

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
May 2, 2022

**PRESENT:** FREDERICK W. HIPPLER, CHAIRMAN; JONATHAN H. OSBORNE, VICE CHAIRMAN; SHERRY M. BURDICK, SELECTMAN; KEVIN J. CAHILL, SELECTMAN.

**ABSENT:** John Van Loendersloot, Selectman

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Bruce Fillmore; John Nikias; Frank Campana; Tom Clow; Jackie Pratte; David Pratte; Leigh Bosse; Denise Purington; DPW Director Benji Knapp.

Chairman Hippler called the meeting to order at 6:30 PM

**NONPUBLIC SESSION:**

**Chairman Hippler moved; Vice Chairman Osborne seconded to enter into nonpublic session @ 6:31 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0**

**Chairman Hippler moved; Selectman Burdick seconded to exit this nonpublic session @ 6:59 p.m. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0**

**Chairman Hippler moved; Selectman Burdick seconded to seal and restrict these nonpublic session minutes. Passed 4-0-0**

Chairman Hippler welcomed everyone to the meeting at 7:00 PM. He acknowledged that we are starting a bit late tonight as we met earlier tonight with a nonpublic session with a police officer and the Chief and he asked those in attendance to join in the pledge of allegiance.

Chairman Hippler stated that before we start the public hearing to change the fees at the Transfer Station, it is the decision of this Board that we will not allow public comment at this time for the review of the Rental Ordinance tonight. There will be a public hearing scheduled sometime in June. There will be a 10-day advance notice of the public hearing, that is the time that public input will be allowed for the Draft Rental Ordinance.

**PUBLIC HEARING:** At 7:01 PM Chairman Hippler opened the public hearing to hear public testimony and comment for fee changes at the Transfer Station and recognized Director Benji Knapp. Director Knapp stated that tonight's public hearing is to change a couple of fees at the Transfer Station. One is a very minor one for tires and the other will be about furniture. It's always been the standard to charge a minimum

of \$5.00 for construction debris. The first thing that brought on this change was truck tires. The vendor raised the rates for disposal, so the truck tire rate is being changed from \$20 to \$22 per tire; and he got rid of the plus for any dirt that was on them. The other big item is furniture. With another default budget, trash is going up January 1<sup>st</sup> an additional \$10 more per ton and roughly \$5 per ton additional every year thereafter for 7 years. We need to try to get some tonnage out of those trash trailers. This past week at the transfer station, Director Knapp had his employees take a rough count of the furniture that came in. There was 127 pieces of furniture and 30-40 just mattresses. Director Knapp and Selectman Cahill have been looking into this and asking around, but the average mattress is about 100 pounds. So, if we put 40 mattresses in the trash trailer that is 2 tons, times 52 weeks a year, times \$74/ton for trash that is 4 less trips the trailer makes. Director Knapp has contacted his vendor for construction demo and they can put those into the demo. The demo fees go into the revolving fund, so it is not taxation the fees pay for the hauling and disposal costs. A lot of the surrounding towns are currently handling their mattresses and furniture through their construction/demo fees. Director Knapp stated that he believes we are getting a lot of mattresses from out of Town as we haven't been charging anything. There is no "fluff" as people call it in the Transfer Station budget. The trash container is meant for only residential household trash, so anything that is not household trash will be going into the construction trailer, like vinyl siding, etc. The effective date to start these new fees is May 14<sup>th</sup>, so there is time to put up signs to let everyone know of the change. Director Knapp stated that if the Board approves these fee changes, he is going to make a bunch of copies and start handing them out to the commercial haulers and others. He will use one of his electronic signs and put on a message. The website can be used as well.

Chairman Hippler stated that going up \$2 for the truck tires doesn't seem like much. It is reactive for sure, but is there maybe a proactive number that might be better to use. Selectman Burdick asked if these people who bring in mattresses, TV's, etc. are we going to start making people bring in a check and we give them a receipt. Director Knapp stated that they do know. Some people don't want a receipt, but Director Knapp has directed his employees to give them one anyway.

Director Knapp stated that there were some items that were listed under the tires that we really do not need to accept. Snowmobile tracks, the only way they will accept them if there is no metal in them. They used to take excavator and skid steer tracks but there is nothing they can do with them. Same with the giant loader tires the vendor won't take them.

