

DRAFT



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
August 15, 2022**

PRESENT: KEVIN J. CAHILL, SELECTMAN; JONATHAN H. OSBORNE, VICE CHAIRMAN; SHERRY M. BURDICK, SELECTMAN (arrived at 6:55 PM); JOHN VAN LOENDERSLOOT, SELECTMAN.

ABSENT: Frederick W. Hippler, Chairman

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Robert Richards, Acting Fire Chief; Angela Drake; Donna Osborne; Police Chief Chris Moore; Nick Fox; Leah Cushman; Heleen Kurk; Sgt. Brandon Montplaisir; Tom Clow; Frank Campana; Tom Flaherty; Alexandra Miller; Leigh Bosse; Clay Kriese, Library Director.

CALL TO ORDER:

Vice Chairman Osborne called the meeting to order at 6:37 PM followed by the pledge of allegiance.

PUBLIC COMMENT: Heleen Kurk, Mt. Dearborn Road thanked the Board for allowing her the opportunity to speak on some things that are on her mind. The town has a number of open positions that haven't been filled and we're going for at least a third position with the deputy clerk resignation. Mrs. Kurk stated that she wanted to speak to that. Mrs. Kurk stated that the deputy clerk wrote a letter, which the Board received that stated that other people in the building that had been hired for a number of dollars more than she had and she wanted to be brought up to the same thing, but with the market being what it is, it certainly is hard to find qualified people for various jobs. She was offered a dollar more an hour, which in Mrs. Kurk's opinion somewhat of an insult, since it would have been three dollars and probably change more than other people were getting. The town had the deputy town clerk someone who has worked for the town for 11 years. She's been dedicated, efficient, loyal and a really good employee. Mrs. Kurk feels that the moves that the Board made, regarding the position opening, which is quite a list of things that the deputy clerk has to do, she noticed on the bottom it indicated "willing to perform other duties as required" and not sure what that means. Mrs. Kurk stated that she knows that the deputy clerk was told if she wanted to get more she needed to become welfare officer, which she felt not qualified. She is not sure what required means, does that means she leaves what she has to do in the clerk's office. Mrs. Kurk stated "remember the deputy clerk has to be as qualified as a clerk by RSA 41:36." Mrs. Kurk feels this move, where generally she appreciates the Board looking out for her tax dollar, is pennywise and pound foolish and she'd really be surprised if you're able to get somebody for less than \$20 per hour. She asked the Board to please remember what required might mean. It doesn't say here that she takes over the welfare office, but if that's what ends up being required or the tax collector's office, if that's what ends up being required, how is this a deputy town clerk. Mrs. Kurk stated that the other thing in this ad and she doesn't know other than on the town website where it's posted, you have something that's missing from it and you may not be aware of it, but a deputy town clerk has to be a resident of this town. Nowhere in the ad does it state you need to be a resident of the town and perhaps the Board might want to add that. Again Mrs. Kurk stated she

feels the Board is pennywise and pound foolish in this instance and she needed to let the Board know her opinion on that.

The second thing that Mrs. Kurk wanted to bring up is that she is kind of questioning what's happening with the town hall. She thinks it's been probably over two years that it's closed. She has had people call her, why her, she has no clue, asking her if she knows anything about the opening of the town hall because they have departments or committees or groups that would like to use the town hall. She knows from the one time that the Board allowed it open and she thanked the board for allowing the 250th anniversary of the pine tree riot that the bathrooms weren't functioning. She is not sure how long it takes to find somebody to get the bathrooms functioning. If that's the reason, if another reason is well it's going to cost us money when people use the town hall, well then restructure your financial requirements of using the town hall to cover the expenses more. Mrs. Kurk would hope that the Board bring forward on the agenda as to what the status is, so that people who would like to use it know and maybe put some pressure on the Board to make it happen.

Angela Drake, Duck Pond Road, stated that she sent a letter to about the tax map concern. They have a boundary error in the tax map, apparently it's been there since they were digitized. They have owned their property for 25 years. The property lines haven't changed in 200 years but regardless they were told that when the tax map would be renewed, which wouldn't be until April 1st because of the tax season and she's wondering when we are going to see the new tax map. Ideally it will be with corrected borders and she's hoping that it will alleviate some of the border issues that they're having on their property, where their borders aren't being respected. She hoping that she might possibly get that answer. Vice Chairman Osborne stated that it is in the map people's hands right now. They have reached out to Town Administrator Bolton and are going to let them get a hold of the Drake's, schedule a meeting upstairs with everybody and they will explain how it's done, but it's not done yet. It's being worked on. Town Administrator Bolton will reach out to the Drake's and arrange this meeting. Town Administrator Bolton stated that it has to do with the 225 year old survey with the new survey, it's not that easy to explain but the mapper is willing to come and meet to try to explain as to when you go from hand drawn to digitized that the lines don't always meet. If the Duck Pond Subdivision never was subdivided the lines would have never been changed or touched, but when you have an official meets and bounds on the ground survey to something that's 225 years old doesn't necessarily meet when it was digitized. Town Administrator Bolton stated that she is going to leave that up to someone else to explain, as this is public comment. Mrs. Drake thanked everyone and appreciates the response.

