

DRAFT



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
December 19, 2022**

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

ABSENT: Selectman Sherry Burdick and Selectman John Van Loendersloot

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Laura Spector-Morgan, Attorney; Bruce Fillmore; Erick Kuck; Janice Mathews; Tom Clow; Robert Richards; Heleen Kurk; Tony Sawyer; John Nikias; Jackie Pratte; David Pratte; Nick Fox; Alec Graziano; Bob Wilber

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

NONPUBLIC SESSION:

Chairman Hippler moved; Vice Chairman Osborne seconded to enter into nonpublic session @ 6:30 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. Passed 3-0-0

Chairman Hippler moved; Vice Chairman Osborne seconded to exit this nonpublic session @ 6:46 p.m. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes. Passed 3-0-0

The Board met with Police Chief Chris Moore to interview a potential full time police officer for hire. The officer will be sworn in a later meeting with family present.

Chairman Hippler moved; Vice Chairman Osborne seconded to enter into nonpublic session @ 6:46 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. Passed 3-0-0

Chairman Hippler moved; Vice Chairman Osborne seconded to exit this nonpublic session @ 7:00 p.m. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Osborne – yes; Chairman Hippler – yes. Passed 3-0-0

Chairman Hippler moved; Selectman Cahill seconded to seal and restrict these nonpublic session minutes. Passed 3-0-0

Chairman Hippler welcomed everyone at 7:03 PM and announced that we have two board members out this evening and he is under the weather. We are here only for the public hearing. There will be no public

comment, administrators report or other business. Just the public hearing and then adjourning. Chairman Hippler led everyone present in the pledge of allegiance.

PUBLIC HEARING: Second of two (2) public hearing to hear public testimony and comment on the Town Administrator's contract.

Neal Kurk, Mt. Dearborn Road asked if the Town Administrator gets extra pay for doing extra duties, like the tax collector or other jobs. Chairman Hippler replied, no. Mr. Kurk inquired if there was a provision for the contract to be extended another year. The Board replied it is the intent this is a three-year contract. As he understood this as well, there is no increases throughout the three-year contract, correct? The Board replied, that is correct. Mr. Kurk did some research thru the local government center and provided some high and low numbers for communities with a Town Administrator. He felt that if the \$120,000 was the final salary, he suggested the following: 2023 - \$113,112; 2024 - \$116,505 and 2025 - \$120,000. Mr. Kurk then asked if the Board is planning to hire a replacement tax collector, a replacement secretary to the Town Administrator during the three-year term of this contract, or is it the intention that Naomi will continue to fill these positions. The Board replied, they do intend to fill the positions although it may be a hybrid of sorts. The non-appropriation paragraph, Mr. Kurk was unsure if it was legal or not.

Tom Flaherty, Sunrise Lane stated that Mr. Kurk asked many of his questions. The salary seems high but what struck him the most is the 20% increase right off the first year. There are about 7-8 openings in the state and on the high average it is \$105,000. He is unsure of the years of experience these other people have. He knows Naomi has many years. He felt it was very generous being that the State average is around \$95,000.

Eldon Townes, 111 Huntington Hill Road felt that it was quite a jump in pay. His concern is the team around her if we get those position filled. When you start getting that far apart in pay, how her teammates will feel. He gets nervous about retaining help for the Town Administrator, but does not want it to get that far away from her compensation. He agrees with Mr. Kurk and steps would be good. He questions the timing of all of this with the new budget season, warrant articles, etc.

Tom Clow, Concord Stage Road questioned in discussing Naomi's new salary were you taking into account the vacancies to make up this difference. Chairman Hippler stated we want to hire enough staff to run the building. The Town will be looking for a secretary, now titled as Administrative Assistant. Selectman Cahill stated that Town Administrator Bolton has implemented a new hybrid method of cross training new hires to be able to do just one position. There will no longer be one title for one position. They will be working in many aspects. Mr. Clow stated that if you consider the number of roles that Naomi has done, she is the most cross-trained person in this building. Naomi is your indispensable employee and he supports the contract.

