

DRAFT



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
May 22, 2023

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

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Marty Fisher; Interim DPW Director Jason Fiske

Chairman Hippler called the meeting to order at 6:32 PM.

**NONPUBLIC SESSION:**

**Chairman Hippler moved; Selectman Blume seconded to enter into nonpublic session @ 6:32 p.m. pursuant to the authority granted in RSA 91-A: 3II ( c ). A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

The Board met with Marty Fisher for an exit interview. Mr. Fisher stated that before Benji Knapp left as the DPW Director the Board sent Selectman Osborne down to meet with the staff. He felt that was where things started to go wrong. He felt that there were too many chiefs and not enough Indians. Only a select few people knew about the opening when Mr. Knapp left. There was a concern about the length of the plow routes, and they appeared to favor some more than others. Mr. Fisher stated that it was not his intent to walk out the door, he had planned on giving two weeks' notice but had enough so decided to leave early. With regard to this exit interview and what the policy stated about it, he was told the personnel policy was going to be re-written and that he hadn't seen one for a long time. Lastly, he asked the Board what they are going to do about sketchy references being given out when employers call for references. Mr. Fisher thanked the Board for their time and left. The Board briefly discussed the comments and felt that they need to make everyone aware that all employee references are handled by the Town Administrator.

**Chairman Hippler moved; Selectman Burdick seconded to exit this nonpublic session @ 6:52 PM. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

**Chairman Hippler moved; Selectman Blume 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, Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

The Board met with Interim DPW Director Fiske regarding the request of last week from the Senior Attendant Frank Baker to be considered as the Transfer Station Foremen. This new title would come with more responsibilities and a request for an increase in pay. Mr. Baker was hired 2/16/22 starting at \$17/hour. Today he is currently at a rate of \$20/hour. In January of 2023 Mr. Baker met with the Board to seek a promotion as he was doing almost everything at the transfer station. The Board agreed to give him the title of Senior Attendant with an increase of \$1/per hour and an additional \$0.50 per hour upon successful completion of a 6-month probation. Interim DPW Director Fiske met with the Finance Administrator and there is a little bit more money in 2023 but not continuing forward into 2024. The Board discussed needing time to review and make a current job description to include some stiffer responsibilities that will include enforcing the solid waste ordinance once re-written. The Board of Selectmen phoned Mr. Baker from the nonpublic session and put him on the speaker phone. The Board offered him \$22/hour to start right away and in October before the mandatory sticker program starts; the solid waste ordinance is re-written, and a new Foreman job description is finalized the Board will meet with Mr. Baker to go over any and all new responsibilities. The dollar amount offered is all inclusive and that will be it. No more \$0.50 after probation. Mr. Baker agreed to these stipulations and the Board ended the phone conversation.

Selectman Burdick then asked what was happening with the tool stipend for the assistant mechanic. The Board asked where this was coming from, and it was stated they wish to remain anonymous. The Board discussed this with Interim DPW Director Fiske who reported that the assistant mechanic does have tools there, but nowhere near the tools that Interim Director Fiske has and if the Board would like to provide a stipend for the assistant an amount would need to be finalized. The Board asked Interim DPW Director Fiske to see if he could come up with a one-time stipend of \$500 for the assistant mechanic's tools. Interim DPW Director Fiske stated that he will come up with it and asked if he does is this the last time, it will be discussed. It was agreed that it would be over for discussion purposes.

Interim DPW Director Fiske asked if there was any information that he should be aware of from the exit interview. The Board discussed the possibility of making the plow routes more equal. The last item was that the Board wanted to make sure that any and all employee references are to be made through the Town Administrator.

**Chairman Hippler moved; Selectman Blume seconded to exit this nonpublic session @ 8:02 PM. A roll call vote was taken, Selectman Cahill – yes; Vice Chairman Knapp – yes; Chairman Hippler – yes; Selectman Blume – yes; Selectman Burdick – yes. Passed 5-0-0**

#### **OPEN PUBLIC PORTION OF THE MEETING:**

Chairman Hippler called the meeting to order at 8:03 PM. Chairman Hippler stated that we began this evening with a couple of nonpublic sessions. The first was an exit interview with a previous employee and we also had a discussion about a current employee that went longer than the Board planned. He then asked all present to join in the pledge of allegiance.

Chairman Hippler wanted to let everyone know that he contacted Interim DPW Director Fiske about where T3 was and the vendor that is looking at repairing the frame rail. Chairman Hippler reached out to him because in his professional job, he has dealt with him before. He did get an answer back and there seems to be a miscommunication as to who's doing what aspect of the work. Interim DPW Director Fiske is going to reach back out to them tomorrow and go over the details with the vendor.