Chairman Hippler asked the public if there was anyone that would like to comment or have questions on the proposed fee schedule increase. Being none, Chairman Hippler closed the public hearing at 7:12 PM. Director Knapp stated that he meant to say this during the public hearing but any mattress/box spring will be \$15/each and any upholstered furniture will be \$10/each.

**Chairman Hippler moved; Selectman Burdick seconded to approve the new Transfer Station Fee schedule as itemized on the list effective May 14, 2022. Passed: 4-0-0**

Chairman Hippler stated that there is a couple of things we need to clear up before public comment. There were some statements made at the last meeting during public comment regarding the police department. It is not the Board's practice to comment during public comment. We need a couple of weeks to digest it and come up with a statement. It is not the position of this board to let any officer go period. There are no officers leaving. We are not going to eliminate any positions. That is not the position of this board. Officers that are on reserve duty, they are serving our country. That is a federal protected law. They need to have their position when they come back. That is not even on the table either. There was also a comment made about officers going out and getting themselves in trouble and getting shot. They put their lives on the line every day, let's be honest. They don't want to shoot anybody, it's not what they want to do. They go out there and try to do the best for the public they can. This is not the same police department that we had in the past. This is a new department. It's a strong department and it's a good department. That statement was very disrespectful to the two officers that were involved in the shoot a couple years ago and

they still live with that daily. Chairman Hippler stated that he felt that comment was not called for. The position of this Board is that we support this police department that we have currently. Lastly, anything said at the podium is not endorsed by this Board or the Town. It is a statement of the public speaker and that is their opinion and position and we will have 3 minutes for every public speaker

**PUBLIC COMMENT:** Frank Campana, Quaker Street stated that he will have to review the YouTube of the last meeting to verify something the Chairman has stated. Mr. Campana gets NH Business Magazine, probably a reputable book/magazine depending upon your political views. The magazine is from January. At the last Board meeting the River Road bridge came up for discussion that the State has down graded the capacity of. Mr. Campana stated that we have had that money from the taxpayers in limbo for quite a while, \$400,000. In this January edition of the NH Business Magazine there was an article indicating that the State is receiving 1.5 billion in federal infrastructure for the next 5 years. It's not all new money. The State's portion was an increase of 225 million to bring it up to 1.14 billion. Some of that 225 million money is an allocation for bridges according to the article. Mr. Campana is unsure of much of that money may filter down to the towns. The article written by the director indicating they were not looking at adding projects but possibly moving projects up and down. It further indicated it was nice to have this dedicated money for bridges and not in a flexible account, which Mr. Campana referred to as "robbing Peter to pay Paul". He doesn't know the process there but he recalls last year the State ran out of money, so that eliminated the town from getting State money for that bridge. Mr. Campana stated that he is wondering if there is not enough pressure.

Chairman Hippler interrupted and asked Mr. Campana to wrap it up, who continued speaking toward Selectman Cahill, stating that with his 30 years of experience as an engineer he should be the driving force. Mr. Campana wonders if there has not been enough pressure in the past or right now at the Board of Selectmen to push the State.

Chairman Hippler thanked Mr. Campana twice, who responded "really". Mr. Campana continued by stating that the Board probably won't like this but he is linking this to the situation with the building department truck. Chairman Hippler again thanked Mr. Campana. Mr. Campana added that the Board waited for the truck to be on 3 wheels.

Selectmen Cahill then asked Mr. Campana to show the Board the same respect we have shown him. The three minutes are up as Chairman Hippler has indicated three times. Mr. Campana asked if that is what he said and that he would save it for next time. Selectman Cahill asked Mr. Campana if he could leave the Board the magazine. Mr. Campana stated no.

Denise Purington, Thorndike Road is here representing the Weare Pickleball Club, not a member of the Parks and Rec. She is here tonight to see if the Board has made a decision. The club is looking for an update to see if and when they are going to be able to play. They are traveling all over the State to play and they would like to be playing here.

