

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
September 19, 2022

PRESENT: KEVIN J. CAHILL, SELECTMAN; JONATHAN H. OSBORNE, VICE CHAIRMAN; FREDERICK W. HIPPLER, CHAIRMAN; SHERRY M. BURDICK, SELECTMAN; JOHN VAN LOENDERSLOOT, SELECTMAN (arrived at 7 PM).

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Gina Green; Clay Kriese, Library Director; Frank Campana; Police Chief Chris Moore; Jon Morton, Moderator; Tom Carr, Meridian Land Services; Rick Kaiser; Mike Colburn.

CALL TO ORDER:

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

NONPUBLIC SESSION:

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

Vice Chairman Osborne moved; Selectman Burdick seconded to exit this nonpublic session @ 6:57 p.m. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Selectman Burdick – yes. Passed 3-0-0

The Board conducted second interviews for the Deputy Town Clerk position.

OPEN PUBLIC PORTION OF MEETING:

Vice Chairman Osborne called the meeting to order at 7 PM, followed by the pledge of allegiance.

PUBLIC COMMENT:

Frank Campana, Quaker Street, stated that he had a couple of things, same subject, which is the resignation of another town employee, the deputy town clerk. Mr. Campana stated that he did not want to be misunderstood and he is not coming to anyone's defense. His comment is to the Board and how they handle situations. Back in March of 2021 there were nominations made to the Conservation Commission and the Planning Board. A motion was made for Neal Kurk, full member of the Planning Board and there was no second. The conservation commission chair recommended the nomination as she was a good member, but again a motion was made but no second. Mr. Campana feels this was done biasedly because of certain positions that those two people took that differed from the Board and the finance committee and that is why there was no nomination. In regards to the deputy town clerk, Mr. Campana understand that pay was an issue and a previous resident has addressed it so it is repetitious. Mr. Campana referred to the non-union pay scale that is used for the pool of raise money in the separate warrant article for town

employees. Mr. Campana went through some hourly rates. The reason he is combining the issues and it is his opinion only, but he is not sure if there is a vendetta out there on the part of the board and administration against certain people. In regards to the deputy town clerk, she has been here for quite a long time. He's sees what she has done over the 10-11 years especially in regards to helping the town clerk especially election days. Mr. Campana stated that it strikes him that the board and other people in town government, if you do not like somebody for some reason then they are out and he thinks it is a sad commentary for the board. In his opinion, the board seems to be quick to treat people whether they are volunteers or in this case, an employee and just throw them out the door like yesterday's trash. Mr. Campana stated, "I won't even say you should be ashamed of yourself because I don't know if you know the definition of the word."

Chairman Hippler returned to the meeting at 7:06 PM

DEPARTMENT HEAD/COMMITTEE ITEMS:

Award Assessing Bid: Town Administrator Bolton stated that an RFP was put out for General Assessing and Data Verification for a term of January 1, 2023 thru December 31, 2027. The Town received one bid from the current company that does the Town's assessing. Other companies were reached out to but no replies. The proposed is \$99,252 annually and the current is \$88,032 annually, which is approximately around an \$11,000 increase each year for the next 5 years. That is based on one day a month because two days a month would add an additional \$15,000 per year. In speaking with Avitar, they are extremely happy with our current staffing and felt that one day a month would work except in 2026 when our next re-evaluation is here. It represents a 10% increase. **Vice Chairman Osborne moved, Selectman Burdick seconded to accept the bid from Avitar Associates for our assessing and data verification for a five-year contract totaling \$496,260 to be paid in yearly installments of \$99,252. Passed 5-0-0**

Library Shrub Discussion: Clay Kriese, Library Director showed the Board a quick video of what the conditions are at the library. Chairman Hippler with the video what is the most recent request from Stockhaus Enterprises. The first estimate was \$900 and the discussion was to get the price down. The newly revised estimate is to trim the four evergreen bushes in front of the building facing East Road. Director Kriese would like to add the bushes on the parking lot end pruned as well. The original \$1,900 estimate included the seeding and loaming and the board did not approve that one. He is back here again pleading for the Board to please trim the shrubs like you said you would back in July. Chairman Hippler stated that he personally would like to see all the shrubs removed from the parking lot side as well as the four shrubs facing East Road trimmed. Selectman Van stated this is a short-term repair. Selectman Cahill stated that vegetation against buildings are good it holds moisture, but a couple of the shrubs would be fine. Selectman Burdick stated that she brought this up a few years ago. The shrubs needs to be trimmed back so that it is not against the building. A couple feet back away from the building would be best to create some airflow. **Selectman Van moved, Selectman Cahill seconded to accept the estimate from Stockhaus Enterprises for \$600 for trimming of the four evergreen bushes on the East Road side of the library with the funds coming from the operating budget building maintenance line. Passed 4-1(Osborne)-0**