Tom Clow, Concord Stage Road, stated that he would like to follow up on what Heleen Kurk said and again emphasize that there are people who are looking to use the town hall and there's even money available to have it fixed. Mildred Hall, besides the funds that she donated that bought a lot of conservation land around the town, put aside \$50,000 in her will for work on the town hall and \$50,000 for work on Clinton Grove Academy. He believes that there is still \$20,000 available for the town hall out of that money that was willed to the town by Mildred Hall. Mr. Clow is unsure if \$20,000 will fix it, but it seems like if the deterioration in the floor doesn't go too deep, and that's a question because it is going to be hard to get bids on it because until they take it apart they're not going to know, but there is \$20,000 setting there specific to that and he's sure that Mrs. Hall intended for it to be used when the need was there and not held out or banked. He would emphasize that this is definitely a big need there. People are looking to set up and schedule events and use the town hall as they have in the past and there's at least \$20,000 sitting there specific for that purpose. He would encourage the Board to move ahead and if it's a time consideration and the Board needs somebody to do some leg work he's done it on other projects and would be willing to help out. Not to make decisions of course just to track down some people who might be interested in doing the job. He'd really like to see that go ahead and get done.

Donna Osborne, 42 East Road, stated that there was a seed planted at the last meeting about the BOS having every other meeting. It's really, really dug deep into her soul because she was board member in 2005 and

to her knowledge not one BOS has gotten a raise. She's going to set a seed herself because she feels that people don't know behind closed doors what the board really does unless you have been on the board. April there was 4 meetings. May there was 4 meetings. June there was 6 meetings. July there were 3 meetings. Ms. Osborne stated "thank god for the board because they have been going to cemeteries, digging the sites and helping the members who have lost their kin and they have been measuring out the plots". So that these people are being buried where they need to be buried. She felt it was a shame that just because the board is every other week you need to get a cut in pay. Mrs. Osborne continued that if anything, she didn't care who's sitting on this board, she thinks the board needs a raise for what you do. That is a burnout job and no one cares. She's sorry to say that, but repeated, no one cares unless you're sitting in that seat and know what you're doing. She's setting the seed now that that should not ever happen to get a cut in pay.

MEET WITH STATE REPRESENTATIVES: State Representative Leah Cushman was present. Representative Cushman thanked the Board for inviting her here. She stated that the Board was looking for a legislative update on things that affect the town, specifically town government. She is not on the municipal and county government committee, so it is not her area of expertise but she did do some research and she has a couple of bills to go over. She picked bills that have already passed. She didn't bother with bills that almost made it through or had a battle and then fell through. So this year they had:

- SB401 – this was an allocation of \$36 million for municipal bridges; \$30 million for municipal roads and \$1 million for body worn and dashboard and camera funds to use for police departments. Ms. Cushman's understanding is that every department as far as the body cameras can get up to \$30,000 for reimbursement for that equipment.
- HB1221 – this impacts the town pretty substantially. It's a one-time payment to the NH Retirement system for teachers, police and firefighters in the fiscal year 2023. They are waiting for the amounts that the Town is going to get and actually. Representative Cushman handed around a document that showed the state aid that will be coming to the town in 2023, some of them are not known yet because they don't have the numbers from 2022 yet. That one-time payment from HB1221 is going to provide 7 ½% of the employer contribution cost for those town employees. To calculate the estimated savings you just reduce what our employer contribution is by 7.5 percent. Representative Cushman added that hopefully that can be used as a one-time property tax relief.
- HB 1567 – this bill adds penalties for election official misconduct and the town can also be found liable and face fines up to \$1,000 per act of misconduct
- SB239 – states that upon completion of an audit, any financial audit within the town must be sent to the DRA with penalties of \$250 a day for non-compliance.
- SB317 – this bill reduces the interest rate for abatements of paid property taxes from 6% to 4%
- SB357 – this bill requires mental health training regarding post-traumatic stress for first responders
- HB1681 – this is the adoption of the new building codes which can be found on the department of safety website. There is a 6 month grace period. Representative Cushman thought it's November as the end of that grace period where during that time anybody who's in queue for building can still use the 2015 or 2018 codes
- SB409 – this is regarding disaster relief loans. In a state of emergency, which is a new condition that would allow it and previously it was a declared disaster and the town can apply for a zero percent interest loan from the state and the governor and executive council can sign off on it and that's for covering costs expected to be reimbursed by FEMA. Representative Cushman added that they can only be costs that FEMA would cover but something good to be aware of.
- SB418 – this one is going to significantly impact election operations. It doesn't go into effect until January 1, 2023 so it won't affect this election but this really going to protect the town from invalid voting. It allows for our verification of voter affidavits by establishing affidavit balloting. It is really important for maintaining election integrity. Representative Cushman stated that we do a great job here, but until this bill goes into effect, anyone can walk into the polling place and claim they're a resident of the district, fill out the affidavit and afterward there really isn't a penalty if they never follow up and send in the proofs that they're residents and that they're citizens. This bill remedies that by

providing that if you come to the polls on Election Day, wishing to vote but you're missing documents to prove your residency and you're registering to vote on that day. You have your photo taken, you're given an affidavit ballot and they are numbered. You have one week to provide the proofs that you didn't have with you on the day that you registered on Election Day. After one week the town clerk would then send a list of the names to the secretary of state letting them know we haven't gotten these back and they would then reference those affidavit ballots and they would deduct the votes from that ballot from the final tally. Then after two weeks the secretary of state's office will not certify those votes. Then they are referred to the attorney general's office for investigation.