Brent Dickinson, Del's Way, stated that some of his concerns have already been echoed here tonight. Mr. Dickinson stated that Naomi does a great job and would not want anyone to be paid for their worth. 20% is pretty healthy and asked if her job description going to be re-written before the contract is signed. His concern is that if you pay \$120,000 for doing XY & Z, but Naomi is doing 10 times more the job description should reflect it. Chairman Hippler stated that is a valid point and will need to be done. If we do not precedent will be set and we end up filling the position for the long dollar. He wanted to also touch on what Eldon Townes said earlier with the difference of pay, people are not going to stick around if that happens. The school is having that issue now.

Richard Butt, Old Town Road he along with Tom Clow had the privilege of hiring Naomi. She has worked her way up and he was a big promoter of doing that. He is proud of the decision that was made. He is not questioning the cost, but more the process of how we got to this number. Chairman Hippler stated that we took information from other towns, vacant positions, filled positions, longevity, etc. Mr. Butt asked if the

contract amount is going into the default. Chairman Hippler replied no it is not in the default. We will need to have Town Counsel review the paragraph in question. Mr. Butt stated that whether a contract is verbal or written those amounts are being paid, are they going to be in default. Town Administrator Bolton stated that five years ago when this contract was negotiated then, there was a lawsuit filed by Mr. Kurk and we learned that these amounts could not be in the default number. Mr. Butt asked about performance reviews. How many reviews have been given to the Police Chief and Town Administrator? The response was none.

Eileen Meaney, Quaker Street pointed to Town Administrator Bolton and explained that you are incredible. During the last 5 years, how many vacancies has the Town of Weare had that Naomi has filled. Chairman Hippler replied 3-4. Ms. Meaney asked how much that value in dollar amounts would be. Naomi is asking for 20% increase, which is \$60,000 over 3 years. She is not even recouping a tenth of the money that the town did not spend filling positions. She is not asking to be made whole in the 5-year look back. Over the past few years, she has probably been working 80 hours a week. She feels that Naomi is underselling herself, based on how much she has saved the town by filling all the open positions. There are very few positions that Naomi has not filled, obviously not police, fire and public works for sure. The ability to cross train any individual coming in is invaluable. She deserves this contract and a lot more.

Frank Campana, Quaker Street stated that he would like to back track from the first public hearing. He asked if Naomi is include in the pay raise. The reply was no. Mr. Campana stated that the last paragraph was poorly written and needs to be looked at again. It appears to be all muddled up, it should be cleaned up to clearly state there will be no raise during this contract. Selectman Cahill stated that this is a negotiated contract and the result you are seeing was not the initial ask there was negotiations.

Nick Fox, East Shore Drive asked for a copy of the cities used for comps. He said it took him about 20 minutes to look at comps near us, and it was nowhere near this number. He felt this number is extremely high. The national average is \$80K; Massachusetts is \$84K; New York is \$81K. How in the world did we arrive at this? He asked why the Town Administrator is being paid more than the Police Chief is. He puts his life on the line and is paid \$99,000. Mr. Fox wanted the Police Chief's annual review to be posted for all to see. The Town Administrator's last review was about four years ago. Mr. Fox asked for this to be tabled and then got upset and became aggressive with his remarks. Enough so that an audience member asked him not to make it personal. Mr. Fox turned and replied, "It is personal". He sent numerous emails to the Town Administrator and she has not replied to him. He continued asking questions about minutes and that being her job for posting them. He stated that she is not responding to emails, replying to letters and posting minutes, yet you are asking the Town to approve \$120,000. Again, a resident from the crowd stated, "Speak for yourself". Selectman Cahill tried to explain about the minutes but Mr. Fox indicated that is great but does not fix the issue per RSA. Mr. Fox then asked why this public hearing was not emailed to everyone. Town Administrator Bolton tried to explain why it was put in the newspaper versus town website. Chairman Hippler cut off the discussion. Mr. Fox asked why you cut it off because you do not like the questions. Mr. Fox asserts that it makes him want to think the Town is hiding something. Public hearings are supposed to be sent out via email. He again urged the Board to table this because 3/4's of the town doesn't know about it.

