

DRAFT



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
April 17, 2023**

PRESENT: BENJAMIN D. KNAPP, VICE CHAIRMAN; FREDERICK W. HIPPLER, CHAIRMAN; SALIM BLUME, SELECTMAN; SHERRY M. BURDICK, SELECTMAN.

ABSENT: Kevin J. Cahill, Selectman

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Police Chief Chris Moore; Jason Fiske, Interim DPW Director; Kyle Parker; Frank Campana; JaNeen Lentsch; Richard Butt; Malcolm Wright; Tom Flaherty; Frank Baker; Jackie Pratte; David Pratte; Andy Fulton; Mike Camacho; Marc Phillips; Steve Najjar; Sgt. Ryan Frisbie.

Chairman Hippler called the meeting to order at 6:34 PM.

NONPUBLIC SESSION:

Chairman Hippler moved; Selectman Burdick seconded to enter into nonpublic session @ 6:34 p.m. pursuant to the authority granted in RSA 91-A: 3II (b). A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Police Chief Chris Moore introduced a potential candidate for a new full-time police officer. He is currently a certified officer for the City of Concord, NH. He graduated with Officer Averill. He is looking to come to Weare for a change. This move to Weare will mean a cut in pay, but he wanted to transfer to a more family-oriented department like Weare. The Board agreed to move forward with the hiring and swearing in for May 1st.

Interim DPW Director Jason Fiske met with the Board and explained the two potential candidates for hiring did not get their paperwork completed and would like to have them interviewed next week. The Board agreed.

Chairman Hippler moved; Selectman Blume seconded to exit this nonpublic session @ 6:51 PM. A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Chairman Hippler moved; Selectman Burdick seconded to enter into nonpublic session @ 6:52 p.m. pursuant to the authority granted in RSA 91-A: 3II (a & c). A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

Interim DPW Director Fiske met with the Board to discuss the distribution of on-call bonuses for the DPW workers that stayed and worked all winter. This was Director Fiske's first time so asked for clarification. Interim DPW Director Fiske informed the Board that he received another resignation from Hobart Kiblin and asked if the Board would like to schedule an exit interview. The Board expressed their desire to have exit interviews with employees that resign. Town Administrator Bolton will schedule.

Chairman Hippler moved; Selectman Blume seconded to exit this nonpublic session @ 7:04 PM. A roll call vote was taken, Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 4-0-0

OPEN PUBLIC PORTION OF THE MEETING:

Chairman Hippler called the meeting to order at 7:06 PM. Chairman Hippler stated that we began this evening with two nonpublic sessions. The first at 6:34 PM was to interview a potential full-time Police Officer candidate and at 6:51 PM a meeting with the Interim DPW Director Fiske to be informed of a recent resignation as well as to inquire on how to distribute the on-call bonuses. He then asked all present to join in the pledge of allegiance.

PUBLIC COMMENT:

Kyle Parker, Old Francestown Road stated that he had the opportunity to listen to the meeting on February 6th and April 6th regarding a property 706 Reservoir Drive which was brought up at both meetings by Mr. Cahill. This appeared to be the action of one board member but since at the last meeting it was mentioned that the town attorney was contacted, he thought he should show up. Mr. Parker continued, he expressed his concern regarding his perceived non-permitted and non-inspected electrical work at that property. Mr. Cahill asserted that it was keeping him up over the safety of an infant in the home because of overload on the electrical system. Mr. Parker pointed out that he and his wife had purchased that property at auction three years ago. Sold it two years ago. Several curious discrepancies existed in Mr. Cahill's assertions. What failed to be mentioned at those meetings was that that property was owned by Mr. Cahill's wife's grandmother and after Mr. Parker got the house on the auction, Mr. Cahill expressed his complete displeasure to him about his sister who wanted to buy the house back didn't get that house and that he would be keeping close watch on Mr. Parker with regard to what he was doing on the house. Also not mentioned, while Mr. Parker was curious that only the electrical was noticed, there's a current edition that was put on since the new homeowner bought that house. There's no permit for that addition. Mr. Parker stated that he is not here to cause the new homeowner grief, he's just here to point out that curiosity in all this. Mr. Parker stated that he is here to say that the inquiry into this is not only unfounded but it stinks of malice and malfeasance on Mr. Cahill's part. Certainly a simple phone call to Mr. Parker could have averted all of this. It was also mentioned that the town attorney was contacted and Mr. Parker would suggest that if it's going to be pursued that maybe the Board look into getting the New York City, DA that is prosecuting Trump because this is the sort of case that this would be. Mr. Parker stated that he looks forward to seeing where the Board takes this because it will determine the action that he will be taking.