Library Chimney Issue: Town Administrator Bolton got three lift rentals to be able to take a thorough look at the chimney. Gina Green, Library Trustee was present with a couple of questions. We are renting a lift to cover the chimney and what is to prevent further damage? Chairman Hippler stated that we are renting the lift just to do the inspection to get estimates. Ms. Green asked what happened to the previous quotes that Director Kreise got. Selectman Cahill stated that with the building inspector, they took a second look because the estimates were to repair what is damaged, but we need to know what is causing the damage. The water seems to be infiltrating water down and ice developed behind the veneer and popped it off. Therefore, this inspection needs to be performed so that we can try to find out the issue and fix it correctly. There will be a temporary structure to save the bottom of the chimney for the winter. Ms. Green asked what the difference is between the historical society and the library regarding maintenance. She wonders

why the library looks like a ghetto and the historical society looks prestigious. Selectman Burdick stated that because they have done a lot of work. Ms. Green asked if that was more personal, people's time, etc. Selectman Burdick replied that the roof was leaking in 2008 and an article went to town meeting to put on a new roof. All of the inside work was paid for by the historical society. All the shrubs were removed from the outside of the historical society at one time. Director Kreise asked who does all the barrels. Town Administrator Bolton stated that the flowers were done through a Rotary Grant from Goffstown. The entire town was responsible for removing the dead heads on the plan and watering them. Selectman Cahill stated that he has reached out to DPW to see if they had anything for the lift, as the intended use will only take a few hours. Director Kriese is going to have a repairperson take care of the flu from the hearth this week. **Selectman Van moved, Selectman Burdick seconded to go with Eastpoint Rentals for the rental of a man lift for a period of 8 hours for the sum of \$452.50, to include delivery and the funds to come from the operating budget with the date to be selected by the building inspector and Selectman Cahill. Passed 5-0-0**

POLICE DEPARTMENT DISCUSSIONS:

24/7 Coverage: Chief Moore stated that seeing we are going into the budget season he was seeing if there was interest in him proposing a warrant article for 24/7 coverage. He was looking to get input from the community. He can set up a survey using Survey Monkey. A post card would be sent to every resident with a code that would get him or her into the Survey Monkey for \$660, which he has, in his recruiting budget. Chief Moore stated that what that would look like is a postcard saying what the proposed warrant articles would look like for the next 3 years. It would be the initial hire of two officers plus the vehicle going into the budget because with that many people he would absolutely have to have a car every year. If that was adopted it would give the community is 24/7 coverage Wednesday through Saturday and hire an additional officer in years 2 & 3 at which point they would be 24/7 coverage permanently. Chairman Hippler stated that he would like to get a pulse from the CIP subcommittee to see what is being proposed for all departments.

Firearms Range: Chief Moore stated that he asked DPW Director Knapp to send an email saying that he agreed with the conversation the Chief portrayed to the Board. That email was not received. Chairman Hippler remembered there was not a hard NO from Primex but there was a list of concerns/suggestions they had. Chief Moore stated that was for the citizen's range. Chairman Hippler added, regardless do we have that list in hand. Chief Moore stated according to Primex they would never do anything like that because they do not build ranges and that came from their head attorney, which he has in writing. One of the concerns was that the height of the backstop needed to be increased. Selectman Van asked the board for their feeling on reinstating the range for Police Department use. Chairman Hippler stated personally as long as it is an off day for the Transfer Station he would be in favor of it. Chief Moore replied an off day would increase overtime. Wednesday's is when they shoot so they do not have to pay anyone overtime. He indicated that they would provide public notice as well. Chairman Hippler stated that he still felt it would be in the best interest to shoot when the transfer station is closed. He added that it does not matter how much public notice, how many red flags get raised and put the sign at the end of the road there will be a guarantee somebody is going to be dropping their rubbish in there and hear a pop and be scared. We just want to avoid all that as much as we can. Selectman Cahill feels the same as Chairman Hippler as they will ignore the signs and have children. The Board asked how many times a year does the department shoot. Chief Moore stated twice, a full day in the spring and the evening shoot is a half a day in the fall.