- SB443 – this one provides that the building code review board shall review proposed municipal amendments to the state building code to confirm that the proposed amendments do not conflict with and are no less stringent than the state building codes and require submission of local amendments prior to enforcement. So anytime we do any amendments to that building code the town will send it in. It also requires the State Fire Marshall to review local amendments to the fire code prior to enforcement and to publish them to the state fire code.
- HB314 – relative to homestead food operations. This might be of interest for the town health officer. This bill raises the cap for exemption from licensure and inspection on operations that have a gross sale of homestead foods from \$20,000 to \$35,000 to really encourage and support local food, local economy, and small farms.
- HB 481 – this one establishes the office of the right to know ombudsman and making an appropriation therefore. They're creating it and it is in affect but it is going to take a little bit of time for them to get it going. Whenever there's a right to know issue or problem with 91A, instead of or if there is no response from the town or there's a violation, instead of a citizen having to go to superior court and petition the court with a civil suit, which costs \$280 they'll be able to go to the ombudsman and pay a small fee of \$25 and there will be efforts for remediation through that office. It's supposed to make it a smoother process and hopefully make it a little better.
- HB536 – this establishes a death benefit. It basically provides the death benefit available to police and firefighters killed in the line of duty to department of public works employees that are killed in the line of duty.
- HB1587 – this bill modifies the calculation of compensation paid in excess of the full base rate of compensation under the definition of average final compensation in the retirement system for group two persons hired before July 1st 2011 who did not vest before January 1, 2012. Ms. Cushman stated that she believes it's taking people who formerly were in group one and giving them group two retirement benefits if they were employed during that specific time. That is one of those that is complicated so if there are any further questions on that she would get Representative Erf to answer them.
- HB1021 – this bill protects in law that no zoning ordinance or site plan review regulations shall prohibit, regulate or restrict the use of land or structures primarily used for religious purposes, provided however that such land or structures may be subject to objective and definite regulations concerning the height of structures, yard sizes, lot areas, setbacks, open space and building coverage requirements, as long as those requirements are applicable regardless of the religious or non-religious nature of the use of a property and don't substantially burden religious exercise. Representative Cushman stated that currently there is a lawsuit in the Town of Bedford, there was a church that got a permit to build an addition and they were having church meetings there and there's some issue with the permitting, this bill is probably going to make the lawsuit in favor of the church because the town was putting more restrictions on them than they would on other entities.

Selectman Van asked if Representative Cushman could go over SB401 again with regard to body worn cameras and bridges were mentioned as well. Representative Cushman stated that \$36 million is the funding for municipally owned bridges and then \$30 million for roads. Each town will be getting a specified amount of that money. It is not a grant issue it is automatically being dispersed. Selectman Van asked about the \$30,000 for body worn cameras. Representative Cushman replied that it is \$30,000 per department for that equipment. Town Administrator Bolton stated that it's for an initial purchase and not

for replacements. Town Administrator Bolton asked how does somebody find out or the average person find out about these bills other than to get on the internet, for example, how would someone know that there is something going on with the food as mentioned or anything else. Town Administrator Bolton stated that she gets several hundred emails a day from the Municipal Association and other town managers but how does the average person know that there's something going on at the state house about x, y or z. Representative Cushman stated that every week generally there is a house calendar that is sent out and posted on the general court website. It's not something that you can subscribe to like the Town website it's made available publicly because it has to be under 91A. It lists all of the bills that will be heard before any committees, any study committees that are meeting for that week. Town Administrator Bolton asked if the list would indicated a short description of what a particular bill has to do with. Representative Cushman replied not typically unless you're looking at session days, sometimes those will have a small blurb about what's being heard but on committee hearings it won't, but outside groups who are focused on specific types of legislation really go. There are over 1,000 bills heard every year, so it's hard for most people. What you can do is to use the general court website and just type in a bill and you can read the bill, see who sponsored it and who co-sponsored it and their emails are right there so you can reach out and ask them what it is, etc. Representative Cushman stated that is a very good point, a lot of people don't know how to do that. Town Administrator Bolton stated she was just wondering if there was an easy way and with the elections coming up, everybody is looking for support but it's complicated for most people. Representative Cushman restated that every week they come out, so you go onto the general court website and go down to calendar and there are senate calendars and house calendars and read through them every week. Selectman Van asked if there was a newsletter that is sent out like once a month. Representative Cushman replied she didn't think so. Selectman Burdick added, so you (Representative Cushman) know what's going on because you're over there, so could the items be forwarded to Town Administrator Bolton. The purpose of questions were more for the general public to be able to get more information. The best way would be to look weekly at the house calendar for any information. Selectman Cahill mentioned that you hear about going to superior court for \$280 and now to hear its \$25 is significant to a lot of people. Representative Cushman urged anyone to go to the general court website as they just redid it last year and it is a lot more user friendly and easier to find stuff. Town Administrator Bolton asked that if there was something coming up that could be detrimental to the community how much notice is provided to be able to talk to your representatives or senators without rushing. The representatives get the calendars two weeks ahead of time so they know what bills are going to come up over the next two weeks. If there was a bill that is in a different committee that someone would like Representative Cushman to be at they can reach out to her and ask her to pop in and see what's happening that a specific bill. The NH Municipal Association was one of Representative Cushman's main resources for putting tonight's list. Selectman Van stated that something that is very near and dear to a lot of people right now especially those on a fixed income, is the rate increases for electricity and heating oil is going up substantially, is there any additional state aid coming forward. Representative Cushman stated not that she is aware of as far state aid goes, but they have insulated themselves as much as we can from inflation with a lot of the regulations that they cut in the energy sector. They took out some lines in everybody's bills in the last two years. There could be some one time funds and she is unsure if there will be any federal funds either. Right now the legislature is not in session and won't be back until January. The Board thanked Representative Cushman for coming.