Frank Campana, Quaker Street, stated that his comment centers around the Board's last meeting, a work session and Sgt. Montplaisir's change of the use of the grant from the Attorney General's office was previously supposed to be used for a drone and UTV, so the change is for a command car. He watched the meeting that night and again on YouTube on and off and there are a few points he would like to bring out. Sgt. Montplaisir asked for the change to a command car. Almost immediately Sgt. Montplaisir stated that it may not need public hearing, not really a controversial subject. Mr. Campana's impression of that was that Sgt. Montplaisir was telling the Board that you don't need a public hearing as an attempt to eliminate public input from the process. The Board rightfully had agreed to a public hearing for the drone and UTV. Sgt. Frisbie spoke indicating it would be the Chief's primary drive for the people to pass on it would be irrational. Mr. Campana continued, make no mistake that this vehicle is used as the Chief's personal ride. Mr. Campana then referenced the 2020 deliberative session minutes where it indicated that the second vehicle would be used to replace the Chief's vehicle for his transportation. There was also discussion and

a question asked by a Board member last week about the longevity of the car. Sgt. Montplaisir replied 10 years. Again, in the 2020 deliberative session, Chief Moore stated that the life would be for 5-6 years and then it would rotate down to an ACO vehicle, which we already have. Sgt. Montplaisir was right with 10 years, but the Chief indicated in 5-6 years he wants another new car, where will it end folks. Selectman Cahill made a comment that it would be the Chief's primary drive 97% of the time. Sgt. Frisbie stated that the opportunity to replace the oldest vehicle in the fleet. Sgt. Montplaisir stated try to get a new vehicle that can be reliable right now, have two marked vehicles for service. A rational person would question that with only two marked patrol vehicles in service why wouldn't the Police Chief and the Board of Selectmen request grant money to be used to purchase another front-line vehicle. Is the priority to give the Chief a new ride or to provide a service to the public. Mr. Campana stated that he would suggest the Board. Chairman Hippler stated that the five minutes were up.

Richard Butt, Old Town Road stated that he has similar concerns regarding the vehicle. Mr. Butt asked if the grant is still in process. Chairman Hippler replied, we haven't heard any update from the last time. He is more concerned about the patrol vehicles and the age of the vehicles. There is no question it is an aged fleet over there. Mr. Butt's priority would be a patrol vehicle not a new vehicle for the Police Chief. It wouldn't bother Mr. Butt if the Chief is driving an Explorer with 250,000 miles and is late for work but certainly would bother him if a patrol officer trying to get to a scene in one of the Chargers broke down. If there is an option to take that grant money and use it for a patrol vehicle, he would urge the Board to move in that direction.

DEPARTMENT HEAD/COMMITTEE ITEMS:

Reappoint Member of Zoning Board: Malcolm Wright stated that he wants to continue to serve as he believes in volunteering and giving back to the community. This is Mr. Wright's third term, so at the conclusion it will be a total of nine years. **Chairman Hippler moved; Selectman Burdick seconded to reappoint Malcolm Wright for a full member to the Zoning Board of Adjustment for a 3-year term. Passed 4-0-0**

Discuss staffing, fee update and hauler licenses: Frank Baker, Sr. Transfer Station Attendant was present. He stated that a lot of the prices have changed and a lot of the tanks that they weren't able to get rid of now we can. The acetylene tanks, oxygen tanks, and polypropylene tanks, basically any tank that we have we can now get rid of through the Coop. The Coop now is even going to do the electronics. There is no longer a charge for mercury items. They take the batteries now and charge us \$0.20. Mr. Baker presented the Board with proposed changes to the fee schedule. Tractor tires and backhoe tires can now be taken for \$60.00/per tire. Air conditioners, dehumidifiers, refrigerators, etc. are dropping from \$12/unit to \$8/unit. Dry cell batteries (solar or car) will be \$1/pound; Fire extinguishers will be \$5/each and the tanks previously talked about will be \$3/each. The paper is now a cost to haul away where it used to be no charge. The Board explained that these changes will need to have a public hearing before it is final. The public hearing will be scheduled for May 15th. Selectman Burdick asked about Styrofoam. Mr. Baker stated that he would investigate it. Selectman Burdick asked about plastic. Mr. Baker stated that the Coop talked about plastics being done again. There are no black plastic and 5-gallon pales. Mr. Baker stated that he will also need to get staff before adding the plastics.

Parks & Recreation: JaNeen Lentsch, Chairman of the Parks and Recreation was present. She had multiple items to bring the Board up to date on.

- *Chase Park hours as follows:*

Dates	Beach Hours	Boat Ramp Hours	
May 27 – May 29	9 AM – 8 PM	9 AM – 7:30 PM	Weekend only
June 3 – June 4	9 AM – 8 PM	9 AM – 7:30 PM	Weekend only
June 10 – June 11	9 AM – 8 PM	9 AM – 7:30 PM	Weekend only
June 17 – June 18	9 AM – 8 PM	9 AM – 7:30 PM	Weekend only
June 24 – August 27	9 AM – 8 PM	9 AM – 7:30 PM	7 days a week

Fall hours will be posted in August.