**MANIFEST: Chairman Hippler moved; Vice Chairman Knapp seconded:**

**To order the Treasurer to sign the payroll and accounts payables checks dated May 25, 2023 as included in the following manifests:**

<b>Payroll Manifest</b>	<b>\$ 71,769.71</b> <i>(Weekly &amp; monthly payroll)</i>
<b>Accounts Payable Manifest</b>	<b>\$ 48,953.76</b>

TOTAL:

**\$ 120,723.47**

**Passed 5-0-0**

**DISCUSSION WITH INTERIM DPW DIRECTOR FOR INCREASING BASE PAY (CONTINUED FROM 5/8 MEETING):** Interim DPW Director Fiske was present to discuss the base pay of \$0.42 versus \$0.50 per hour. Due to a prior conversation with the Senior Transfer Station Attendant the numbers have changed by one. Interim DPW Director Fiske recommended that they go with the \$0.50 which would cost approximately \$3,000 total. **Vice Chairman Knapp moved to give all full-time DPW employees with the exception of the Lead Transfer Station Attendant and the new full-time transfer station employee who will get the additional \$0.50 per hour after his probationary period is over; Selectman Burdick seconded the motion.** Discussion: Selectman Cahill stated that in fairness to the public this was brought to the Board by the Finance Administrator, it was surplus funds from the reorganization of employees in an effort to make pay more equitable across the board. **Passed 5-0-0**

Vice Chairman Knapp stated that the one person that was excluded would be the Lead Attendant at the Transfer Station and the reason being is that the Board offered him a pay increase since he is in between Lead Attendant and some sort of Foreman role, until the Board re-writes the job description. More or less, he got his and a little bit more in a different manner than this. He wasn't excluded from any extra money it was just given in a different manner.

**Selectman Blume moved to take the Lead Attendant at the Transfer Station to \$22/hour and that this supersedes any prior agreement; Selectman Cahill seconded the motion. Passed 5-0-0**

Driveway Bond Policy: Town Administrator Bolton stated that the Board approved the Driveway Bond Policy on May 8<sup>th</sup>. Chairman Hippler stated that what was discussed is the fact that the Board of Firewards will be going off the table, so it will be amended as we get closer to the demise to figure out where their regulations and approvals will go. **Chairman Hippler moved to approve the Driveway Bond Policy dated May 8, 2023, as written; Vice Chairman Knapp seconded the motion. Passed 5-0-0**

River Road Bridge Update: Selectman Cahill asked Interim DPW Director Fiske if he could provide the Board with an update on the River Road Bridge on June 5<sup>th</sup> and then probably update the subcommittee as well. Chairman Hippler stated that he ran into the welder on Sunday. He is a good man.

Chip Coating: Interim DPW Director Fiske stated that the Town has had the same vendor do the chip coating for approximately the last eight years. No one else has ever put in a bid. Chairman Hippler stated that it sounds like a soul source vendor. Interim DPW Director Fiske asked how the Board would like him to handle it. Does the Board want him to go out to bid or just schedule to have them do it? Chairman Hippler stated that the product speaks for itself. They have done a stellar job. Vice Chairman Knapp stated that they had a mistake a few years ago and double hauled in the chips. The cost will be over \$5,000 so the Board felt it should go out to bid for formality. Vice Chairman Knapp stated that he would include the crack sealing.

Dust Control: Interim DPW Director Fiske stated that in speaking with many DPW Directors across the state they are going with a liquid versus flakes. They would provide the town with the equipment to start off and the Town purchases the materials. If there is a breakdown, it is the Town's issue. It was approximately \$1/per gallon last year and this year it is closer to \$2/per gallon. There would be a storage tank on sight and a storage tank into a truck. The Board of Selectman needs to know or wants to know what is in the containers. Interim DPW Director Fiske will get comparison of coverage for liquid versus flakes.

