in writing. Mr. Wells confirmed the PLC intends to continue current recreational use but expressed concern with liability of existence of agreement with Weare Winter Wanderers in perpetuity. The PLC will follow up regarding geographical specifics and written agreements with stakeholders.

Mike Boyko, a member of the Board of Trustees for the PLC and resident of the Town, commented regarding current recreational use of property and interest in preserving land, as a nonprofit. The PLC will perambulate the property annually.

Paul Doscher, a former member of the Board of Trustees for the PLC and resident of the Town, commented regarding positive interactions between Weare Winter Wanderers and Forest Society. Mr. Doscher also commented regarding estimates/ appraisals of timber values – often inaccurate, and have had great accuracy with Meadowsend Timberlands.

Selectman Osborne recognized Andy Fulton and inquired why the Conservation Commission hasn't contributed financially to this project. Mr. Fulton confirmed the Conservation Commission was not asked to contribute financially, but the Conservation Commission fully supports this project (good value, connectivity, healthy ecosystems) and considers the PLC a trusted and reliable partner.

Frank Campana inquired regarding balance of Emma Sawyer Fund and Mildred Hall Fund. Town Administrator Bolton confirmed ~\$648,000 for Emma Sawyer and ~\$800,000 for Eastman.

Selectman Snyder thanked Betty Straw for providing the Mildred Hall information she had previously requested, which represents a chronology of donations and purpose of donations made by the Mildred Hall Fund.

At 7:56, Chairman Hippler closed the public hearing and thanked everyone for coming, especially the Weare Winter Wanderers and PLC.

The Board will follow up with the PLC regarding assessment data.

Town Administrator Bolton recognized Lynda Fiala, member of the Trustees of the Trust Fund, and inquired regarding Emma Sawyer Trust decision to be made by April 10th; Ms. Fiala confirmed.

Chairman Hippler commented that he was impressed 2/3 of the funding would come from the State, the “common good” aspect of the project; State standards adhered by PLC, and continued interconnection of conservation land. Chairman Hippler also commented regarding clarifying language pertaining to recreation. Vice Chair Meaney commented regarding need to verify assessments; Town Administrator Bolton will follow up with a copy of assessment paperwork and forester paperwork and Emma Sawyer Trust application filed with Trustees, as well as with Town Counsel Laura-Spector Morgan. Chairman Hippler expressed concern with PLC holding property. Town Administrator Bolton expressed concern with strings attached the State funding and potential obligations for Town. Selectman Burdick commented regarding clarity of Mildred Hall process with Martin property. Town Administrator Bolton expressed concern with Emma Sawyer Trust decision; Selectman Burdick clarified it would be unfortunate but fundraising option would be available.

Chairman Hippler recognized New Boston Town Administrator Peter Flynn and inquired regarding Town warrant articles for individual Fire Department and Police Department contracts. Mr. Flynn clarified also in operating budget. Chairman Hippler thanked Mr. Flynn; interested in how other Towns function. Mr. Flynn commented regarding Town Administrator group with Town Administrator Bolton.

APPROVAL OF MINUTES:

Minutes of 3/4/2019: Vice Chair Meaney moved to pass the minutes of March 4th as amended, Selectman Burdick seconded; passed 5-0-0.

Minutes of 3/11/2019: The Board agreed to table the minutes of March 11th until the next meeting.

MANIFEST: Chairman Hippler moved to approve the manifest as follows, Vice Chair Meaney seconded; passed 5-0-0.

To order the Treasurer to sign the payroll and accounts payables checks dated March 21, 2019 as included in the following manifests:

<i>Payroll Manifest</i>	\$ 53,939.61 (Weekly payroll)
<i>Accounts Payable Manifest</i>	\$ 17,447.67
<i>Fire Department Accounts Payable Manifest</i>	\$ 3,519.66 (BOFW pre-approved)
<i>Total</i>	\$ 74,906.94

Chairman Hippler and Selectman Snyder commented regarding the Board of Firewards preapproved manifest and inquired regarding the possibility of a summary page, similar to the one Finance Administrator Beth Rouse prepares for the Board. Town Administrator Bolton reminded the Board that unlike the Library, the Board of Firewards does not have a bookkeeper, so all the checks will be signed by the Town Treasurer.

Selectman Burdick raised a question from Tax Collector Sharon DeStefano regarding a vote needed for tax interest decrease from 18% to 12%; Town Administrator Bolton confirmed not, as the change will be pursuant to State law, so it automatically will happen.

ADMINISTRATOR'S REPORT: Town Administrator Bolton requested signatures from the Board for two contracts with Cartographics, one for the tax map maintenance of \$3,200 for the year and the second was for publishing the GIS data on the website for \$2,400 for the year. The police prosecutor's agreement for 2019 was also signed. The prosecutor's agreement also requires a signature from Attorney Lisa R Rick. Chairman Hippler inquired regarding a performance review; Town Administrator Bolton will follow up with Police Chief Sean Kelly, as there may be some changes based on time needed at the office.