Hours are weather permitting and subject to change without advance notice at the discretion of the Parks and Recreation Commission (PARC). Board agreed this was fine to post.

- *Chase Park Fee Schedule:* PARC discussed and suggested increasing a few of the fees.

Resident Daily and Season Pass:

- Parking:
Increasing the per car amount for the season from \$10 to \$20
Increasing the additional car price for the season from \$2 to \$5
- Boat Ramp:
Increasing the per jet ski/boat for the season from \$20 to \$30

Non-Residents Daily:

- Parking Access was \$40 per car – proposing \$5 per person all ages (birth & up) – no re-entry

The rest of the fee schedule did not change. Chief Moore highly recommended increasing the fees on holidays for parking or like \$50 per car.

The Board stated that a public hearing will need to be held for the Chase Park fee changes. It will be scheduled on May 15, 2023.

- *Tennis Courts* will be opening for the year on Saturday, April 22.
- They have a volunteer that has offered to fix the playground equipment and get the sun shades up at Bolton Field.
- All the fields are all set and ready to use per Stockhaus Enterprises and they have a new irrigation company for the fields.
- *Gate at Bolton Field entrance:* They have one estimate, have been promised a second and no reply from a third company. Once quotes received will return for Board approval to award. Selectman Blume asked Chief Moore if during the routine patrol, could they be the ones to swing by and open and close the gate. Chief Moore stated that they could but keep in mind that calls for service take priority. PARC will bring the quotes back when received.
- There is an anonymous contractor that has offered to fix the benches at the Gazebo and roof on the buildings at Ineson. The Board stated that we need a certificate of insurance and the scope of work being done before the work starts. Depending on the cost, under \$5,000 can be done at a regular meeting but over \$5,000 must be done at a public hearing. PARC will bring it back to the Board.
- *Boat Ramp:* Interim DPW Director Fiske presented the Board with a proposal for the repairs of the Boat Ramp at Chase Park. The proposal was basically a proposal of what DPW would do to help. The proposed work will be done in the fall, after the water level is at a workable height and pavement plants are still open. The total cost for the repairs (materials only) is around \$3,000 but may go up or down depending on the cost of asphalt. It will take about two weeks to complete. A suggestion was made that PARC get a few volunteers or employees to get into the water with shovels and rakes to take care of the drop off at the end of the boat ramp launch. Mainly taking the sand bar that has been formed by power loading boats and raking it back into the hole. Interim Director Fiske also suggested putting up signs that basically indicate that power loading is prohibited. Selectman Burdick suggested adding a damage fee. The lease of the park expires in 2039. Interim DPW Director stated that this repair should last quite a while. There is a piece of wood in the water at Chase Park, but in further looking at it, it is part of the embankment holding back the sand.
- *Bolton Field:* PARC would like to have DPW replace the boulders and fix the drainage/runoff issues on the roadways going down into the parking lots.

Public Works Grant Application for Baler: Interim DPW Director Fiske passed the Board an email indicating that they will make a decision on May 4th regarding the application for grant money for the baler.

POLICE CHIEF:

Changing Lieutenant to Captain: Chief Moore stated that Lieutenant Hebert was retitled Captain Hebert. There were no additions to his position, description or responsibilities. No increase in pay or benefits. The change was ICS based. His primary duty in an incident would be to run the staging area and rank recognition comes into play with that.

Comments from Mr. Butt regarding the Concord Monitor Article: Chief Moore stated that he reviewed the Concord Article that Mr. Butt spoke of on April 3rd. It was a good article about retention and stuff. There is a little bit of confusion to clear up. Four positions for 24/7 coverage, they have 2 vacancies which makes 6, and two people looking to go that makes 8, which is where that came from. The editor had all the information correct but just didn't combine them correctly.

Auction Items: Chief Moore stated that it was mentioned back in October when the State was doing the fall auction. They have 14-15 of their old Glock pistols that need to go. They can either go to the State auction for May 20th or his recommendation, which is what other towns do, they use a Federal Firearms Licensed Dealer who will give us book value on the firearms, cut a check to the town which goes into the general fund. The Board agreed that they want to do it correctly, so transferring to a firearms licensed dealer is the route the Board wants to go.

