

**DRAFT**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
March 20, 2023**

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

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Richard Butt; Frank Campana; Eileen Meaney; Jack Meaney; Police Chief Chris Moore; Kyle Parker; Jackie Pratte; David Pratte; Tom Flaherty; Nick Fox; Jason Fiske; Jon Morton; Robert Richards; Sky Knapp; Hunter Knapp.

**CALL TO ORDER:**

Chairman Hippler called the meeting to order at 6:37 PM.

**NONPUBLIC SESSION:**

**Chairman Hippler moved; Selectman Burdick seconded to enter into nonpublic session @ 6:37 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Selectman Cahill – yes; Selectman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

The Board conducted an exit interview with a DPW employee that has resigned. The Board also met with Police Chief Moore to discuss a potential police department candidate.

**Chairman Hippler moved; Selectman Burdick seconded to exit this nonpublic session @ 6:58 p.m. A roll call vote was taken, Selectman Cahill – yes; Selectman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

**OPEN PUBLIC PORTION OF MEETING:**

Chairman Hippler called the meeting to order at 7:00 PM, followed by the pledge of allegiance.

Chairman Hippler first congratulated Salim Blume and Benji Knapp for being elected as new Selectman.

**SWEAR IN NEWLY ELECTED OFFICIALS:**

Chairman Hippler swore in Benjamin Knapp as Selectman; Salim Blume as Selectman and Eileen Meaney as Ethics Committee – two-year member.

**PUBLIC COMMENT:**

Jon Morton, resident and Town Moderator congratulated the new member of the Board of Selectmen. Mr. Morton read a prepared statement that thanked everyone for their efforts at the Town elections. He further stated that there are things the Town can improve on going forward regarding elections. The notion of postponing a town election is a very recent concept in extenuating circumstances, RSA 669:1, V, (a) speaks

to the law on how to postpone if the National Weather Service issues a weather event. Mr. Morton also read from a document from Cordell Johnston, Henniker Town Moderator dated March 20, 2023 outlining Henniker's interaction with the selectmen, town clerk and road agent before reaching out to Weare and in the end, Henniker proceeded with their elections as well.

Frank Campana, Quaker Street started by congratulating the newly elected board members. Mr. Campana took issue with the nonpublic session held on March 6<sup>th</sup> with a Town resident. He asked what the board was trying to hide. He pointed out that back before the end of 2022 the Board was going to have someone certified take care of the sewer and water for the town. That individual was not afforded a nonpublic, so why is it fair for one and not for the other.

Tom Flaherty, Sunrise Lane stated that he had heard a rumor that back in January one of the town plow trucks tipped over and lost the engine. He asked if that was true and could the Board bring it up to the taxpayer's attention at the next board meeting. He asked about getting a copy of the report.

Nick Fox, East Shore Drive again reminded the board that they are breaking the law every week, as written minutes are still missing. He indicated that several sets were sent this morning but all of November, December and January are still missing. Mr. Fox continued by asking how the Town Administrator could run for the school district treasurer when she is too busy to get the minutes done.

Kyle Parker, Old Francetown Road congratulated the new members and thanked the outgoing members. He further stated that he read that the Board might not have an inspector for the town hall bathroom renovation project. He is available and volunteered his time if the Board needs him.

Richard Butt, Old Town Road congratulated the two new members and congratulated Frank Hebert being promoted from Lieutenant to Captain. Mr. Butt asked if the Board hired a consultant for the Transfer Station. Chairman Hippler replied, no. Mr. Butt continued by stating it does not seem like an appropriate meeting for nonpublic. He stated that he is suspect of what is going on at the Transfer Station. He felt we need to lay out a plan for the Transfer Station, keep everyone informed publicly, and be transparent.

Tom Clow, Concord Stage Road stated that he would like to say something positive. Never in his tenure of 12 years as a selectman was there any devious or malicious intent with nonpublic sessions. With regard to minute taker, many years back there was a woman that attended the meetings in person and did the minutes. When she left, the town had a staff person prepare the minutes by getting it directly off YouTube. Since March of 2022, there has been no minute taker as it has been left to the Town Administrator for one of her many tasks.

The Board indicated that now with a proposed budget we would be looking at finding a minute taker to get that task away from the Town Administrator.

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

Quotes for Transfer Station Baler: Interim DPW Director Jason Fiske presented the Board with quotes for the Transfer Station baler to be repaired or replaced. The goal of this presentation is to resolve the issue they are having at the transfer station with the primary cardboard baler. The existing baler has been repaired repeatedly, now parts are hard to come by even obsolete. Both companies that came out to give estimates on the repairs informed us that it would be more cost effective to replace instead of repair. There are three possible solutions/options to this problem.

