

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
May 16, 2022

**PRESENT:** JONATHAN H. OSBORNE, VICE CHAIRMAN; SHERRY M. BURDICK, SELECTMAN; JOHN VAN LOENDERSLOOT, SELECTMAN; KEVIN J. CAHILL, SELECTMAN.

**ABSENT:** Frederick W. Hippler, Chairman

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Leigh Bosse; John Nikias; Frank Campana; Clay Kriese, Library Director; Tom Clow, DPW Director Benji Knapp.

**PUBLIC COMMENT:** Tom Clow, Concord Stage Road stated that he would like to comment about the prospect of requiring clear bags at the transfer station which was discussed at the last meeting. First all he agrees that it would need attendants standing there in order to check the bags in order for it to be effective. Mr. Clow thinks that we'd be better off using the same employees to go back to recycling plastic as we did before the pandemic. He saves up his recycling and make separate trips for the trash and the recycling. He would have a large trash barrel full of plastic and maybe a bag of tin cans or aluminum cans, but by far the most he was bringing down was plastic. He thinks it would be a better use of the transfer station employee's time rather than putting them in the role of what Mr. Clow thinks as basically policing, which he fees could lead to conflicts with the public and maybe even employee's quitting because they didn't want that on a regular basis. He personally has a hard time believing that there's only 20-30 percent of people recycling. When he goes down, he pulls up to the trash window and everybody ahead of him is going back and forth across between the bins for recycling and throwing in their trash. He feels that percentage is incorrect. It seems to him like a lot more than that. It was brought up about the radioactive material we had which caused the trash trailer to be brought back to investigate what was there. Mr. Clow stated that the clear bags wouldn't have solved that problem because it was kitty litter that had some type of medication in it and that wouldn't have been spotted in a clear bag. He added that is going to bring bags within bags. He indicated that in his household they use small white garbage bags in the bathroom and liners in the cat box, those are pulled out tied up and thrown within the other trash bag to go to the transfer station. You are not going to know what is inside those that are in the clear the bags. He feels it is going to lead to a lot of confusion and ill will especially to people who are recycling and he just overall disagrees with going with the clear bags. Mr. Clow continued that he wouldn't want the Town to be in the business of selling clear bags either, but that's a small part of it. He feels that it will lead to a lot of conflict there at the transfer station and it would be better off to use the employee's to get back to recycling plastic.

Selectman Cahill stated that he will be giving an update later as there are a few corrections there and just misunderstanding, but we will talk about that later.

John Nikias, East Shore Drive, stated that coming up August he has been here for 41 years. He doesn't understand how people can buy property for the sole purpose of renting it out and not be commercial. Can

someone explain that to him? If you're not a resident, you're not living there the only reason the property was purchased was to rent it out, how is that not commercial?

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

Transfer Station Discussion Continued: Selectman Cahill stated that there was some confusion, particularly when he read the article drafted by Mr. Clow in the Weare in the World. There is no intention of having a single employee monitoring the bags. The transparency of the bags is more of a spot and check type. We have a huge uptick in the tonnage that we are sending to the incinerator. We have made adjustments to move some of that to the demo trailer but we still have about 600 ton that we're looking for. Surrounding towns have not seen a similar uptick. The clear bags are something that has been used in Hillsborough for the last 10 years or so and they have seen nice results from it. Some of the members have been up there. It is a system that just adds a level of transparency, as Bill Straw said it would be awful nice to be able to see the bottle before it hits the side of the bin. It's not going to be policing as Selectman Cahill thinks it's being imagined. It is really going to just be able to tell if we are being blind bagged by the use of black bags and are people taking advantage of taxpayers like Mr. Clow. It was never intended to put a full time employee watching those bags and if that was implied it was never our intention. DPW Director Knapp is working on bringing back the recycling of plastics back. DPW Director Knapp stated that he wants to clarify something and he might have been the one to imply this or even say this months ago. Director Knapp stated that we haven't had an uptick of 1,000 tons. We would like to maybe drop 600-1,000 tons but since 2009 we have only had an increase of 100 tons, from 2009 to 2021. In 2020 we had an uptick of a couple or 300 more because of we were throwing everything away and more people were home. We did have over 3,000 tons go in the trash. In 2009 we had 2,700 and change and this year we 2800. Selectman Van asked if was around the time that we stopped taking recyclables. Director Knapp stated that the only thing we really stopped taking was plastic because it was beverage bottles and zero money. Plastics, 1-7 don't have a high value the value is in 1's and 2's. It is strongly being considered and looking at the market. Director Knapp stepped away to read some documents and will return to the podium after the librarian.