Summer Dam Patrols: Chief Moore handed around a copy of the contract looking for approval. The contract is with the US Army Corp of Engineers in the amount of \$9,854.55. Typically, they do between \$6,000-\$7,000 worth of patrols. Two patrols a day, each one is 30 minutes during the summer. Chairman Hippler stated that this is a re-occurring contract. The contract runs from July 1st – September 30th. **Selectman Burdick moved; Selectman Blume seconded to authorize Chief Moore to sign the contract with the US Army Corp of Engineers, New England Division for the summer patrolling of Clough State Park in the amount of \$9,854.55. Passed 4-0-0**

Line-of-Sight Testing for Remote Site Mounting locations and proposed East Station: Chief Moore stated that the State of NH is not going to be able to do the testing as they had hoped. The testing would be for a line of sight at the proposed heights and if that doesn't work, they may have to raise it. Chief Moore handed around the quote from 2-Way Communications in the amount of \$9,020.00. The Board asked Chief Moore to include in this testing the opportunity to raise the height, if need be, to see what would work. The Board didn't want to have another test for \$9,000 when they are already out there. **Chairman Hippler moved that the Board approve proposal 48912 with 2-Way Communications for line-of-sight testing for remote site mounting locations and proposed East Station for the total of \$9,020.00 to come out of the ARPA funds; Selectman Blume seconded the motion. Passed 4-0-0**

Police Department Vehicles/Fleet Discussion: Chief Moore stated that this handout/information he provided to the Board is online. Chief Moore stated that in regard to tonight's comments the grant limits are for a command vehicle particularly they can not go for a patrol vehicle because it has to be tied into COVID which is where they are using ICS to tie it in that is why it's a command vehicle. They can and will look for other grants for patrol vehicles. Chief Moore stated that regarding previous comments:

- The Chief uses it 97 percent of the time – Chief Moore stated that did not come from him there is no statistical data behind that. They have been down to one or two car since February 16th due to transmission, engine and vehicle accident issues. Car 1 has pretty much been at the disposal of the department as he has been taking his personal vehicle back and forth. The Chief offered to track the use of his personal vehicle, put in for mileage so that the Board can be able to track that.

The list the Chief provided is basically an overview of the vehicles. They have five patrol vehicles. The information on the list goes back to February when he could put his hands on all the vehicles. There are two command vehicles that up fit for ICS. The second handout is the fleet management proposal going up to 2030. Ideally if the department doesn't run into any life situations a patrol vehicle would last 6 years, a command vehicle would last 12 years. Due to the status of the current fleet Chief Moore states we are

going to have these issues for the next couple of years because they haven't been replaced in a timely manner. They need one car a year and they haven't been able to get that. They are going to do the best they can but the Dodge's are old and do not hold up well. There were questions as to why the department went with Tahoe's. Chief Moore stated that there is a couple of additional information point he had. The Tahoe is built on a truck platform rather than a car platform, both the Dodge and Ford are car platforms, which means the Tahoe is going to have increased durability and hold up better. The Tahoe was a lower price point than the Ford, not higher. When they looked at several years' worth of data, it maintained its price point on State bid and didn't have those large fluctuations. Ford did every time there was a new rollout of an improved model of the vehicle they went up in price. Once the shift was made to the Tahoe they don't want to shift because they can recycle equipment as they get new vehicles. Radio should last 4-5 vehicles. Prisoner partition 2-3 vehicles. Different elements of the vehicle last for different periods. If the Town could get on a vehicle life cycle plan where we are replacing one a year, they would be able to sell the vehicles. The resale for the Tahoe was higher. When they applied for the grant the first 5 tiers were ICS related and they were going for broke and tiers 6, 7 & 8 are all for patrol vehicles. Chief Moore stated that all the information he provides is online. Chief Moore stated that leaving the vehicle at the station is fine with him. Chief Moore provided an update on the grant. The funds are almost expended, and they are not going to get the vehicle, however good news, there was about \$2 million dollars to start. Not all that money is going to be spent by June 30th. They are expecting to get about \$100,000 back after June 30th, once they figure out how much is available, they are number one. It's just a matter of what they decided to approve. Selectman Blume asked when the body of the Tahoe changed. Chief Moore replied, just recently, 2021 was the first year, they lowered it. Town Administrator Bolton asked how much of a warranty did we get with the Tahoe. Sgt. Frisbie replied, 5 years. Chief Moore stated that he can check into looking at a longer warranty.

ACO Position: Chief Moore stated that they have had zero interest in the position. He would like to see the Board decide now. If we don't get an ACO soon, we send the ACO vehicle to auction. Chairman Hippler asked how long have we been advertising for an ACO? Chief Moore stated around two weeks. It will be just under a month by the time the auction and have had no inquiries. Vice Chairman Knapp asked if the Chief had plans to get one someday. Selectman Burdick asked what the pay rate was. Chief Moore stated that his plan, which would have to be approved by the Board, would be in three tiers. Roughly \$16 per hour while they are probationary and starting out. Then you would have two different levels, one law enforcement action and one for non-law enforcement action, licensing, and stuff like that. Each of those tiers would be about a dollar difference, one would be \$16-\$17 and the other would be \$15-\$19. Chief Moore stated that in the big picture it would be easier for the officers versus all the time and cost to training. Chairman Hippler and other Board members at this point would like to keep it.