DEPARTMENT/COMMITTEE ITEMS:

Library Shrubbery Discussion: Clay Kriese, Library Director stated that he is here for two issues, the lawn and then the chimney. He handed out information regarding the chimney and he has pictures regarding the landscaping on his laptop. Director Kriese is here basically for some clarification because a month ago we talked about the state of the landscaping. Things were looking bad. We mentioned several times in the conversation "we need to trim back the hedges, we need to cut out all the underbrush", it's something that needs to be done and nothing's been done since then. He feels like there is 4 levels: the mowing which has been taken care of; the second level of trimming and weeding hasn't been done; we have talked about the highway department come in and pull out the shrubs, which would be a good thing as well; lastly we talked about weeding and rebidding which can wait until next year. Director Kriese showed pictures. He's just

asking if we can at least get the second level that is the trimming and the weeding taken care of ASAP. We are going to talk about the chimney issue and that all needs to be cleaned out before any of the chimney repairs can be done. He's concerned because it's not good for the state of the building and it looks terrible. Director Kriese continued, do you need to vote to agree to pay Stockhaus to come and do this extra level of work. Town Administrator Bolton stated that she got an estimate to trim but not to weed. The estimate was to trim and cleanup the debris of the seven evergreen bushes in front of the building for the cost of \$825.00 including labor, fuel and company costs. Selectman Cahill asked Director Kriese if he had expressed the concerns to come up with the estimate or is it something he came up with. Town Administrator Bolton stated that she just sent him over to see what needed to be trimmed. Mr. Stockhaus had previous conversations with former Director Sullivan who stopped the work all together due to funds. Selectman Cahill stated so that we don't spend money and Director Kriese still feels like the need hasn't been met, he should at least take a copy of the estimate, review it and email the board to tell us whether or not it meets your current needs, outside of what is going to have to happen in front of the chimney which is all going to have to disappear. Selectman Cahill stated that he did an earlier walk around the library there's more vegetation around the building than should be there for a masonry building. It was far too close from the outset, so a considerable amount of it should just go away, like it used to be before we landscaped. We had a lawn that came to the edge of the building. We added all this glorious landscaping and now it's haunting us. Director Kriese stated that this looks good. Selectman Cahill asked him to take the list as it's pretty detailed and make sure that it includes all that needs to be trimmed. Director Kriese stated that let's go with this and if it's not sufficient then he would be willing to come back and ask for more to be done. Selectman Cahill stated that he doesn't want Director Kriese to have to come back. There are some trees that are growing very close to the building that shouldn't be there, but he doesn't describe taking those out. Director Kriese is very passionate about the looks of the building, but Selectman Cahill stated that if the list of work was not created with him he is not comfortable saying okay this is going to meet the needs. Director Kriese stated that yes it is what he is asking for tonight however there was also discussion a month ago that the highway crew was going to come in and pull up the roots and some of the shrubs. He would like that to happen as well and he understands that the highway department may be preoccupied with other duties. Again four levels of work, mowing, trim the bushes, take out the trees and roots of the shrubs and lastly the re-bedding of everything. The last level was going to take place next year but Director Kriese felt that all the other 3 levels could be done this year. Director Kriese pleaded with the Board for some action tonight and then the highway can come and get rid of the heavy wooded stuff. Selectman Cahill stated that he must have missed the meeting where the highway department is going to come take out the shrubs. Director Kriese stated that he really doesn't know but are we going to label each shrub as to what stays and what goes? Selectman Cahill stated, yes absolutely. Selectman Cahill offered to meet Director Kriese at the library tomorrow. He will bring some tape and they will walk around the perimeter of the building and create a scope of work on what shrubs are going to go and what aren't. If any are on that list we will cross them off and ask for a revision of that estimate. They will meet at the library at 10:30 AM tomorrow.

Chimney Discussion: Director Kriese stated that previously we talked the Board was leaning on going with Ryan Gagnon. Multiple emails were sent to Mr. Gagnon and after a while of not getting back with Director Kriese Mr. Gagnon eventually said he has pulled himself out of consideration. He was considerably less pricey for repairing the base of the chimney, so he went and got a third estimate. The estimates for repairing the base of the chimney are pretty much the same. He got 603 to come out – they were \$5,000; Northland – base was \$4,640; and CJR Masonry – base was \$4,800. If you are going to go on price alone we would go with Northland, however if you want to go ahead and do the re-point 603 are considerably less. 603 also gave a price for the crown and the cap of the chimney. It is their opinion that the crown is cracked and showing signs of wear and should be sealed. Director Kriese is mostly concerned about the base. He needs to just get an agreement for the funds for the base and if the Board so chooses to include the re-pointing and the crown and the cap. He would be happy with that as well. Vice Chairman Osborne stated that his concern is that at \$7,000-\$8,000 that's going to take almost 25% of our government building fund for the remainder of the year. He would like to see the whole thing put off until next year to