Library Chimney Repairs: Clay Kriese, Library Director was present to report that about a month ago they noticed that something has happened to their chimney base. A lot of the brick and mortar have fallen away. His assumption is that water has gotten behind and froze, thawed and refroze causing damage. Director Kriese was able to get a couple of companies out to provide estimates for repairs. He got quotes from Northland and J.R. Masonry. The prices are pretty much the same except for Northland was a bit more concerned about the aesthetics and keeping to look more historic, so it's more noticeable. J.R. Masonry seemed more concerned about the long term effects of the repair, as he is looking to add a granite drip edge that will be much more effective in keeping water out and to prevent further damage. He is asking the Town to fund the repairs. Selectman Van asked about a third quote. Director Kriese stated that he wasn't in the short amount of time but if the Board would like him to he could. The purchasing policy asks to obtain three quotes, but the Board has the option to waive that if necessary. Selectman Van asked if this chimney is being used meaning that exhaust gases are going through this. Director Kriese replied not that to his knowledge it is not being used. Selectman Van clarified that this request is purely aesthetic and to keep it from falling on somebody, it's not a functional repair. Director Kriese replied that was correct. Selectman Cahill asked when he does get a third quote can they include the repointing. Selectman Van stated that he would like to have the Building Inspector go over and inspect it. If it needs to be done this year then we ought to get a third estimate and go back to Northland to quote for similar work that J.R. Masonry quoted. If it can hold off a year, because we are in a default budget and with all the potential massive increases we're going to have with salt and everything else, if it is not needed he would like to wait. Selectman Burdick stated that she didn't think she would let it go a year. She would like to see the granite edge put on it too. Selectman Cahill agreed that we should have someone go over and look at it over the next couple of weeks. Town Administrator Bolton stated that there are several funds of money that has been left to the library and asked if there are any funds that could help do this repair. Director Kriese replied that would have to go to the library foundation and they would have to answer that. He

added that it was his understanding that the money left by Ruth Jones was for either the building or services, so there could be that possibility and he will check that out. Town Administrator Bolton stated that she could reach out to the Trustees of Trust Funds to see if they could provide assistance as to what the particular funds are for. Vice Chairman Osborne stated that we will revisit this in 3 weeks at our June 6<sup>th</sup> meeting.

River Road Bridge Update: DPW Director Knapp reported that there are a number of options for the River Road Bridge project that we can look at. We need to do something sooner than later. The State is not going to do anything for us. Last week we met with Thom Marshall, engineer and Mike Hansen from Hansen Bridge. One option is to fix the repairs as the State has identified. He is unsure how much there is to repair without knowing, but a guestimate it could cost from \$80,000-\$100,000. This would only lift the restriction. Another option is to do a one lane or two lane temporary bridge, which would be needed when the replacement bridge project is to be done. A one lane bridge would be in the neighborhood of \$100,000 but could be resold after. We can rent it for an additional fee which is not been given but after the year it would be \$1,500 per month. The load calculation would be and E2 or better. Another option was discussed and that is the Town could step out and do our repairs without the State for \$400,000-\$500,000. The cost to do a replacement would probably be in the vicinity of \$2 million and our 20% would be \$400,000. Director Knapp stated that he would like to continue to speak with the Engineer and work toward a temporary bridge. The idea is to keep the Board up to date. Selectman Cahill asked if a package could be put together for the Board's next meeting. Selectman Cahill suggested that we dive right into the wetlands issue to see the cost and if it is feasible. The Highway Department can do the roadwork to get to the new temporary bridge. The consensus of the Board was to allow Director Knapp to move forward and gather prices, costs, time frame, etc. and bring everything back to the Board for the next meeting on June 6<sup>th</sup>. Selectman Cahill asked Director Knapp to also come up with the cost that it will cost the town for the Highway Department's work.