Selectman Blume stated that he would like to jump back to the Chief's comment about receiving flack. He appreciates talking with both Chief Moore and Interim DPW Director Fiske. They have been available to speak with him and proactively sending us as a Board a ton of information so that the Board is not searching all the time. Selectman Blume stated he really appreciates that. Chairman Hippler states that it helps the Board make better decisions/judgements. It's better to have too much information versus not enough information.

CONVERSATION COMMISSION – REQUEST TO DISCUSS FIRING RANGE USE ON EAST ROAD AS WELL AS OTHER LAND USES AND MANAGEMENT: Andy Fulton, Chairman of the Conservation Commission was present and provided the Board with a couple of handouts. One was the 2013 Town warrant article and the vote to purchase property on East Road. The second was the minutes of deliberative session for that same warrant article in 2013. It was a multi-participant purchase including the Conservation Commission. Some of the things outlined in the purchasing article sort of set the expectations for the property including the conservation commission's involvement with it. He is referencing the Banks/Shmid property on East Road. Vice Chairman Steve Najjar visited the property last fall doing a personal walk and found access to the property posted, No Trespassing. That is what brought

it to the Conservation Commission's attention. They have been wanting to talk to the Board about the role of the Conservation Commission on conservation properties, as well as some observations that Vice Chairman Najjar had on the property in general. They have a lot of conservation properties that are under conservation management and just a few of them, maybe just a couple major ones are multiple use by different town entities. Obviously, the Transfer Station in the Town Forest is one and that has been managed by the DPW and things have worked out just fine there. There are some aspects of that property that are challenging because we are not delineated for a specific use in a specific place, so their boundaries are subject to discussion and that's where Chairman Fulton felt that they offer some value to the Town. Chairman Fulton stated that the reason and jumping over to the second topic for tonight of mixed-use properties, this one on East Road, back in purchasing had an intent to mine, to have a gravel pit for the town resource, things were running out over at the Transfer Station. They have known about that for a long time and have come to grips with it but the surprise was to find that it was posted, No Trespassing with a mixed-use property including conservation interest for use as a police range. They would hope in the future when these mixed-use properties change if they could be invited to the table for discussion. They may have insights, but they are just asking for recognition and courtesy and at least not surprised. There may be a benefit of having a little bit of a wider audience in the management decisions on that. Chairman Fulton stated that he thinks that has caused a little bit of grief for the Town and it is his understanding that it hasn't been used since maybe last summer. Chairman Fulton introduced the members of the commission that were here with him. They are here with a quorum if there is a decision to be made, they can help make it and introduce themselves as Boards and faces change. Chairman Hippler asked when the posted sign was noted. Vice Chairman Najjar stated roughly November, but it's not just the posted sign. The gates got moved around. Mr. Banks moved the gates to the road and put posted signs up. It was merely a game, and it was discussed before. The Town owns the driveway on the way up through. In November the actual older gate at the wood line had been posted No Trespassing, Police Shooting Range, or something like that. That's literally 300-400 yards and the message was very confusing. There is also No Trespassing signs around the pit, but that is probably to keep people from going into the mining area. The suggestion was to possibly change the words to Caution Mining Area or something like that. Vice Chairman Najjar stated that there are a couple other issues. The management of this property is a little difficult because they didn't come up with a project. The intent never got finished with a conservation easement on everything except for the 20 acres which has never been nailed down and surveyed but some things to think about. Vice Chairman Najjar stated that we made a few mistakes as a Town. The actual AOT (Alteration of Terrain) permit for the gravel operation has never been filed with DES. Mr. Banks had that be the Town never filed a new one. He noticed a wetland that is close to where we are mining and whoever owns the large excavator looks like it knocked a tree over and it went onto the Brown's land from our property. We are getting very, very close to the property line where we are mining, so when we do all the work it needs to be flagged out and have the wetland delineated and figure out which direction we are going when we take more material out of there. So, there are some good stewardship activities the Town needs to take care of there from an environmental perspective. Many years ago, after the Town got the property there was a concern to make sure that that field was maintained and there is a gentleman that goes down there and hays it and fertilizes it. Vice Chairman Najjar felt that there is one danger and when they do a logging job there's a contract, a written contract and he doesn't think that there is a written contract with him. Now with all the stuff that is happening with PFA's and contamination, we want to make sure that whatever he fertilizes that field with and whatever conditions are that we all agree. The Board will have to look at it. Vice Chairman Najjar stated that the one change at the Felch Farm when they wanted to mine the esker it went to a vote by the Townspeople to take it out of conservation. So, if the Board is going to permanently make it a police range, that's different than making it a ballfield and he felt that is something the Townspeople ought to vote on and flagged off. The thing to be aware of is that you are literally like 10 feet from Brown's property on the side. Vice Chairman Najjar stated that if you look at the state RSA, once a property is in conservation the commission does the active management of it and the Board of Selectman can do whatever they want but the general intent is for the commission to manage it.