Radio Maintenance: Chief Moore stated that he did get a quote from Bill at Two-Way Communications for maintenance. He provided all the information on prior year's expenses in Chairman Hippler's box. He did post his assessment online so anybody who wanted to review it to review it. Two-Way's assessment was that even though the Board wanted something included for Mine Hill, due to the age it is not going to be cost efficient. His rates if he had to ever make repairs vary for the radio network infrastructure it would be \$125 if something was to break. After hours, emergency calls would be \$187.50 with a 4-hour minimum. Holiday emergency calls would be \$250.00 per hour with a 4-hour minimum however, we can

get an enhanced response plan for \$130 month, which guarantees the 4-hour response window and weighs any minimums. Two-way charges one-way for mileage where the current agreement charges both ways. With R&R when we call him, he fixes stuff but there is no ongoing standard. The suggestion was to end that agreement and save our money to make any repairs when necessary. Selectman Van stated that he would like to table this until after the October 3rd meeting. Selectman Van asked Sgt. Montplaisir what the status of the additional 7-9 voter cards that we ordered for Mine Hill to get it back on line. Chief Moore will check into this and get back to the board.

E-Ticket Grant: Chief Moore stated that the NH Office of Highway Safety has an equipment grant that would allow them to upgrade their Dodge computers MDT's to be compliant with e-ticket. This would reduce department costs long term because they mail accident reports and tickets. They would save \$2-\$4 weekly. The grant provides printer, paper, mountings and adapter kits to their current system. The grant amount would be \$3,520.00 plus shipping of \$78.36 making the total \$4,298.36 and the town would have to contribute 25%, which is \$778.00, and Chief Moore states he has in his budget. They have to advance the funds and as soon as we send them proof of purchase, the Town is reimbursed. The installation is covered under the \$778.00 that we pay. Selectman Van asked if this could be transferred to a new vehicle. Chief Moore replied yes. Selectman Burdick asked for the deadline. Chief Moore stated that he could not apply before October 1st, so he will scan the application and send it to all Board members to review. Selectman Van asked if this is a grant application or is this an automatic yes. Chief Moore replied that is it an equipment grant application.

Chairman Hippler stated that before we move on, at the June 20, 2022 meeting an agreement for DWI/DUI and other stuff was presented to the Board. It came with a reoccurring fee where the minutes indicate it was a 100% paid for grant, whereas it is truly an 80/20. Chief Moore stated that it is a match so that anytime he spends on the phone talking to them is our contribution. Officer Volaro submitting the paperwork is a contribution. It is an in-kind match to make up their contribution and they did that.

Everett Dam Winter Patrol: Chief Moore has a Winter Patrol Agreement for the Everett Dam area that would go from October 1, 2022 to March 30, 2023. This is where the officers go to the dam do 1-15 minute patrol when they are available Friday through Sunday between the hours of noon and 8 PM. They can do 78 patrols maximum during those weekends during that time period. If they do that, they would earn a maximum of \$927.03, which goes into the revolving account, or detail account Chief Moore was unsure but could ask Finance Administrator Beth Rouse. This all ties into what he is waiting on an answer from Naomi Butterfield, Attorney as to what our fund was set up to do compared to what Chief would like it to do and see if those match and if not he would have to propose another warrant article for a change. Chairman Hippler stated that he would like to know where the funds go. Chief Moore stated that once they finish the summer detail and this winter one they will have about \$20,000 in there. **Selectman Van moved, Selectman Burdick seconded to allow Chief Moore to sign the Everett Dam Winter Patrol Agreement with the expectation that the funds are to go into the same account that the summer agreement did. Passed 5-0-0.** Chairman Hippler asked Chief Moore to still forward a copy of this agreement to the Board.

APPROVE AFTER THE FACT PERMIT: Romeo Dubreuil, Building Inspector could not be here tonight. Town Administrator Bolton stated that this was handed around previously. Town Counsel is fine, but this Board has to adopt it. Selectman Burdick asked if this was for the emergency. Town Administrator Bolton stated not so much the emergency but for those that do not want comply and wait for a permit. Chairman Hippler stated that the after the fact permit is 2 times the permit fee, why? Selectman Cahill stated that he felt it was a motivator. Chairman Hippler stated that it seems like a harsh money grab to him, especially if you have someone that may not be up to speed with the process. Selectman Van stated he thought it was a penalty. He asked if there is a justification for the increased labor costs or is there increased labor costs for an after the fact inspection to the town. Selectman Van added to that is penalty fee essentially. Selectman Cahill stated it could be just a motivator so that people act first. Chairman Hippler stated that if we had a full time building inspector he might be in favor of that but where do not,