see if we can get more money into that government building fund. That fund covers every town building we have. He understands that there is an issue there, but he's not personally willing to spend 25% of the government building budget on one project. Director Kriese stated that \$4,640 is not 25% of the budget and this is a very important matter that cannot wait because if we keep waiting it's only going to get worse, especially when the weather changes. Selectman Cahill apologized for all Director Kriese's time he spent pursuing this but there is a new twist. The new twist is that we have taken a closer look. We want to have an engineer look at it because we cannot determine what caused it. All that cobbled brick that you see, that ornamental brick that's creating almost like that Wayne's coat around that building, there's enough pressure behind that to snap those bricks. So we have water infiltration coming from somewhere that is now eroded some of it. We have a veneer that looks gorgeous and then directly behind is where the structure is and that structure now, you can pull those bricks out with your fingers. Putting a veneer back on that does not repair the damage that's been done. There is a little more forensics to be done before we make any investment in the chimney. We may have to do something that's probably not going to be very appealing. We are probably going to have to mask that with something to prevent additional water going into this fall and winter. So we are probably not going to see that repair done this fall. Building Inspector Romeo Dubrieul went over and looked at the chimney and provided a written report which recommends an engineer to take a look at it so that we are not doing this again in two years. Selectman Cahill apologized to Director Kriese for all his time on this but the Board is looking at starting a new process on how projects so that you don't have to come back three times. Director Kriese stated that it's part of his job. The Board thanked Director Kriese.

From the audience, Nick Fox asked for a point of order, as he has a question on what was just presented. Vice Chairman Osborne responded, no. Mr. Fox asked, when that would be. Vice Chairman Osborne stated during public comment which has already been made. Mr. Fox stated that he didn't know that was going to be presented. Vice Chairman Osborne stated that if you have a question for the Director. Mr. Fox stated that he was actually at the original meeting where this discussion was presented. He asked if there are three bids being presented on the bids to remove the brush and to do the trimming. Director Kriese responded no. Mr. Fox continued and asked if there was supposed to be three bids for every job that's at the town. Director Kriese stated that we have been going with Stockhaus for years, they have been mowing the lawn. Town Administrator Bolton stated that in the contract he has the first option of extra work, additional that would be an extra cost. Mr. Fox stated that he knows the scope of what that work is and that's a lot to ask for that but we're just throwing money out without giving others the opportunity to come in and do it for half price. If we can save money why not do that. Vice Chairman Osborne responded that right now we are not doing anything at the moment until they meet tomorrow.

Police Department: Chief Moore stated that he was going to talk about old business but he wanted to just advise the board that he recently got a bill from an in-town vendor and they are adding \$55 for a fuel surcharge. He did call them and they did end up taking it off, however in speaking to Town Administrator Bolton he is going to take the lead on this and put out service agreements to try to get plumber, electrician, handyman and stuff like that. They can do all town work and they'll agree to an hourly rate and then identify these surcharges because literally it was 5 miles for \$55, 3 times - \$55 for each time.

Police Range at Transfer Station: About a month ago Chief Moore brought up the range comments, questions, and concerns on the Board's end. If it's approved, they need about 60 days to order the signs, the flags and stuff like that to get it operational because they do have to fall shoot before snow starts falling. Vice Chairman Osborne asked what the Board's pleasure was. Selectman Van asked if DPW Director Knapp has weighed in on this. Chief Moore replied, yes. He spoke with Director Knapp who made a good suggestion on where to put a flag on the entrance. They would have a sign there which would alert the public, which the Board has seen the procedures to alert the public. Preferably they would do it on days that the DPW is closed, so they could close the gate behind them and be back there on their own. Director Knapp offered to do a whole lot more than what they needed, but it's pretty much as they needed. He was going to put a little more dirt on the back left side because they only need 20 feet on that side. He

was more than willing to help out. If he can push a little more dirt up that would be good and keep it simple. Selectman Van stated just for clarification this is not open to the public it is just for the police department use. Chief Moore stated that is correct. It is located on the north east corner, as you drive down the road past the sand pile. Town Administrator Bolton reminded the Board that they have talked about not making decisions without the DPW director being present. She further added that it is certainly not a distrust of the chief it's a decision the board made during previous conversations. Selectman Cahill asked Chief Moore if he would wait for a week. Chief Moore stated absolutely no big rush. They are just trying to beat the snow. The fall shoot is usually done in Novemberish after daylight savings time so they can get to the range earlier. Selectman Van asked from approval how long would it take for the range to be able to go live. Chief Moore stated that he is anticipating about 60 days. Chief Moore stated that he will make it work. The board tabled this until the next meeting and invite the DPW director.