#### **DEPARTMENT/COMMITTEE ITEMS:**

Continued Update/Conversation with DPW Director Knapp: Director Knapp stated that he would like to give the Board some other ideas he has with the Transfer Station as well as what his department has been doing. Director Knapp stated that Friday his employees went and took the trees down next to the tennis courts. There are still a couple of birch trees leaning over the other side, but without equipment they didn't feel safe taking them at this time. Earlier we talked about fee changes at the Transfer Station. Since winter is now over, they have been cleaning up at the Transfer Station. It has been a revolving door this past year for employees. There was discussion of possibly changing the hours of the Transfer Station but right now we are going to leave them alone. Some transfer stations are closed more hours to be able to do more cleanup.

#### ***Resident stickers:***

- Transfer Station sticker will be handled by the town clerk's office at time of vehicle registration. Location of sticker will be upper left corner of windshield.
- Sticker color will change every three years. Redesigning the sticker now.
- All stickers will have a resident identification number. This will allow supervisor oversight.

There was discussion of possibly charging in the future for stickers. Town Administrator Bolton stated that other communities limit stickers to 2 per household, as typically there is only 1-2 vehicles that truly put the trash in their vehicle. If they lose a sticker, they can purchase a replacement. Selectman Cahill stated that there will be additional information provided on the listings from the Town Clerk's office so that if you get someone in without a sticker questions can be asked to verify they come from Town. The idea is to hopefully start this new sticker implementation in about 4-6 weeks.

**Commercial Dumping:** Director Knapp spoke highly of the commercial haulers but there is going to be an effort made to really crack down on them and make sure they have the new price lists and any new rules/regulations.

- Commercial/Private Business Dumping in Residential Facility by permit only. Any and all material must be generated in town. By the laws of New Hampshire Department of Environmental Services, we are only allowed to accept materials from the Town of Weare.
- Send notice to private haulers of 100% recycling requirements.

Selectman Cahill stated this came up with discussions especially regarding these big black bags.

**Signage:** Director Knapp found some of the signs he was going to purchase. They would like to install a proposed signage package. This will provide facility attendants and residents a clear understanding of operations and policies.

**Phase 2** – This is for the BOS to take action with a possibly effective date of August 1, 2022.

This would be to implement new policies to increase our recycling program revenue and discourage illegal dumping and the use of the big black trash bags. The 1992 statute requires 100% recycling. We are currently seeing about 20 to 30 percent compliance. This is impacting our disposal cost and every tax payer in loss of revenue. After lengthy consideration and research into surrounding communities, Director Knapp is recommending to the Board that we adopt a clear only disposal bag policy. Two sizes of clear bags will be available at the Transfer Station for sale. Clear bags are also available online and at most retail stores. This will avoid spot checks, cutting of bags, resident inconvenience and transparency for town employees. Clear bags will also stop blind dumping of non-residential trash/demo/hazardous materials into our residential hopper. Blind dumping has played a significant role in the uptick of our residential trash disposal cost. Non-trash materials belong in recycling or demo.

Director Knapp stated that he would like to hear the thoughts of the residents on this clear bag proposal. Chairman Hippler stated that he understands the logic behind it and you are right but you will have to have an attendant right there all the time watching the hopper or stuff is going to slip by still. Having the bags available for purchase at the Transfer Station is a pay to throw in his mind and Chairman Hippler stated he doesn't like it. Selectman Cahill meant it to be a convenience thing, elderly usually don't buy online. New Boston is actually proposing the clear bag policy tonight as a result of this conversation. Selectman Cahill stated that this is going to be a transition and a change with the hope of getting the recyclables and other products out of the hopper. It's a major change for this community. This is being done as a way to get the trash numbers down as the price per ton increases, especially on the third year of a default budget. Selectman Cahill will do the research on stickers and bring back an update in two weeks. Director Knapp would love to bring back the ability to take plastics, but currently there is not enough staff. He's going to do some further research on how we can bring it back.

**Boat Ramp:** Director Knapp stated that they haven't forgot about it but everyday he has it planned it rains. He's going to try again this week. The boards were put in today, they are going to try to get it done. The paver will need to be coordinated as well.

**Flanders Memorial Road Beaver Issue:** Director Knapp stated that he and the Board have received correspondence regarding this beaver dam. The Town has every right to continue to monitor and control this beaver dam, but Director Knapp stated that he is sick and tired of the complaints. He would like to know what the Board would like him to do, continue on or let the water run over the road. The Board agreed that they want to have them continue to clean it.