Chief of Police Search: Town Administrator Bolton suggested the Board review the suggestions raised during the public comment and discuss next week. As the process is already underway, it may be too late for some of the suggestions. Selectman Burdick inquired regarding public input into the process; Town Administrator Bolton reminded the Board of the guidelines discussed with MRI at their meeting January 22nd. Town Administrator Bolton and Vice Chair Meaney also expressed concern with legality of releasing certain information to the public.

Code Enforcement Replacement: Administrative Assistant Wendy Rice and Fire Chief Bob Vezina will be meeting to discuss the transition of the code enforcement position and will review during the Board meeting March 25th. Town Administrator Bolton has requested that each Town Office employee compile a list of duties and breakdown of work time.

Reappointment for Committees: Town Administrator Bolton inquired if the Board was interested in reviewing the returning volunteers; Chairman Hippler confirmed the Board would be interested in reviewing new volunteers.

GOVERNMENT BUILDINGS & MAINTENANCE FUND:

Safety Complex Roof Replacement: The RFP will be put out around April 1st. Town Administrator Bolton will send the Board the RFP that was put out earlier, to make sure it covers everything the Board wants.

Electrical & Plumbing Quotes: The RFP for the 2019 quotes is out. Bids will be received by the March 25th meeting, where they will be opened and reviewed by the Board.

DPW Roof Leak: DPW Director Benji Knap will meet with Tony Dacosta on Friday morning.

Bell Tower: Town Administrator Bolton will follow up with Walker Roofing. A member of the public inquired regarding decision of metal: galvalume or 4 options of patina. Chairman Hippler and Selectman Burdick requested Town Administrator Bolton inquire to ensure metal will match stone building.

OTHER BUSINESS/ CORRESPONDENCE: Chairman Hippler thanked the voters, especially regarding their generosity and commented regarding many needed warrant articles, such as for the Fire Department and DPW.

Chairman Hippler thanked Steve Roberts for his 9 years of service to the Board of Firewards, largely as Chairman, as Mr. Roberts chose not to run again this year.

Chairman Hippler relayed a concern by a resident of poor drainage at Cortland Avenue. Selectman Burdick inquired regarding the retention pond by Route 114; Chairman Hippler clarified high water levels on north side and expressed concern with retention pond being reconstructed before asphalt is started. Town Administrator Bolton will reach out to Code Enforcement Officer Chip Meany to follow up with the Cortland Avenue Engineer.

Selectman Burdick inquired regarding Cortland Avenue easement and requested an update regarding the Conservation Commissions concern with infringement. Selectman Burdick also inquired regarding the Conservation Commission's use of Town Counsel Laura Spector-Morgan. Town Administrator Bolton will follow up, as it was her understanding this was resolved in January.

Chairman Hippler had spoken to some residents regarding input for the Police Chief search. "What would you like to see in a Police Chief?" might be a good place to start to receive feedback from the public, from Police Department employees, and from department heads, although Chairman Hippler was unsure of the best way to facilitate this – via Town website, email blast, etc. In response to Neal Kurk's public comment, Chairman Hippler expressed concerns with legality and practicality. Vice Chair Meaney commented regarding benefit of written feedback over public forum. Selectman Snyder reminded the Board they have never gone to this extent for any other department head. Town Administrator Bolton commented regarding potential parallels with upcoming Code Enforcement Officer Position vacancy.

Selectman Burdick has spoken to several residents since the 2019 Town election regarding concerns of elevated tax rates – should the Board have allowed so many warrant articles in 1 year? Chairman Hippler acknowledged similar conversations with residents. Chairman Hippler reminded the Board they have been so frugal for so long that it's starting to catch up as the Town grows – demands for services continue to increase. Vice Chair Meaney commented regarding the demand on infrastructure. Chairman Hippler reminded the Board of Frank Campana's public comment and agreed, surprised such small voter turnout (1500 attended out of 6000 registered voters). Chairman Hippler commented regarding unique situation of Fire Department warrant articles. Vice Chair Meaney commented regarding ideal regular rotation of purchases every other year. Selectman Burdick commented regarding the Town Hall and potential need to pursue grant funding.

Chairman Hippler inquired regarding Chairman and Vice Chairman position; Town Administrator Bolton inquired if the Board was interested in changing the current positions. Chairman Hippler and Vice Chair Meaney both confirmed they would be happy to remain in their current positions. The Board agreed to maintain the current elected positions.

Vice Chair Meaney thanked the voters for their support and stated that he will try to be worthy of their confidence.

Being there was no further business to come before the Board, Chairman Hippler moved to adjourn at 8:56 PM, Vice Chairman Meaney seconded; passed 5-0-0.

ADJOURNMENT

A True Record.

Hannah Smith

Hannah Smith, Recording Secretary