Chief Moore stated that he is not sure if this falls under a board item or if it falls under his purview with the CBA. As the Board is aware they just had the incident on Mountain Road. One thing that he was going to propose is an adjustment to the CBA. Under Article 2.2d Chief Moore is going to re-title executive officer Lieutenant Hebert from lieutenant to Captain and there's a reason for that. The action provides outside law enforcement agencies with easier recognition of authority and level accountability entrusted to him being in the Weare Police Department. When they had the scene on Mountain Road they had State Police there. They had Dunbarton on the way. They had New Boston and they had Goffstown. Obviously people recognize what's on the shoulder, on the collar. It says in the CBA that this retitling is not a promotion and no monetary incentive is included in its adoption. Chief Moore stated that all he is doing is changing this badge title. They don't have to change any uniforms because they wear generic badges. He would just have to buy two new metal badges. If the Board was good with that, Chief Moore stated that he will make that happen or where it is a CBA item and all he is doing is changing his title from lieutenant to captain in all the places in the CBA. Sgt. Montplaisir stated that this position would remain in the CBA just changing the title name. Vice Chairman Osborne stated that it should be done during the negotiations this year, which is his personal feeling. Town Administrator Bolton stated that we will be starting shortly going to get available dates and who is going to be on it the team tonight. Chief Moore stated that he is not sure when more incidents are coming and he was not going to push it, but since they just had an incident it's kind of relevant to this. Selectman Van stated that he hopes it's going to be a while from now. Chief Moore agrees but you never know. Chief Moore added that they thought it was going to be a very routine situation and Sgt. Montplaisir did a phenomenal job out there. Good proactive measures which resolved that very peacefully, without anyone getting hurt. Selectman Van agrees with Vice Chairman Osborne and this can be handled during the CBA negotiations.

Radio Infrastructure: Chief Moore brought the upgrades for Two-Way to the Board at the last meeting with an invoice for \$7,228.47 for five voter sites which the Board approved. He had an earlier version. It was 6 voter sites with an actual total of \$8,494.16, so he has the updated version now. The prior approved invoice was not processed because the Finance Administrator knew it was the wrong one. It is the same thing just 6 voter sites not 5. **Selectman Van moved that he rescind his previous approval for \$7,228.47 for Two-Way and go with the new update the correct proposal, proposal #47978 for \$8,494.16 for 6 voter site modules for the police department radio system with the funds to come from the \$30,000 that was encumbered under the 2021 budget, Selectman Cahill seconded the motion. Passed 4-0-0. Selectman Van moved to authorize the Vice Chairman to sign the proposal for Two-Way, Selectman Cahill seconded the motion. Passed 3-0-1 (Vice Chairman Osborne).**

Vice Chairman Osborne stated that before we go much further on this radio stuff, he knows there is a letter of intent somewhere to sign but other than that he doesn't want to bring anything up or discuss anything until the rest of the board is here. Sgt. Montplaisir stated that he would like to speak on behalf of the union for that matter because this is a public safety issue. Vice Chairman Osborne stated that he understands it's a public safety but he doesn't want to do it until a full board is here. Sgt. Montplaisir stated that when there are gunshots and guys cannot. Vice Chairman Osborne interrupted and stated that he's sorry. It's his

personal opinion and the rest of the Board can speak if they want to. Selectman Van stated that given the fact that Chairman Hippler and he are arguably more versed in this than some of the other board members, he would feel a lot more comfortable if he was here for any of this discussion. The radio discussion specifically. Sgt. Montplaisir stated that this information has been pushed out already and is unsettling for the union that we are not even getting an opportunity to present information tonight. The next board meeting is another 30 days away. This has to do with life and safety because they brought it up in 2014 it is now 2022 and they are in the same situation; when gunshots are happening and they have a sergeant calling dispatch asking what's going on and dispatch says I don't know because they cannot hear us; which happened on Mountain Road. Chief Moore added that they did not have radio or phone communication. Selectman Burdick asked Town Administrator Bolton if the Board could have a meeting next week. Selectman Cahill stated of course, that's not Town Administrator Bolton's call it is the Board's call. Selectman Cahill stated that he mentioned this walking in that he didn't see this on the agenda. Is this being presented as a union? Chief Moore stated that he had emailed Town Administrator Bolton indicating that they were going to be talking about this. Vice Chairman Osborne stated let's try for a meeting next week to discuss this only. Selectman Van stated to Sgt. Montplaisir, "respectfully this issue has been going on an awful long time but we have made leaps and bounds of improvements and the proper steps". Selectman Van understands the frustration, maybe not the implications exactly the officers were put in and he stated he was sorry he was put in that situation but he doesn't feel comfortable moving forward with this discussion without Selectman Hippler here. Because of the dollar value of this there really should be a full board present for this and the Board will make every reasonable effort to make sure we have a full board available and can meet next week. Chief Moore wanted the Board to understand the ramifications of this, the Two-Way representative Mr. Bartlett stated that he might be able to get Motorola to extend their quote which expired yesterday. If we wait the cost may go up again. Vice Chairman Osborne stated that it is his understanding that there is two companies out there that can provide this equipment. Chief Moore stated that Motorola is a soul source. Vice Chairman Osborne continued by stating that's not he was told by Chairman Hippler. Chief Moore replied does the Board want to start back from ground zero. Vice Chairman Osborne stated that we'll have a meeting next week. Selectman Cahill asked Sgt. Montplaisir and Chief Moore to hold on one second. He asked Sgt. Montplaisir to take a deep breath and asked the Board to pick a couple of dates that work for next week. Sgt. Montplaisir stated that this is a priority so whenever the Board says they will be here. The Board selected next Tuesday, August 23rd at 6:30 PM. The Board signed the letter of intent that will be going to the tower owners expressing the Town's intent of being added to the towers and to confirm if there will be reoccurring costs or not. Sgt. Montplaisir asked to speak on the letter of intent and co-application for two sites with Pyramid Network Services. It's a dual process. They need a letter of intent to show that the Town is serious on what they want to do. Generally there is an application fee, they don't know. Historically Mr. Bartlett has seen the tower owners waive the application process to allow for communications to figure out what it's going to look like, if it feasible and everything else. There's no guarantee. Even with the letter of intent the Town needs to submit the co-location application that will show them the drawings and the equipment that they are planning on putting on the tower and everything else. They need to submit an application to get any communication. Sgt. Montplaisir asked for authorization tonight at a minimum to send in the application and see if there is a bill. Bill Bartlett from Two-Way put it in his initial quote for the number of \$680,000. That was built into that. Sgt. Montplaisir suggested that \$30,000 was allocated from last year's money. He doesn't think that we will touch the \$30,000 for the band-aid project and he strongly suggested not using all \$30,000 for a band-aid project because he thinks we are on the right path and getting the comparators up and running for the voter sites. If there is an application fee that he would suggest using the encumbered money being used? Selectman Van asked if we know the price. Town Administrator Bolton stated that the last time that the Fire Department looked at it the application fee was around \$5,000. Sgt. Montplaisir stated the only thing they added was the tenant and applicant, the rest of the application was done by Mr. Bartlett. Selectman Van asked if we can table this part until the meeting next Tuesday. Selectman Cahill again told Sgt. Montplaisir to take a deep breath and asked if there is any other way around it. Sgt. Montplaisir stated that this was provided a week ago to Town Administrator Bolton for the purpose of talking because this is what is holding them back. He added that they just saved the town potentially \$260,000 by thinking outside