Option 1: replacing and trading in the existing baler for a brand new baler

Atlantic Recycling Equipment – Wastequip Model 6030HD - \$18,575.00

Recycling Mechanical - PTR Model 3400HD - \$15,890.00

The price can be reduced by a little as we have a forklift that can be used so there would be no need for the equipment rental of \$600 that is in the quote. Interim Director Fiske stated that he went on NH the Beautiful and filled out the grant paperwork. They will pay up to 20% of the cost and it is after the fact reimbursement.

Option 2: replacing and trading in the exiting baler for a refurbished unit  
Atlantic Recycling Equipment – Marathon V6030HD - \$11,625.00  
Recycling Mechanical – PTR 2300-3400 Hybrid - \$11,749.00

Option 3: repairing the current Selco baler, which would include custom-built parts, and rebuilding other parts. The quote is just for parts is around \$7,000 not including labor. Only one quote was received from Recycling Mechanical of New England.

As previously discussed with the Board, Interim Director Fiske is recommending that we go with a new baler. Being the parts alone are half of what a new baler costs it is not cost effective to repair the existing machine, to still have an obsolete machine. With plans to improve and rebuild the Transfer Station this new baler would be a step in the right direction towards that ultimate goal. After careful consideration and speaking with the current and past Transfer Stations employees, he would recommend the Atlantic Recycling's quote for a new Wastequip 6030HD Baler for \$18,575.00.

The Transfer Station Equipment Capital Reserve Fund had a balance of \$60,988.10. Town Administrator Bolton reminded the Board that on February 17, 2023 the Board committed \$35,000 to rebuild the compactor. A concern was raised that this purchase is over the \$15,000 amount for a CIP project. The Board stated that if you take the 20% from the total the cost is \$14,860.

**Selectman Cahill made a motion to dedicate funds to make the application for the 20% grant of \$17,975 for the Wastequip Model 6030HD with the funding to come from the Transfer Station Equipment Capital Reserve; Selectman Burdick seconded the motion. Passed 5-0-0**

Hazardous Waste Day: Interim Director Fiske stated that he was not at the meeting last week. NRRA sent over a quote for holding Hazardous Waste Day for a vendor. Town Administrator Bolton stated that the Board moved to move forward with August 26, 2023 with a price of \$9,100 - \$9,600. Selectman Knapp asked who was doing it. Interim Director Fiske replied the actual vendor is EPI and provided the Board with the quote, which includes \$2600 set up and \$31 per unit. Selectman Knapp asked if the Board was going to cap it or let it go. Chairman Hippler stated that he felt we need to cap it or shut it off at \$9,600.

Dump Truck Accident mentioned in Public Comment: Interim Director Fiske stated there was an accident in January. The truck almost rolled over, through no fault of anyone. The motor spun a bearing, threw a rod outside of the block. After the incident, they were getting the headgear off, getting it ready to go get checked out through insurance. When the motor launched they had to get insurance down to take care of that. It was quoted out and the truck is ready to go to the frame shop, body shop and over to the mechanic shop to be repaired and ready for next winter. Nobody got hurt, which is good. Selectman Cahill stated that tis the most important as accidents happen with equipment. Selectman Knapp stated the motor was probably the big part of the claim and asked if the frame was included. Interim Director Fiske replied yes everything is included. The frame is not bad; there is maybe a ½" gap between the frame and the dump body. The biggest concern at first was the way it went over, there was a tree on the tailgate and a tree on the headgear so the body was able to twist. Selectman Burdick asked if there was damage to the truck that was off the road up by Dimitri's during the snowstorm. Interim Director Fiske replied no he had a couple of trucks off the road during that storm. They had a good wind burst come in causing a white out and the driver could not see.

Interim Director Fiske wanted a big out to his crew they did a spectacular job for working 36 hours straight. There was also great communication between the Fire and Police during the storm there was a lot going on. Chairman Hippler asked what the current staffing level is now at the DPW including him. The response was 8.