**DISCUSS BOS APRIL 18<sup>TH</sup> MEETING COMMENTS:** Frank Campana, Quaker Street, stated to preface that his concerns actually encompasses two meetings, April 18<sup>th</sup> was his public comment and May 2<sup>nd</sup> was the Board's response. His intention is to take as little time as possible and if somebody will keep track of the time out of Mr. Campana's own curiosity. First, his public comment it was overall about the police department not having enough money to operate because of the default budget. His suggestion to the Board was maybe lay someone off, being now that they have a full complement of officers they could probably spare someone. First, he referred to two officers not by name, on reserve duty as part of the short staffing, which is how the department had extra money last year. The police department seemed to adapt and get their job done with those two officers off. His suggestion was to eliminate one position from the now fully staffed department to gain \$100,000 to keep two cars on the road. The police chief is proposing economizing and keeping only one car on the road with two officers, personally he thought 2 separate cars on the road with 2 separate cops. That was his public comment for that portion. The Board's response was that the position of the Board was not to eliminate any positions. Officers on reserve duty are serving our country, by law their positions are held open to them. Mr. Campana knew that beforehand and that's fine. His issue is why did the Board single out those two officers? Mr. Campana stated that he referred to those two officers anonymously and respectfully only that they became part of short staffing which was one point of his public comment. He never questioned their obligation to reserve duty. He never suggested who or what position could be let go. What was the motive of the Board, only to put words in his mouth? Perhaps to manipulate a negative image of Mr. Campana. Mr. Campana proceeded to explain that he was drafted from 1968-1970. He was relieved from active duty in 1970. He was discharged and showed the Board his papers that indicated he was discharged from the Army Reserve and any time from 1970-1974 he could be called up and he knew that. He was not throwing stones for being short staffed while they were on reserve duty. He felt that the Board was throwing stones at him. Mr. Campana's second public comment was regarding his comment that two officers that seem to get themselves in trouble in a shootout were injured. There was no inference by Mr. Campana that the two officers had any control over how that incident transpired, only the fact that they became part of short staffing, which again the department was

able to adapt and get the job done. Again not an ideal situation. The Board's response was very different it said that officers going out and getting themselves in trouble and getting shot. Mr. Campana stated that if the Board was quoting him they got it wrong. He tried to be very respectful. The Board said that his statement was very disrespectful and out of respect for the officers and not to be disrespectful chose a generic use of seemed to get themselves in trouble and injured, not specific like the Board did in "getting shot". Vice Chairman Osborne agreed and said it shouldn't have been said. Mr. Campana stated that one thing he wanted to address. On the last public comment on May 2<sup>nd</sup> he was talking about the bridge aid and gave Selectman Cahill a compliment of being an engineer. Selectman Cahill stated he has never been an engineer. When he was running over the 3 minutes he was trying to read the article, one Selectman stated to show the Board some respect as Chairman Hippler said three times the 3 minutes were up. He was concentrating and the Chairman kept saying thank you, thank you, thank you. He was totally offended when the word respect accusing him of being disrespectful. Mr. Campana's suggestion to the Board that when someone like him that is slow on the uptake on what kind of movements or limits you're going to give a speaker, like a 3 minute time limit, you better come up with a better way of getting it across versus saying just thank you, thank you, thank you and then cause a Selectman to say he's not respectful. Selectman Cahill stated to Mr. Campana that he offered his apology earlier but clearly the 3 minute for public comment, he thinks that everyone in the room knew that, Chairman Hippler, whether in Mr. Campana's moment of focus didn't hear him, he was trying to say okay we've got it and thank you very much for your comment. Mr. Campana's demeanor led Selectman Cahill's comment of just relax and show us the same respect. He again apologized to Mr. Campana if he insulted him in any way it was a professional meeting and that's how we were trying to handle it. Mr. Campana stated the Board needs to come up with the plain words that the 3 minutes are up and thank them. Selectman Van stated that a simple solution to this is the Board should buy a timer. He feels that it should be flexible and someone may need an extra minute.