the box, checking different avenues to try to find out the needs of the police department for their safety, the needs of the community and the fiscal responsibility. He continued by stating that every day that we wait the town is spending more and more money because that quote for the equipment expired yesterday. We are talking about \$290,000. Selectman Cahill stated that just for clarification, until we know what those recurring fees are going to be. There may be savings for the costs up front but if those reoccurring fees they could eat that up real quick on us. How the radios work Selectman Cahill stated is out of his skill set but depending on what these recurring charges are, that is really what's going to make this decision as the end of the day. Sgt. Montplaisir stated that he didn't disagree but the only way to find out those fees are to through the application process. Town Administrator Bolton stated that Sgt. Montplaisir sent this packaged yesterday to all Board members as well. Several Board members didn't get the Sunday email for some reason. Selectman Van asked Sgt. Montplaisir to talk about the emergency management grant but there seems to be a lapse in a document. Chief Moore stated that they met with the FEMA coordinator and to be eligible for grants there's two things that we as a town have to accomplish. It's typically accomplished under our emergency management director. Every five years the local emergency operation plan has to be updated. The hazard mitigation plan was updated in 2018 but the local emergency operation plan hasn't been updated since 2007, so we are seriously out of compliance. The town is eligible for a grant to get that updated up to \$4,500, 50/50 match. She would look at several vendors to facilitate getting that up to date. Once the document is updated the town would be eligible under that grant for generators for the tower sites. Town Administrator Bolton asked if this would cross over with what the Board already did. The Board gave the Fire Chief the green light to go do something for generators. Selectman Van asked Acting Chief Richards who was present if he was following up on that. Acting Chief Richards stated that he has a sticky note on the calendar with a contact name and the word generators. Selectman Van stated that it would be essentially starting over again. Town Administrator Bolton stated that she didn't want to see another department to apply for the same grant and look foolish for doing that. The Board thanked both Chief Moore and Sgt. Montplaisir.

Fire Department: Town Administrator Bolton stated that the last time the Board met there was an application for Mark Roarick to be a forest fire warden. The Board signed the application and gave it to Acting Chief Richards. Acting Chief Richards stated that the official date for moving to Capital Area is September 27th. Selectman Van stated that in watching the Board of Firewards meeting there was a concern that was made by Chief Gilbert had made regarding the tones. Does the Fire Department have to reprogram all the tones? Acting Chief Richards stated that they are going to have to reprogram everything. The problem was that when they push Weare's tones, they were opening another towns pagers and at certain times it would open Concord Central Fire Stations radios. Acting Chief Richards has worked with R & R. He gave them 10 pairs of tones and they are going to work on figuring out which one doesn't affect Concord or Capital Area.

MANIFEST:

Vice Chairman Osborne moved, Selectman Van seconded **to order the Treasurer to sign the payroll and accounts payables checks dated August 18, 2022 as included in the following manifests:**

Payroll Manifest	\$ 72,230.39 <i>(Weekly payroll)</i>
Accounts Payable Manifest	\$ 107,029.21
Supplemental Accounts Payable Manifest	\$ 15,230.37
John Stark School Manifest	\$ 800,000.00
Weare School District Manifest	\$ 1,250,000.00
TOTAL:	\$ 2,244,489.97

The following manifests were previously ordered to sign at the August 1, 2022 Board of Selectmen meeting:

Payroll Manifest
Accounts Payable Manifest

\$ 72,635.24 (Weekly dated 08/11/22)
\$ 46,846.20 (Checks dated 08/11/22)

IF there is no Selectmen meeting scheduled for Monday, August 22, August 29, September 5 and September 12, 2022

Please vote:

To order the Treasurer to sign payrolls checks dated August 25, September 1, September 8, and September 15, 2022 estimated to be about \$320,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$360,000.00 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:

July 27, 2022 Site Walk Minutes: Vice Chairman Osborne moved, Selectman Burdick seconded to approve the July 27, 2022 site walk minutes as written. Vote: 3-0-1 (Selectman Van)