Town Administrator Bolton asked if the understanding is that the property is all Conservation Commission. The response was yes it under conservation. In June of 2015 the Conservation Commission met with Brian Hotz from the Society for the Protection of New Hampshire Forests regarding this as the town approved it in 2013. Emails were swapped between the Town Administrator and Mr. Hotz in June of 2015 which indicated that he won't let things go too far without talking directly with the Selectmen. The last correspondence was in September of 2020 with Mr. Hotz, who was reached out to, to see where this project ended up. Mr. Hotz stated in his email that the project never proceeded from early discussions and any funds awarded by the Emma Sawyer Trust were never accepted since the project didn't go forward. The Selectmen need to follow up on the issue if they want to convey an easement on the land. He assumed the Selectmen didn't want to convey an easement, so the project was dead. He further added that unless the Town truly wants to conserve the land now, he is not in a position to chase this project. The warrant article further stated that it was a non-lapsing article and will not lapse until the project is complete or until December 31, 2018, whichever comes first. We are beyond December 31, 2018, so it would seem the conservation easement didn't happen. The article authorized the Selectmen to enter into an agreement to purchase 137 acres in an effort to protect the rural character and natural resources and further to authorize the Selectmen to convey certain conservation easements over a portion of the property to a qualified land trust such as Piscataquog Land Conservancy (PLC) or Society of the Protection of NH Forest (SPNHF). Chairman Hippler stated that in reading the warrant articles the acres intending the area not in the conservation area, we are discussing occurrences on the Town property and not the conservation area. Vice Chairman Najjar stated that the posting for No Trespassing is far away. Selectman Blume stated that he understands the range being used twice a year and on occasion when someone newly hired must be certified. Chief Moore replied that was correct. Selectman Blume asked if there was an opportunity for some middle ground. He has had residents reach out to him and would like to see a public range as well. Chairman Hippler stated that the Board made the motion to allow the Police Department to move there as it was minimal use. Chief Moore stated that they can remove the signs when they are not down there. Chief Moore stated that they put up the ones by the active pit for liability reasons and no other. Vice Chairman Najjar stated that the issue is the Board is dealing with has to do with two different property owners. The Board has agreed that the Town report listing does not sound accurate. Selectman Blume stated that at his first PARC meeting there is a real need for ballfields. Vice Chairman Najjar stated that the Town may want to hire a surveyor to layout the property to delineate the active gravel and potential ballfield locations. Vice Chairman Najjar how do we keep the couple of items moving forward and not getting lost, meaning the AOT permit, survey, and field maintenance contract. Vice Chairman Knapp stated that once a year they get their winter sand in there. The Board will have to reach out for an engineer and Town counsel for a sample field maintenance contract. Chairman Fulton stated that the Commission participated in the purchase and the Russell Foundation pushed for preserving and they appreciated the opportunity to recognize the multiple stakeholders. They would also like to be a better resource for the Board as well. If they could get a heads up on some of these conservations related activity, they would appreciate it. They are not making a statement either way on using the property as a range. Chief Moore stated that he looked into the RSA's and restrictions there were none. They looked at the website and there is a list of things to report as far as violations, there are none. They didn't see there were any issues. They were reached out to prior and didn't get a response, so didn't see it was an issue. Chief Moore recommended keeping the No Trespassing up regarding the mining activity area. Chairman Hippler stated that they should be more detailed and maybe come wording from MSHA (Mine Safety Health Administration) who have lots to do with mining activities.

MANIFEST: Chairman Hippler moved; Selectman Burdick seconded:

To order the Treasurer to sign the payroll and accounts payables checks dated April 20, 2023 as included in the following manifests:

Payroll Manifest **\$ 68,767.21** (*Weekly payroll*)

Accounts Payable Manifest **\$ 20,684.32**

Blume asked if we could post the individuals in the minutes to avoid a 91-A, the Board agreed. **Vice Chairman Knapp seconded the motion. Passed 4-0-0**

The staff for 2023 is as follows:

New Hires:

\$9.45 – Bella Foote
\$9.45 – Kaitlyn Osborne
\$9.45 – Tim Lacharite (future Lifeguard)
\$9.45 – Lucas Bell
\$9.45 – Grant Spooner
\$9.45 – Maxine Lundeen
\$9.45 – Rebecca Fulton
\$9.45 – Owen Chapdelaine
\$9.45 – Zane Talbot
\$9.45 – Jack Veileux
\$9.45 – Jaelyn Silvey