Pager & Utility Pickup Update: *Pagers:* Acting Fire Chief Bob Richards stated that they have always used Motorola. A new version (not Motorola) was charged up and sent up for the chief to try it out. He did for a week and let others do the same. After talking with other Fire Departments who have gone away from Motorola, they suggested that if he was going to replace all of his pager that he really need to think about it. Acting Chief Richards got three quotes and he would like to be in the middle price. It \$13,125 for 25 pagers, that is replacing all that we have. The Board of Firewards tonight voted to go ahead with that quote. The pager would be a Motorola 6, intrinsically safe with a case and extra battery, they are \$465 apiece. **Selectman Burdick moved to expend \$13,125 for 25 Motorola units from R & R Communications with the funds to come from the Fire Department Equipment and Vehicle Special Revenue Fund, Selectman Cahill seconded the motion. Passed 4-0-1 (Chairman Hippler abstained, as he is a direct user.)**

*Utility Truck:* Acting Chief Richards stated this is a little more complicated. He contacted all three vendors from the State bid process (Chevrolet, Ford and Dodge). The Dodge dealer informed him he did not think he could even get a truck and if he could, they would not have any idea of an ETA. The quote they are looking for is a one-ton pickup single wheel with a plow. Chevrolet could provide a quote but they were not sure when they would pick up the order and if they did do not know when it would get here. All the 2023 models are gone for State bid pickups. Grappone Ford found a red F350 truck that is on the lot with the plow on it. It is not exact state bid but close. It is a 2022 brand new Ford sitting on the lot in red. Grappone did not want to get involved with the body as it is 30-40 weeks out. They would prefer that the Town deal with the body vendor directly. The Board of Firewards were comfortable all the homework has been done and did not have an issue with dealing with the body company directly. Acting Chief Richards contacted the body company and informed them he would be dealing with them directly and asked how he could secure the price today. It would take a signed contract and a deposit for that guarantee of \$26,140. The total price is \$75,935 for pickup and body together, now the upfit of the radio, decals, striping, etc. will still need to be done after. It is a 2022 Ford F350 single cab, single wheel, gas, V-plow pickup truck with a utility body to be installed later. The truck costs \$49,795 and the body costs \$26,140. **Selectman Cahill moved to authorize Acting Chief Richards to secure the Ford F350 from Grappone with a sticker price of \$49,795 along with securing the utility body from a separate vendor for \$26,140 and further to authorize Acting Chief Richards to sign contractually on both of the items with funds to come from the Fire Department Equipment and Vehicle Special Revenue Fund, Selectman Knapp seconded the motion. Passed 4-0-1 (Chairman Hippler)**

Grant Possibilities and ACO Discussion: Police Chief Moore stated that there seemed to be a confused look on some faces during public comment on a couple of topics. The Monday before elections, he did speak with the Moderator on the phone about two specific topics. First, he wanted the police department to come by periodically, no detail just on duty and second he had offered the use of the Tahoe to transport individuals who would like to vote, who couldn't get to the polls IF they were able to get to them and not tied up. He had spoken with town administrator and she agreed. Those two items were relayed to him and sent a follow-up email of those two items and no other items after that. Chief Moore stated that he did not have a conversation regarding his input delaying the election. He informed the Moderator that he would not feel comfortable offering that since that could constitute electioneering in his view. It was checked out with the AG's office indicating it would not be electioneering, but again Chief Moore stated that he would not offer an unsolicited opinion regarding postponing an election without being specifically asked.

*Central New Hampshire Special Operations Unit (SOU):* Chief Moore stated that this is something that he had added to his budget. There is going to be a meeting held later this month to see about adopting

Weare and Chief Moore was just asking if there were any concerns. The Board indicated that he was good to move forward.

*Animal Control Officer:* Chief Moore stated that he intends to move forward with this now that the department is getting stable. He is going to move forward and enforce it a staged approach meaning three levels, non-enforcement role, enforcement role and then just dog sitting. He is looking to structure pay according to specific duties. Looking around May of this year to get started but will come back with his plan. Not just a stipend but with specific hours and be on call for as well.

*Department of Justice Grant Application:* Chief Moore stated that we have grant opportunities for aid with activities related to relaxed Covid-19 restrictions. Funding is available beginning July 1, 2021 through June 30, 2023. He is looking for direction now, not final projects. First thought was a drone. A drone can be used in many ways. Every flight has to be logged, recorded and mapped as to where it went as a privacy measure. There would be more information and presentation be made later if there was interest. The one they are looking at is \$16,000. The consensus was to get more information for a presentation. Second idea was a side by side. A two seater. They get many Ferrin Pond calls. They can get it with tracks for winter. There is always a concern for taxpayer's expense. They could use the Clough Park Detail money to keep and maintain it, so it would not be a taxpayer's expense. Chairman Hippler was not in favor because we are so short staffed right now. Chief Moore stated that could be a tool to retain and attract. Officers would have the ability to be exposed to more trainings. Selectman Knapp stated that the long-term part of equipment and if it only used twice a year is it worth it. Selectman Cahill asked where it would be housed. The idea would be on an open trailer and towed with the Tahoe. The Board agreed to let a presentation be made before a decision is made.