July 27, 2022 Minutes: Selectman Van moved, Selectman Cahill seconded to approve the July 27, 2022 minutes as written. Vote: 4-0-0

August 1, 2022 Minutes: Selectman Van moved, Vice Chairman Osborne seconded to approve the August 1, 2022 minutes as written. Vote: 4-0-0

ADMINISTRATOR'S REPORT:

Building Improvements, Maintenance and Repairs, Procedural Guidelines: Town Administrator Bolton stated that earlier tonight Selectman Cahill mentioned some new guidelines that are being developed so all projects are treated the same. The guidelines follow the purchasing policy. It is something that all department heads will be given to follow with any town building project. This would alleviate going back and forth. Selectman Cahill stated that the only thing he would add is to make boxes that could be checked, so 9 boxes need to be added. The only thing it doesn't talk about is, we don't make mention of vendors. Some project are materials only. For instance if the DPW was going to do a project they would still follow this for the materials, all 9 boxes would need to be checked, even though the labor would be done by the employees. Vendors need to be added someplace on this draft. Selectman Cahill suggested adding "and vendors" on the second sentence after the word bidders. So the sentence would read: "A minimum of three bidders and vendors is preferred." Selectman Van stated that he would like to see either quotes or estimates be there versus bidders. Town Administrator Bolton stated this is meant for a larger project. If you look at the purchasing policy there are dollar amounts that require different levels of authorized purchases. Three quotes or estimates are required for costs of \$2,501 to \$5,000. Selectman Van stated he would like to see the words as Selectman Cahill suggested added and talk about it next week.

1. Rental Ordinance: 2nd public hearing – Town Administrator Bolton stated that with the schedule of going back to school and after school activities trying to get into the school for a second public hearing will be difficult. The second public hearing was going to be held with Town counsel present. The Board agreed to check with Town counsel for a September date and advertise as it was done before.
2. Weare Representatives Meeting: invited to Monday, August 15th meeting. Thank you to Representative Leah Cushman for the update.

3. Cemeteries – working on an update to the rules and regulations; plus RFP for surveying cemeteries. Selectman Cahill expressed interest in coming to meet with Town Administrator Bolton with someone from the NH Cemetery Association. The RFP in Amherst was a cloud based software system. Selectman Burdick stated that she had heard of issues in town where people have bought a lot and she would like to see somewhere in the deed that it goes in sequence. Town Administrator Bolton responded that what you can do is to put all the names of people allowed to be buried in that lot.
4. CBA Negotiating Team: Town Administrator Bolton stated that we need to pick a Selectman or two to sit with Town Counsel and Town Administrator Bolton. Selectman Van stated that it be best that with his contacts with the Police Department he would prefer not to be on the team. Vice Chairman Osborne suggested that Selectman Cahill would be a good candidate due to his prior work experience. Selectman Cahill stated that if they can go with the end of October. Last year it was recalled to be Wednesday afternoon from 3-5 PM. Town Administrator Bolton will check with Town Counsel for his availability and work it out with the Police Department once verified.

EXOFFICIO UPDATES:

None since last meeting.

CORRESPONDENCE/OTHER BUSINESS:

MS9 Report from Trustees of Trust Funds: Selectman Van stated that the Board got a copy of the latest MS-9 report dated ending 7/31/2022. He is looking for some information on a few of the accounts.

#290032 – Bridge Construction

#290033 – Cemetery Construction

#290061 – Chase Park Improvement

#290062 – Recreational Development and Improvement

He would like to go back and find the language that created those articles. He's curious as to the purpose when they were created. He was questioning because he drives by the East Weare Fire Station and he noticed that there are headstones that are starting to topple over. He is wondering what the process to get those fixed is. Is that on us? Is it on the owner of the site or the family? Or is it a town issue that needs to be addressed. Town Administrator Bolton stated that she will have to reach out and ask. Selectman Van stated that if it comes out of the Town we need to go around and make sure we get them fixed out of respect to those there. Selectman Burdick stated that in the center there are a lot there they are running over them with the lawn mower. Selectman Van stated that Parks and Recreation are thinking about going to CIP and to the Board about the possibility of opening up a revolving fund for Chase Park. Selectman Van asked for the revolving funds as well. It was sent to Mr. Butt and then forwarded to the Board.

Letter from resident regarding plastics: Town Administrator Bolton stated that she received a letter from a resident inquiring about when the town might consider starting to recycle the plastics. The Board suggested that it get sent over to DPW Director to handle it.

Vandalism at newly finished Tennis Courts: The Board received an email and pictures showing the recent vandalism. It's very unfortunate that there is vandalism already on the newly resurfaced tennis courts. The board discussed how the town could protect ourselves and at the same time keep it open for town residents. The idea of cameras were discussed. The rules of the tennis courts are posted. Everyone was kept off it to cure and now we have vandalism.

Vice Chairman Osborne stated that he would like to bring up something that has been bothering him since a couple of days. An email was shared and there was one sentence where Selectman Van authorized the police to gather information on behalf of the Town. As one board member no decisions can be made or authorizations made. Selectman Van stated that he respects Vice Chairman's Osborne's opinion but disagrees in this instance.

Being there was no further business to come before the Board, Selectman Van made a motion, Selectman Burdick seconded to adjourn at 8:39 pm. Passed 4-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton, Town Administrator

From notes and YouTube Video