Rehires:

\$18.90 – Kristen Lundeen (Supervisor)
\$11.81 – Sophia Lundeen (Assistant Supervisor)
\$10.76 – Emile Lundeen (Gate Attendant)
\$11.81 – Eva Grolljahn (Assistant Supervisor)
\$15.23 – Nick Lundeen (Assistant Supervisor)
\$10.00 – Brayden Porth (Gate Attendant)
\$10.00 – Isabella Fenandes (Gate Attendant)
\$11.03 – Jack Ries (Gate Attendant)
\$11.55 – Seamus Hagen (Assistant Supervisor)
\$13.65 – Jack Barnes (Lifeguard)

Tennis Courts: opening Saturday, April 22, 2023

Bolton Field: Driveway and drainage work – DPW putting together a proposal.

Chase Park Hours & Fee Schedule: Discussed earlier – Hours are all set; Fee Schedule will be posed for a public hearing for May 15th.

Boat Ramp Repair Options: Discussion earlier tonight with DPW proposal for all work

4. *Conservation Commission Items:*

Asbestos Testing on 487 North Stark Highway returned positive for asbestos, quotes need to be obtained for asbestos remediation.

5. *Town Office/Town Administrator/Board of Selectmen:*

Joint Loss Management Committee: on hold until DPW & Fire Chief positions filled.

Contracts for Forester and Cleaning Services: needs to be finalized.

Collins Cemetery: to be worked on as time allows.

Asbestos Testing on Buzzell Hill Road property returned positive for asbestos – needs quotes for asbestos remediation.

Rental/Hospitality Ordinance: tabled, will be reevaluated and resubmitted in the future.

Cemeteries: meeting with Keith Racine of Cornerstone Cemetery Services @ 7 AM on 4/26 to go over what the town must see if there is some service, he can offer to help better lay out the sites.

Solid Waste Ordinance: need to pick date for public hearing. Board will add to May 8th work session. Town Administrator Bolton has gathered other towns' ordinances and will provide those to the Board for the work session.

706 Reservoir Drive: owners have been notified to come look at the file, does the Board still want Town Counsel to advise. The Board agreed that it is a closed issue and let the Town Counsel know.

DPW Job Description: finalization set for work session of 4/24/23.

Police Chief Job Description: work to start at work session of 4/24/23.

Ethics Committee: first meeting set to occur 4/19/23 @ 7 PM

RFP for Auditing Services: bids for a 3-year contract have been put out, due back on 4/28/23 @ 9 AM

Perambulation with Dunbarton: need representatives; we need to reach out to other towns to schedule most are outside of statutory requirement of 7 years. Town Administrator Bolton would like to send a letter to all towns to get them done in 2023, so it is easy to remember next time, which would be 2030. Selectman Blume and Selectman Burdick expressed interest in doing this, once the ticks slow down.

6. *Correspondence:*

JSJ Auction Letter: Spring Auction @ White Farm, Saturday, 5/20/23 – items to go?

Letter to Selectboard dated 4/8/23 regarding concern for approved projects by Planning Board:

Selectman Blume read the letter into the record as follows:

“April 8, 2023

Board of Selectmen
15 Flanders Memorial Road
Weare, NH 03281

Dear Selectboard,

Regarding the integrity (balance between residents and businesses) in the Town of Weare, there is a concern that when proposed commercial projects are agreed to by the Planning Board “with the following conditions,” there are no conditions by which the town acts with its authority to ensure that the conditions are followed. How is it that agreements of operation are monitored and enforced from year to year and that they don’t get forgotten and buried in a file somewhere?

Please review the conditions by which the Planning Board approved White Tail Commercial Development:

Condition #13: No overnight outside storage of any kind excluding registered and inspected vehicles. Where is the oversight and enforcement of this condition?

Condition #16: Condo documents must be revised then approved by Town Council.

This condition should be transparent and a part of the public record, the residents of Weare should have public access to the White Tail Development Commercial Development condo documents as approved by town council.

Additionally, is White Tail Commercial Development allowed to function as a parking lot, a place for 18-wheelers to park overnight and leave each morning at 5am and return to park each weekday? How to enforce this is a concern.

White Tail Commercial Development has 20 conditions by which the Planning Board granted approval to operate. Is the Selectboard aware of them?

How is it that all commercial and industrial developments approved by the Town of Weare’s Planning Board “with conditions” are monitored and reported on routinely for as long as these businesses exist? How is it that the Select Board newly elected or not take on the responsibility of knowing how the businesses are supposed to behave and take action when needed as needed to release the citizens from having to police their neighbors, file formal complaints, and risk retaliation?