**DISCUSS AND FINALIZE DRAFT RENTAL ORDINANCE:** Town Administrator Bolton stated that from the last meeting you asked to check with Chief Vezina to see how many inspections he could do in a month. Chief Vezina replied that assuming 1 and 2 family dwelling and a check sheet process similar to what is used for foster care license, 4 or more could be inspected in a day. Multiple dwelling, 3+ apartments would likely be 1 per day due to added complexity. The inspections were based on structure types. Town Administrator Bolton reminded the Board of the time frame. If the Board is okay with this draft, it would be sent to Town Counsel for review; then a meeting would be scheduled, probably at the school for capacity with at a minimum 10 days' notice; the hearing would be held and the Board would make a decision. Selectman Van stated that he would like to proceed forward and hear the public's response because he personally is torn 50/50 on this as he feels it is a government overreach however he can see a need for it as well. Selectman Cahill stated that he personally sees it as life safety and it's almost no difference than a periodic inspection. Selectman Van stated that life safety shouldn't be a 6 page document and the whole thing to him just seems, he can see both sides but wants to see the draft document and listen to the input from the public. Vice Chairman Osborne stated that he is in the same board with Selectman Van. Selectman Cahill took this that simply if you want to rent your property there are safety concerns with no mold and rats. Town Administrator Bolton stated that she will look at the school but if the Board would like to tape it for us but we have to pay \$180 for the IT gentleman at the school to tape it. The Board agreed that it was necessary to be taped, so the school was the first choice.

**SIGN NEW COPIER LEASE:** Vice Chairman Osborne stated that Beth Rouse, Finance Administrator sent the Board a memo informing them that our current lease for our copier needs expire this year. We received three quotes from local vendors. We are still requesting a large black & white copier for downstairs at the Town office; a black & white copier at the Fire Station; one large format plotter for the Building Department, as well as inquired on the cost of a color copier for the upstairs at the Town Office. All three quotes came in under what we currently pay which is \$9,727 annually. **Selectman Van moved; Selectman Burdick seconded to award the copier lease to United Business Machines for a 5-year**



lease at a cost of \$8,100.96 annually and authorize Town Administrator Bolton to sign the lease.  
Passed 4-0-0

**MANIFEST:**

Vice Chairman Osborne moved, Selectman Van seconded **to order the Treasurer to sign the payroll and accounts payables checks dated May 19, 2022 as included in the following manifests:**

<b>Payroll Manifest</b>	<b>\$ 66,720.69</b> ( <i>Weekly payroll</i> )
<b>Accounts Payable Manifest</b>	<b>\$ 26,456.72</b>
<b>John Stark Regional Payable Manifest</b>	<b>\$ 500,000.00</b>
<b>Weare School District Payable Manifest</b>	<b>\$ 800,000.00</b>
<b>TOTAL:</b>	<b>\$ 1,393,177.41</b>

**The following manifests were previously ordered to sign at the May 2, 2022 Board of Selectmen meeting:**

<i>Payroll Manifest</i>	<i>\$ 71,261.34 (Weekly payroll checks dated 05/12/22)</i>
<i>Accounts Payable Manifest</i>	<i>\$ 103,283.06 (Checks dated 05/12/22)</i>

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**As there is no Selectmen meeting scheduled for Monday, May 23, 2022 and May 30, 2022**

Please vote:

**To order the Treasurer to sign payrolls checks dated May 26, 2022 and June 2, 2022 estimated to be about \$150,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$180,000.00 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: the newly formed committee will be holding their first meeting on Wednesday, May 25<sup>th</sup> at 9:30 AM. The committee consists of:  
Beth Rouse – Finance Administrator  
Joe Sarno – DPW  
Clay Kriese – Library  
Robert Vezina – Fire  
To be determined employee (non-Department Head) – Police  
Mary Ann Green or Katy Tounge (depending on availability) – Town Office
2. Radio Communication: received an email from 2-Way indicating that they have an ongoing project that changed scope and resulted in a surplus tower. He may be able to sell it to us for significant savings. It's brand new, just been sitting on the ground for a couple of months. PW is welcome to help with the site work, but awaiting answer to status of \$30,000 interim fix. The board asked Town Administrator Bolton to reach out to 2-Way and ask for a definition of significant savings.