*Generators for the Radio Upgrade:* Chief Moore thought that he could write up a grant for the generators that will be needed for the radio upgrade. The idea would be that this would free up funds for the radio project. Former Chief Vezina was going to seek funding for generators before he left. Town Administrator Bolton will check on the status of that project/memo. The Board again agreed to have Chief look into this use even for the Town Office and other buildings.

#### **BOS – SELECT COMMITTEE FOR REPRESENTATION:**

Chairman Hippler explained that there are certain committees that require exofficio (Selectman) representation.

Planning Board – 2<sup>nd</sup> & 4<sup>th</sup> Thursday – Selectman Knapp

Capital Improvements Subcommittee – August – October – AM meetings – Selectman Burdick

Parks & Recreation – 2<sup>nd</sup> Tuesday – Selectman Blume

Stone Fund – annual meeting – Chairman Hippler

Selectman Cahill stated that he had a conversation with the chair and the he would not be taking on a representation to a committee as the Town is in need of a maintenance program and he is going to focus on that and work with the department heads to come up with a list and a plan.

#### **MANIFEST:**

**Chairman Hippler moved, Selectman Cahill seconded:**

*To order the Treasurer to sign the payroll and accounts payables checks dated March 23, 2023 as included in the following manifests:*

<i>Payroll Manifest</i>	\$	77,835.15 (Weekly payroll)
<i>Accounts Payable Manifest</i>	\$	81,787.37
<i>John Stark Accounts Payable Manifest</i>	\$	250,000.00
<i>Weare School Accounts Payable Manifest</i>	\$	400,000.00
<i>Total</i>	\$	809,622.52

**Passed 5-0-0**



## **MINUTES:**

September 19, 2022: Chairman Hippler moved, Selectman Cahill seconded to approve the September 19, 2022 minutes as written. Passed 3-0-2 (Blume, Knapp)

September 26, 2022: Chairman Hippler moved, Selectman Burdick seconded to approve the September 26, 2022 minutes as written. Passed 3-0-2 (Blume, Knapp)

February 13, 2023: Chairman Hippler moved, Selectman Cahill seconded to approve the February 13, 2023 minutes as written. Passed 2-0-3 (Burdick, Blume, Knapp)

February 17, 2023: Chairman Hippler moved, Selectman Cahill seconded to approve the February 17, 2023 minutes as written. Passed 3-0-2 (Blume, Knapp)

March 6, 2023: Chairman Hippler moved, Selectman Burdick seconded to approve the March 6, 2023 minutes as written. Passed 3-0-2 (Blume, Knapp)

March 13, 2023: Chairman Hippler moved, Selectman Burdick seconded to approve the March 13, 2023 minutes as written. Passed 3-0-2 (Blume, Knapp)

## **ADMINISTRATOR'S REPORT:**

### ***General Items:***

1. Joint Loss Management Committee – On hold until the DPW & Fire Chief positions are filled
2. Radio Communication – work in progress
3. Contracts – need to finalize Forester and Custodial contracts
4. Collins Cemetery – to be worked on as time allows
5. Asbestos Testing on 487 North Stark Highway (Barden) & Buzzell Hill Road property – working on getting quotes for asbestos remediation
6. Driveway Bond Policy – work in progress (original deadline was 1/31/22)
7. River Road Bridge – work in progress
8. Rental/Hospitality Ordinance – tabled for now, will be reevaluated and resubmitted in the future
9. Cemeteries – work to be done on updating the rules and regulations; plus discussing surveying/laying out cemeteries
10. Restructure discussion for DPW vacancies – work session date needs to be picked
11. Additional GOFFER Grant Funds for possible Boat Ramp repairs – Application due 6/1/23 – these funds are first come first serve basis – up to \$100K with 25% municipal match - \$25K (email from Rep. Erf – 1/14/23)
12. Solid Waste Ordinance – In 1992 (almost 31 years ago) the Town of Weare approved a Solid Waste Ordinance. A public hearing needs to be scheduled.
13. CBA – joint meeting to discuss possible changes/clarification for new agreement
14. 706 Reservoir Drive – forwarded information to Town Counsel for opinion
15. TA & DPW Director Job Descriptions - forwarded to Town Counsel for review