he is not in favor of doubling the fee because of the schedule. Selectman Van pointed out that if he is not available that would be one thing, but he does not want to see the Town stop business or repairs from occurring. Chairman Hippler stated that he would like the Board to take that two times the fee off. Selectman Van stated that maybe we leave it on there but put in something that allows an appeal to the Board of Selectmen at which time the applicant would have to justify why. Selectman Van likes the two times the permit fee as it keeps the honest people honest, but if you put in a stipulation that an appeal can be made to the Board of Selectman, the Board is then giving Mr. or Mrs. Homeowner, that had to do the emergency repair on a Saturday because their pipes froze or their furnace blew up. Town Administrator Bolton stated that it is not for the emergency repairs. It is for the addition that is already up and occupied. This has happened before. The homeowner did some renovations, now wants to sell, but the bank provide the new owners lending without having the renovations signed off on by the Town. The Town then goes out to inspect and there are code violations and it gets messy. It is that type of things that the building inspector is trying to prevent. Selectman Cahill stated that he thinks we just amend it and add a clause not applicable for emergency repairs. Chairman Hippler stated that he is not, not in favor of it but we would have to define emergency repairs. Selectman Cahill agreed that Selectman Van's suggestion brings the people into the equation as mentioned so if someone feels that they were done an injustice they can come and see the Board. Town Administrator Bolton asked if the building inspector would be required to be present for each appeal to the Board, as that would be cutting into his hours here during the day. The Board would like town counsel to review it and ask for an option of an administrative appeal to the Selectman and see where that goes.

HIGHLAND FARM & FOREST – LAKEVIEW DRIVE: Rick Kaiser stated that he is here presenting Highland Farm & Forest. He is here tonight in the final step of the flow chart. It is the flow chart from Town Counsel that was made in a checklist form. This checklist is an outline of the process to navigate through the building permit plan. Mr. Kaiser was here to give the Board an overview of what they have accomplished by going through this. This started on June 23rd and if you read through the checklist, it indicates that it is a 30-day compliancy for the application process. He is speaking to line 2 of the checklist. Mr. Kaiser stated that basically, what he is trying to say it the Town is obviously past 30 days and he is trying to walk the Board through the process. Selectman Cahill stated that back in last February, Mr. Kaiser should have gone to the building department and asked for a building permit for the two lots he is looking to develop. If the building permits were on lots on a Class V road then the building department has 30 days to process the building permit, but where these lots were on a Private Road then you go to #3, which takes you to the Zoning Board of Adjustment. Mr. Kaiser did go to the Zoning Board and was approved and the Board acknowledged. Selectman Cahill continued, so Mr. Kaiser will need a copy of the approval from the Zoning Board, not tonight, so that box is checked and you move to #4. Item #4 is the Planning Board. Mr. Kaiser stated that the first time they went to the Planning Board was July 14th. Town Administrator Bolton clarified that #4 asked about 17.1.1 AND do you have frontage shown on a plan that was approved by the Planning Board. The checklist needs to have an AND between #3 and #4, as there is an AND on the flow chart. #5 asks for approval from the Selectmen AFTER review and comment from the Planning Board and Conservation Commission. Mr. Kaiser than asked to reiterate the flow as discussed. Step #1 starts with the Building Inspector; then plans were changed and he moved them on. There is nowhere on the checklist that indicates that they have moved on because the Building Inspector is not a Board, so that is why the checklist was created because Mr. Kaiser indicated that he couldn't get answers as to how this flowed. Mr. Kaiser continued, they went to the Conservation Commission first on the 13th of July. The only issue they had was a stamp that was missing on a plan, which Tom Carr took care of it and they moved onto the Planning Board on July 15th. They said they wanted to do a site walk before they make any suggestions. The Planning Board told him to go to the Selectmen's meeting on the 18th. The Selectmen agreed that there should be a site walk; one was scheduled for July 27th. Mr. Kaiser is asking for approval tonight to be able to get to the Building Inspector. Selectman Cahill admitted that they are getting to the finish line and the 30-day timeframe has to do with the building permit only not any other process, there is no time limit. Chairman Hippler stated that even if this Board gives Mr. Kaiser a check mark to move forward to the Building Inspector but a building permit could not be issued until