Your attention is also needed regarding the precedence that the town appears to be allowing, for a long time an accumulation of construction vehicles has been parked day in and day out at the end of North

Riverdale Road neighborhood, is this permissible, can we all do this and park on the town's buffer without the need to use a driveway?

Please read and include this letter of concern in the meeting minutes.

Thank you,
Resident of Weare"

7. *Building & Maintenance Projects:*

Town Hall Bathroom Renovations: Friday, 4/14/23 Selectman Cahill and TA Bolton went over at 9 AM for a final punch list and walk through. There were a couple of small items to be completed, which will be done this week on time and within budget (date for completion by 4/21/23). The Town Building Inspector will be sent over for a final inspection on Thursday.

Library Chimney: Awarded on 1/30/23 – Library Director has made contact to get on schedule.

Riverdale Road/River Road: the town has a final plan, will work on getting in front of planning and zoning boards.

Solar Project: an update for the community members working together – for 5/1/23 agenda.

Stone Building: copper cap needs to be put back on corner of building.

East Road Barn: roof needs repair – panels missing, lost or slid off. Selectman Burdick stated that it is not slid the wind must have blown it back into position.

Town Office Building Replacement Generator: \$15,000 was purchased ordered at the end of 2022 from surplus. Vice Chairman Knapp stated that when the new DPW Garage was built the old generator was offered to the Town Office. It was 14,000 and propane. It will be looked at to see if it is still operable to be used here. Interim DPW Director Fiske will be asked to look at it. The Town will need to pour a pad for installation.

Town Office Vault Storage: HVAC for basement to have contractor look at it on 5/11/23 @ 11 AM

The Board signed the newly revised Town Administrator Job Description approved 4/10/23 as well as an oath of office for a Planning Board member that has been on the Board but needed to be sworn in.

An email was sent to the Board from an employee. The Board during the email conversion/migration did not see and would like Town Administrator Bolton to resend to all.

CORRESPONDENCE/OTHER BUSINESS:

Exit Interviews: Vice Chairman Knapp asked about exit interviews and if the Board is still doing them. He has only seen one. One occurred with the Police Officer on March 2, 2023. Chairman Hippler stated that if an employee leaves on his/her own terms they ask the employee, but it is voluntary and not mandatory. If an employee is asked to leave, then an exit interview is not done. Mr. Kiblin will be asked if he would like to have an exit interview. Vice Chairman Knapp asked about the Building Inspector. The building inspector was retiring and ended up leaving a week before the date given due to personal reasons.

Letter received from Resident previously read: Selectman Blume stated that the letter raises a fair question. How does the Town/Board make sure some of this stuff isn't forgotten. Chairman Hippler stated that it leaves the Planning Board and goes to the Building Department/Code Enforcement, which in turn would roll back to Tony Sawyer the part-time enforcement officer. Town Administrator Bolton stated that this development occurred long before we had Mr. Sawyer. Town Administrator Bolton will share the letter with Mr. Sawyer.

Migration of Emails: Selectman Blume stated that none of the Board got emails today. It appears the emails stopped at 3:20 PM on April 14th, as the last one everyone got was from Interim DPW Director Fiske. Selectman Blume stated that we have serious issues with emails. The Board needs to have access to reliable email addresses. Town Administrator Bolton will reach out to the IT vendor to make sure he

reaches each member individually and gets the emails up and running. Selectman Blume wants to make sure everyone gets all the emails that they didn't get.

Right to Know reply to Nick Fox: Selectman Blume stated that at the end of his right to know request there was a question of why the domain name is changing. It was explained at the last meeting. Weare.nh.gov is not owned by the Town. The resident asked why, and Selectman Blume felt he needed that replied to. Town Administrator Bolton stated that she will provide a reply.

Beaver Dam on Route 114 next to Duck Pond: Selectman Burdick asked Vice Chairman Knapp if a year ago the Town was told that we couldn't touch the beaver dam down off Route 114 past Duck Pond Road. Vice Chairman Knapp replied no they told him that he could do anything he wanted to do. He got turned in for it. The State came out and visited Mr. Knapp and told them there is nothing wrong with controlling the water. It raises contention with certain residents. At one point the State was taking care of it and a resident came to the Board asking that we call the State and ask them to stop taking care of it. Mr. Knapp strongly suggested that the Town not do that but was told to make the call. He did and it's been the Town problem ever since.

SET WORK SESSION AGENDA:

April 24, 2023:

Non-Public – interview 2 potential candidates for Transfer Station and DPW

Finalize the DPW Job Descriptions

Begin working on Police Chief Job Description

Being there was no further business to come before the Board, Chairman Hippler made a motion, Selectman Burdick seconded to adjourn at 9:43 pm. Passed 4-0-0

ADJOURNMENT

A True Record.

Naomi L. Bolton

Naomi L. Bolton, Town Administrator