3. Tennis Courts: We have 8 – 12 x 18 signs that will be ready for Friday. We will be able to get the one posted for the tennis courts so they can open Saturday for pickle ball. The others can be posted shortly after that.
4. ARPA Expenditure Categories: we currently have the AC units out to bid with an intended award date of June 6<sup>th</sup> at our meeting.
5. Asbestos Testing on 487 North Stark Highway (Barden): need to follow back up to see if the two companies went out to view in person this property and the Buzzell Hill Road property
6. River Road Bridge: was discussed earlier this evening
7. Rental Ordinance DRAFT: finalize to schedule public hearing
8. SNHPC Representative: Bruce Fillmore and Dani-Jean Stuart have volunteered to be Weare's representative. Mr. Fillmore responded first. It was suggested to have him appointed tonight and if there are two representatives, Dani-Jean could be appointed as well. Tom Clow had indicated that he and Angela Drake were both representatives, but will need to double check first. The Town is still looking for a representative for the PRLAC in place of Dick Ludders. **Selectman Burdick moved; Selectman Van seconded to appoint Bruce Fillmore as the Weare representative to the Southern NH Planning Commission for a 4 year term. Passed 4-0-0**
9. Weare Representatives Meeting: To be scheduled with the BOS for upcoming meeting

### **EXOFFICIO UPDATES:**

None since last meeting.

**BILL HERMAN**: Town Administrator Bolton stated that this past week we lost Bill Herman. Bill Herman was Weare's representative for the Solid Waste Co-Op with Director Knapp. A moment of silence should have been asked for at the beginning of the meeting, but Town Administrator Bolton asked if we could have one at this point if it was appropriate. The Board agreed and held a moment of silence in Bill's honor. Selectman Van stated that if there are any arrangements the Board should send something on behalf of the Town. The Board agreed.

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

**Gordon Brown Barn**: Selectman Burdick stated that she is in the middle of putting together the paperwork for the barn on East Road. There is no paperwork on the barn in this office. Selectman Burdick went into see the Assessing Department three weeks ago and she has nothing. She is looking for a survey. Town Administrator Bolton explained that all the properties have individual files. We only have what has been provided to us and if the property is old like this one, there may not be a lot of information. Selectman Burdick claimed that we had a book we got when we bought it and that's not there. She recalled seeing a black book with a survey in it. Town Administrator Bolton questioned if it may be at the historical society. Selectman Burdick stated that she will reach out to Gordon Brown. **Selectman Burdick moved to allow Town Administrator Bolton sign the paperwork for placing the East Street barn on the State registrar; Selectman Cahill seconded the motion. Passed 4-0-0**

**Emails regarding Clear Bags**: Selectman Van reported that we received multiple emails regarding recycling and clear bags and that the Town will get back to them after the Board has more of a discussion. Selectman Cahill will like to continue having this discussion on the agenda. He has a handout for the Board's review. Chairman Hippler has been over to visit the Hillsborough facility. Director Knapp will be meeting with Selectman Cahill to review the repairs to be done at on the building. Selectman Van stated that he doesn't want to make too many changes at once. The Board just made a major change with fee increases and stop putting furniture in the hopper. He would like to see some time with that first to see what kind of impact that has before we start making more changes. Selectman Cahill agreed and would like the Board to have a full on discussion about this. We had our first weekend on the new fees and things went well. There is no way we are going to implement the clear bag initiative next month of the following month. There's going to need to be an adequate period of time. Selectman Van stated that is IF we

implement it. He just wants to make that clear to everybody so it's not misunderstood. Selectman Burdick thinks it is going to take time.

#### **NONPUBLIC SESSION:**

**Vice Chairman Osborne moved; Selectman Van seconded to enter into nonpublic session @ 8:22 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; Selectman Burdick – yes. Passed 4-0-0**

**Chairman Hippler was phoned in for this nonpublic discussion.**

**Selectman Van moved; Selectman Burdick seconded to exit this nonpublic session @ 8:37 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**

**The board met to discuss an employee and upcoming evaluations.**

**Being there was no further business to come before the Board, Selectman Van made a motion, Selectman Burdick seconded to adjourn at 8:38 pm. Passed 5-0-0**

#### **ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

Naomi L. Bolton, Town Administrator  
From notes and YouTube Video