Jack Dearborn, Gould Road stated that this is simple; this is a fixed price for a variable workload. He is very well aware of this because he sits on two other boards that Naomi works with. He further added that everyone says this is a terrible time of year to give this raise, but no matter when; it is always a bad time. He is on social security and in 2020, it was a 1.6% increase; 2021 was 5.9% increase and 2022 was 8.7% increase. She is not asking for a cost of living increase. Mr. Dearborn stated that he appreciates all of the people who spoke up regarding Naomi's execution of her job and today going forward we have two of the largest departments with vacancies going forward. Whom will the administration part fall onto? Naomi. This locks in the price so he would urge the Board to go forward with this. He felt that we have the right

person for the job and you can always find someone cheaper, but Naomi pretty much runs a bare bones operation.

Richard Butt, Old Town Road stated that this is not an issue with Naomi. She has done an excellent job through the years and will continue to do that. Her heart is in Weare, she is not a carpetbagger who just moved into Town looking for some money. One hundred and twenty thousand, that is up to the Board to determine but she should not be put in a position tonight to defend herself. The Board should have been in a position to stay what was done to get to this point. It should have been done at beginning and when it has to be drawn out, it gets confrontational. If this is the number that is going to keep her here, then go ahead after the technical issues are addressed.

Chairman Hippler closed the public hearing at 8:03 PM.

MANIFEST:

Chairman Hippler moved, Selectman Cahill seconded to order the Treasurer to sign the payroll and accounts payable checks dated December 22, 2022 as included in the following manifests:

Payroll Manifest	\$	68,371.15 <i>(Weekly payroll)</i>
Accounts Payable Manifest	\$	16,759.55
County Tax Payment	\$	1,131,705.00
John Stark School District Manifest	\$	250,000.00
Weare School District Manifest	\$	300,000.00
TOTAL:	\$	1,766,835.70

The following manifests were previously ordered to sign at the December 5, 2022 Board of Selectmen meeting:

<i>Payroll Manifest</i>	<i>\$</i>	<i>63,158.07</i> <i>(Weekly dated 12/15/22)</i>
<i>Supplemental Payroll Manifest</i>	<i>\$</i>	<i>3,010.89</i> <i>(Payout & Forest Fire checks dated 12/15/22)</i>
<i>Accounts Payable Manifest</i>	<i>\$</i>	<i>135, 629.81</i> <i>(Checks dated 12/15/22)</i>

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As there is no Selectmen meeting for Monday, December 26, 2022,

Please vote:

To order the Treasurer to sign payroll checks dated December 29, 2022 estimated to be about \$80,000.00. Furthermore, to order the Treasurer to sign up to the amount of \$90,000.00 for accounts payables that cannot wait until the next scheduled meeting. Reports and actual check amounts will be reported to the Board of Selectmen by inclusion on the Manifest Memo at the next scheduled meeting.

Passed 3-0-0

TRANSFER STATION HOLIDAY HOURS: Chairman Hippler stated that the consensus of the Board is that the Transfer Station will be OPEN Saturday, December 24th (Christmas Eve) from 7:30 AM – 12:30 PM. On Thursday, December 29th the transfer station is closed to the public but workers who are usually there will be off for the other half of the Christmas Day Holiday. The Board also apologized for the

inconvenience of last week having to close the transfer station because the compactor cannot run without power.

Being there was no further business to come before the Board, Chairman Hippler made a motion, Vice Chairman Osborne seconded to adjourn at 8:50 pm. Passed 3-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton, Town Administrator