### ***Building & Maintenance Projects:***

1. Town Hall List of Projects – open – Casey Rodd from Rodd Roofing Company, St. Johnsbury, VT – needs to be reached for the Stone Building and Town Hall
2. Town Hall Bathroom Renovations – contract signed
3. Library Chimney – contract signed waiting for weather to begin project
4. Riverdale Road/River Road – town has final plan, will work on moving forward to planning board and zoning board
5. Solar Project – an update for the community members working together –work session item
6. Stone Building – copper cap needs to be put back on corner of the building

7. East Road Barn – roof needs repair – panels missing, lost or slid off – Selectman Burdick replied that in speaking with Walker Roofing they said they could go down and fasten on the sheet that is slid off. Chairman Hippler stated that is fine, we just need them to be invoiced separately.

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

- Selectman Blume spoke about minutes going forward. There are still gaps and asked for confirmation from the Town Administrator what to expect. For example will tonight's minutes be able to be done within the five business days. Town Administrator Bolton replied, yes and further added that last week's meeting was done to the law, maybe late but compliant. Chairman Hippler stated rolls into a larger conversation that he has touched upon with the Town Administrator and now that the budget has passed, we need to find a minute taker. Putting the minutes on the Town Administrator is literally too much. The Board understands the legal obligation, we have missed that mark substantially but how many times has it been said tonight that Town Administrator can do that, Town Administrator can do that, which is the problem. She physically cannot do everything. The Board talked about how to incorporate the YouTube recording by time reference into the minutes to get into the times. There are tools out there for sure just need to find the right software. Selectman Blume felt it could happen but his care is very small baby steps and will these minutes be posted within five business days and the answer was yes. His suggestion immediately would be a summary and not verbatim to get us legal. Selectman Blume further asked for a deadline as to when the gaps will be finished. Town Administrator agreed to work on them diligently to get them done as soon as possible
- Selectman Burdick stated that she got phone calls from out of town residents about an issue and a comment that was made that we have hired a consultant. Chairman Hippler replied we have not. Selectman Burdick added people are saying it says he has been hired as a consultant. She said it's coming from another town.
- Chairman Hippler stated that we received a Freedom of Information request from an individual. We will reply to the resident.
- Chairman Hippler stated that the Ethics Committee is coming together. Town Administrator Bolton stated they have conducted a group email to find the best date. The kick off meeting has been scheduled for April 13<sup>th</sup>.
- Chairman Hippler stated that we have the CBA, which will be talked on the next topic.
- Chairman Hippler stated we received a letter from the departed member John Van, wishing everyone the best and thanks for the opportunity.
- Chairman Hippler stated the minute taker position would need to be taken up at a work session.
- Selectman Cahill stated that he forwarded the email that was sent to only two people, so felt the Board needed to know. It was social media posting that happened outside the Board room. Selectman Cahill felt its unbecoming behavior of a person having the authority they have, but this Board has no control over, so it was merely informational.
- Selectman Cahill stated that Moderator Morton came in tonight and read an explanation for what happened he personally accepts some responsibility for asking more questions. The Board was here at a meeting and watched the Town Clerk exit the building that night. We discussed the weather and voted not to put the employees in danger, so we closed the Town Office. Many mistakes were made. Up to these mistakes and until diving deeper into the election handbook, ask the decision rests with the moderator but the questions still. Selectman Cahill stated that a couple of things happened that day that don't fall within the guidelines, but it also states that the Moderator should accompany the ballots back to the Town Office which in the last three elections he has worked there was no moderator. Selectman Knapp stated that no one expected 36 inches and a huge decision laid in one-person hands. In his place of work, there was a conference call Sunday night with all parties, giving information from the department heads for the moderator to make his decision. Selectman Burdick stated that a few volunteers/workers for the election cancelled because of the weather. The Town Clerk stated that she could use the help but that message was not delivered or received at the right time or the Board could have asked the girls from this office to work. Chairman Hippler stated that we need to express a

heartfelt thanks to all those involved in the voting, fire department, school personnel, etc. it was greatly appreciated.

**SET WORK SESSION AGENDA:**

The following items will be discussed at the March 27, 2023 work session beginning at 6:30 PM.

- Town Administrator Job Description
- DPW Director Job Description
- Police Chief Job Description
- Police CBA and radio update
- East Road Firing Range

**Being there was no further business to come before the Board, Chairman Hippler made a motion, Selectman Blume seconded to adjourn at 9:57 PM. Passed 5-0-0**

**ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

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