**Duck Pond Beaver Issue:** Director Knapp stated that when he spoke to the lady from DES in later February or early March, she told him no more dredging. He explained to her why he let it down and she understood. Director Knapp explained to her that it is DOT's issue. The Town has dealt with it for the last two years and we are done. Second, there are a number of landowners up Duck Pond Road that have come to Director Knapp as their properties are under water and it is killing the pine trees. Tuesday morning, Director Knapp is supposed to meet with DES to go over this issue.

**River Road Bridge:** Director Knapp stated that we are trying to find another engineer to draw the Town up some plans for another temporary fix. We have no idea about any State funding. It didn't go broke last year it has been underfunded for a number of years. Right now, we are trying to find an engineer to draw up a plan. Town Administrator Bolton was sent the State bid list. The prior engineer changed to a company that is not on the State bid list. Engineers that have been contacted are very busy. If the State is not going to pay the bill, why not reach out to the prior engineer. An email was sent to the prior engineer to discuss options for fixes. This is being worked on diligently and will continue as this needs to be resolved as soon as possible.

**TENNIS COURT DISCUSSION REGARDING REOPENING:** Town Administrator Bolton stated that at the time when we met 2 weeks ago, she was directed to get a hold of town counsel to see if we posted the tennis courts use at your own risk pursuant to RSA 508:14 i. Town Counsel didn't not have an issue at all. A sign company has been reached out to for prices. The sign that is there could be added to. The idea is to have 8 signs printed to put at all the facilities. At a minimum a vinyl sticker could be added. A 12 x 18 sign attached to the fence right next to it would work. Putting up the signs adds another layer of protection. The Board agreed that they would open as of May 21, 2022 with signs installed.

**REVIEW DRAFT RENTAL ORDINANCE:** Town Administrator Bolton stated that when we listened to this for the first time two weeks ago there were some suggested comments made. Selectman Cahill asked how many of these properties do we have in town. The reply was we don't know. Selectman Cahill stated that we need to get from the Fire Chief, how many inspections can he handle in a month before we can really do anything further. Chairman Hippler asked where the permit fee money and possible fines money going to go. Town Administrator Bolton stated the general fund. Town Administrator Bolton stated that there is additional information found and shared with the Board. The first item was a 7-page document from the NHMA discussing municipal regulation of short-term rentals. The second document was from the Mt. Washington Valley Association for Responsible Vacation Rentals, FAQ. The plan to bring this finalization would be, once the Board is complete and agreed upon; then send it to Town Counsel; then schedule a public hearing for a separate venue; at the close of the hearing the Board can adopt it. Chairman Hippler stated the Board members need to read the documentation, RSA 48-A and talk about it at our next meeting on May 16, 2022.

#### **MANIFEST:**

Chairman Hippler moved, Selectman Burdick seconded **to order the Treasurer to sign the payroll and accounts payables checks dated May 5, 2022 as included in the following manifests:**

<b>Payroll Manifest</b>	<b>\$</b>	<b>71,654.59</b> (Weekly & fire monthly payroll)
<b>Accounts Payable Manifest</b>	<b>\$</b>	<b>22,133.89</b>



<b>John Stark Regional Payable Manifest</b>	<b>\$</b>	<b>250,000.00</b>
<b>Weare School District Payable Manifest</b>	<b>\$</b>	<b>400,000.00</b>
<b>TOTAL:</b>	<b>\$</b>	<b>743,788.48</b>

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**As there is no Selectmen meeting scheduled for Monday, May 9, 2022**

Please vote:

**To order the Treasurer to sign payrolls checks dated May 12, 2022 estimated to be about \$75,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$90,000.00 for accounts payables that cannot wait until the next scheduled meeting. Reports and actual check amounts will be reported to the Board of Selectmen by inclusion on the Manifest Memo at the next scheduled meeting.**