information from the Planning Board and Conservation to be able to issue a permit. Selectman Cahill asked Mr. Kaiser if he has completed the ZBA conditions. Mr. Kaiser stated that he passed those over to Mr. Carr. Selectman Van read the March 1st ZBA conditions as part of the approval for this project. The Liability and Disclaimer Form needs to be filled out, signed and filed at the Hillsborough County Registry of Deeds. Mr. Kaiser stated that the Building Inspector told him that the driveway condition, #4 is part of the building permit process. The Board disagreed and it specifically states DPW director. Selectman Van, in the essence of time and to move on, he suggested that a joint meeting with the Selectmen, Planning Board and Conservation Commission on an off night as a quick way to put this to bed. Mr. Kaiser wanted to state to Selectman Cahill, why is the Conservation Commission back in the picture. Selectman Van stated that because there was no meeting agenda posted by the Conservation Commission that would have allowed any and all people to come, so that needs to be corrected. Tom Carr stated that he would not suggest a joint meeting he has items to address with the Conservation Commission and then come back to the Selectmen to get it done. Planning Board only needs to get the Selectmen the minutes. Tom Carr stated that he has a final set of plans and a report to bring forward to Conservation Commission. He is waiting for the okay from the attorney to put wording into the report to make it complete. Selectman Cahill wanted to state that he spoke at a planning board meeting and he made an assumption, which was a wrong assumption, some of which was driven by frustration. Selectman Cahill told Tom Carr that he owed him a personal apology for the assumption because he was as frustrated and mentioned Mr. Carr by name and he apologized. There was a discussion about a complaint from a neighbor that was called "Harris Complaint" and it appears after lots of discussion Mr. Carr agreed and that it will be addressed directly with the final plans. The Board agreed and asked Town Administrator Bolton to see about getting a quorum for September 26th.

MANIFEST:

Chairman Hippler moved, Vice Chairman Osborne seconded to order the Treasurer to sign the payroll and accounts payables checks dated September 22, 2022 as included in the following manifests:

Payroll Manifest	\$	71,039.38 (<i>Weekly payroll</i>)
Accounts Payable Manifest	\$	34,889.91
John Stark School Manifest	\$	500,000.00
Weare School District Manifest	\$	500,000.00

TOTAL: \$ 1,105,929.29

The following manifests were previously ordered to sign at the August 15, 2022 Board of Selectmen meeting:

<i>Payroll Manifest</i>	\$	<i>72,635.24 (Weekly dated 09/01/22)</i>
<i>Accounts Payable Manifest</i>	\$	<i>173,012.31 (Checks dated 09/01/22)</i>
<i>Payroll Manifest</i>	\$	<i>70,734.83 (Weekly dated 09/08/22)</i>
<i>Accounts Payable Manifest</i>	\$	<i>62,822.94 (Checks dated 09/08/22)</i>
<i>Payroll Manifest</i>	\$	<i>74,353.95 (Weekly dated 09/15/22)</i>
<i>Accounts Payable Manifest</i>	\$	<i>22,651.46 (Checks dated 09/15/22)</i>

Passed: 5-0-0

MINUTES: tabled

ADMINISTRATOR'S REPORT:

General Items:

1. Joint Loss Management Committee – next meeting: Tuesday, September 27th @ 9:30 AM

2. Radio Communication – work in progress
3. Next Monday's Meeting – 9/26 public hearings for Transfer Station Fees

Building & Maintenance Projects:

1. Solar Project – the time is now! Working on putting together an advisory board with the intent of creating this on Town owned property. Updated details will be given as we move forward.

CORRESPONDENCE/OTHER BUSINESS: None

NONPUBLIC SESSION:

Chairman Hippler moved; Selectman Van seconded to enter into nonpublic session @ 9:40 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes; Selectman Van - yes. Passed 5-0-0

Chairman Hippler moved; Selectman Van seconded to exit this nonpublic session @ 9:50 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

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

Selectman Van moved; Chairman Hippler seconded to enter into nonpublic session @ 9:51 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes; Selectman Burdick – yes; Selectman Van - yes. Passed 5-0-0

Chairman Hippler moved; Selectman Van seconded to exit this nonpublic session @ 10:08 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

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

Being there was no further business to come before the Board, Selectman Van made a motion, Chairman Hippler seconded to adjourn at 10:10 pm. Passed 5-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton, Town Administrator

From notes and YouTube Video