Vote: 4-0-0

**MINUTES:** Tabled

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

1. Joint Loss Management Committee: new forms are being created with Town seal and kick off meeting will be scheduled soon.
2. Radio Communication: DPW is welcome to help with the site work, but awaiting answer to status of \$30,000 interim fix.
3. Contracts (Lawn Care, IT, Cleaning Services and Forester): Lawn care and IT contracts have been finalized. Others are being work to finalize.
4. Tennis Courts: Decision to open was made earlier tonight.
5. ARPA Expenditure Categories: working on as time allows
6. Collins Cemetery – this item is going to be a back burner item and worked on as can
7. Asbestos Testing on 487 North Stark Highway (Barden): In a site visit over the weekend, it was discovered that there is a second structure. The asbestos companies have been contacted to come and visit the site to have a good number. The Buzzell Hill Road site was asked to be looked at as well.
8. Driveway Bond Policy: work in progress (original deadline was 1/31/22)
9. River Road Bridge: was discussed earlier this evening
10. Weare Representatives Meeting: To be scheduled with the BOS for upcoming meeting
11. Riverdale Road/River Road: The town has the final plan, now need to work on moving forward with planning board and zoning board approvals.

**GRANT LETTER:** Town Administrator Bolton has a letter from Fire Chief Vezina requesting permission to seek grant funding for standby generators to support critical infrastructure. This project would install a

backup generator on an existing fire station. The propane powered generator will provide electrical service to two fire stations and proposed radio tower sites in event of an emergency power outage. Chairman Hippler asked what would we be providing for in-kind work. Before the Board would like to move forward it has a few questions at this time.

#### **EXOFFICIO UPDATES:**

None since last meeting.

#### **CORRESPONDENCE/OTHER BUSINESS:**

Lighting Complaint: Selectman Burdick stated that she received a call from Barbara Hibbard complaining about the lighting from the gas pumps down in South Weare. The lights don't affect her at her new house but affect her granddaughter at the old house. Also, the lights at the storage units are on all night. They are so bright that they shine across the field into her bedroom at night. She is wondering what if anything can be done. Chairman Hippler stated that the lights on at the storage units are probably for security, but the lights at the gas pumps are all off by about 9 PM. The actual pumps are on, but the lights are off on the canopy. The site plan for the storage units had a lighting plan and can be looked at.

Granite State Communications: Selectman Cahill asked if we got an answer regarding the engineering for the radio towers. Town Administrator Bolton will send the information over, but we just got a quote back from them that was called in December, so they could be shorthanded.

Old Francestown Road: Town Administrator Bolton stated that she had a visit from Mr. & Mrs. Garnett regarding the complaint of the stone wall removal. They left off approximately 30 photos and updated letter. The Board will individually take a ride by so that a response will be given to them. They have started to put the wall back. Vice Chairman Osborne stated that there must be someone at the highway garage should remember if they tore a wall down to put in a header.

Hillsborough Country Budget Hearing: There will be a public hearing on Wednesday, May 4<sup>th</sup> for the Hillsborough County Budget if anyone is interested in attending.

Bear Baiting Permit: Town Administrator Bolton received a permit to bait wildlife off of Jewett Road. There is time, so the request for the permit will be forwarded to the Conservation Commission for their meeting next week. After that it can return to this Board for action.

Two Complaint Letters: Town Administrator Bolton received on Friday two complaint letters regarding the lots on Lakeview Drive. The letters mention wetland vegetation disturbance. The Board felt that either Romeo or Tony should look into this.

Postcard from Resident: Town Administrator Bolton received a post card wanting to thank the Fire Department for the prompt response for assistance in retrieving their dog's body. It was a difficult event to go through but they were beyond impressed with the first responders in our Town and wanted to send a heartfelt thank you. The Board asked to have the post card sent over to the Fire Department.

#### **NONPUBLIC SESSION:**

**Chairman Hippler moved; Vice Chairman Osborne seconded to enter into nonpublic session @ 8:34 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes. Passed 4-0-0**

**Selectman Van was phoned in for this nonpublic discussion.**

**Chairman Hippler moved; Vice Chairman Osborne seconded to exit this nonpublic session @ 9:38 p.m. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes; Selectman Van – yes. Passed 5-0-0**

**Chairman Hippler moved; Selectman Van seconded to seal and restrict these nonpublic session minutes. Passed 5-0-0**

**Being there was no further business to come before the Board, Chairman Hippler made a motion, Vice Chairman Osborne seconded to adjourn at 9:39 pm. Passed 5-0-0**

**ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

Naomi L. Bolton, Town Administrator