**DISCUSS EMAIL REGARDING TREES AT 80 & 84 EAST SHORE DRIVE:** Vice Chairman Knapp stated that he drove by these trees tonight and his opinion didn't change as long as the owners are footing the bill. To say they are a hazard or not a hazard is very hard to tell just looking at it. The Board discussed some stipulations that would be conditions attached to any approval. The Board agreed that they will need to clean up all tree debris, full complete removal. The Board agreed that there are many other rights-of-way that letters need to be sent to all to clean all personal debris from the Town property. Selectman Cahill is worried that the Board may be setting a precedent by doing this and it is a convenience factor for them. Chairman Hippler stated that the Board will need to address things like this on a case-by-case situation and this is not precedent setting. **Chairman Hippler moved to allow the residents at 80 & 84 East Shore Drive to remove two pines at their expense from the Town right-of-way as listed in the email dated 5/12/2023 with the following conditions:**

- 1. To follow all NHDES Shoreland Protection regulations**
- 2. To leave the stumps in place**
- 3. To remove all tree fallings and all personal from the right of way within a 30-day window of May 31<sup>st</sup>**
- 4. A follow-up inspection to be done by the Interim DPW Director after the trees have been fallen.**
- 5. A follow-up inspection to be done by the Code Enforcement/Zoning Administrator to make sure all personal items have been removed within that 30-day window.**
- 6. A certificate of insurance from the tree company listing the Town as an additional insured to be provided to the Town prior to removing the trees.**

**Selectman Burdick seconded the motion. Passed 5-0-0**

Vice Chairman Knapp stated that he has heard from a lot of people that we don't have enough time with the Building Inspector and we are getting into the busy building season.

**WRITE ADVERTISEMENT FOR DPW DIRECTOR POSITION:** Selectman Cahill stated that before we get started, is the Board totally committed to the advertisement or is there an opportunity to promote from within. The Town recently promoted from within in the Fire Department. We have the Interim DPW Director now and we know what we have for an asset there. Before the Board goes through the process of bringing people in here, is it just the process or are we considering promoting from within. Selectman Blume stated that he would be considering it but felt we needed to go through the process. Chairman Hippler stated that the Fire Department did do a process and, in the end, selected an in house, but there was a process. Selectman Cahill is just curious what the timeline looks like. The Board needs to discuss the salary range as well. Selectman Blume stated that the longer the interim remains the stronger his application is going to be. Selectman Cahill will call Interim DPW Director to let him know that the Board is over a month away from posting the position. Vice Chairman Knapp stated that he will make an attempt to draft the DPW Director advertisement, leaving the salary amount blank.

**FINALIZE BUILDING INSPECTOR JOB DESCRIPTION AND WRITE ADVERTISEMENT:** The Board reviewed and fixed draft #1 with changes. The only items missing from the draft advertisement were 25 hours a week with a wage of \$30 per hour. Chairman Hippler stated that this one appears to be a little looser versus the DPW Director advertisement. Vice Chairman Knapp stated that he would like to see this cleaned up, emailed to the Board and each Board member respond individually. The Board would prefer to make a motion. **Chairman Hippler moved to approve the Building Inspector job description as amended May 22, 2023; Selectman Blume seconded the motion. Passed 5-0-0**

**GRANITE STATE PLUMBING AND HEATING:** Town Administrator Bolton received the revised quote for the repair of the leaking copper boiler pipe and fittings; to replace tiger loop, boiler gaskets, high limit, PVR, for the total cost of \$3,380.00. **Vice Chairman Knapp moved to Granite State**

**Plumbing and Heating boiler repairs consisting of leaking copper boiler pipe and fittings; to replace tiger loop, boiler gasket, high limit, PVR for a cost of \$3,380.00 here at the Town Office Building and to authorize Chairman Hippler or Town Administrator Bolton to sign; Selectman Blume seconded. Passed 5-0-0.** Chairman Hippler signed the order.

**DRAFT POLICY FOR UNSEALING NONPUBLIC MINUTES:** Selectman Blume stated that the Board had a meeting with Town Counsel Thursday to discuss things. We discussed a draft policy for reviewing and unsealing nonpublic minutes and Town Counsel gave the thumbs up for individual board members to review those minutes. The Board will continue to work on that policy and procedure with that understanding.

Selectman Cahill asked if the Board is going to leapfrog to this before we finish job descriptions, solid waste ordinance and we have another issue that hasn't been discussed in a while but was slated to be discussed. We were cited about a year ago now, our used motor oil is in non-compliance with local, state and federal law and we need to address that. Vice Chairman Knapp asked when we were cited. The previous board had talked about containment. We are not covered by insurance if there is a breach of these barrels. We are currently at 6,000 gallons storage. There is no storage in the garage. A plan needs to be done before something happens. Vice Chairman Knapp stated that when he was the director, he brought forward another option and to get away from waste oil. He looked at pellets. The Town doesn't produce enough waste oil and needs to gather it from other places. Henniker has a pellet burner and as of today they have had no issues. He agreed that we need to have containment. The State has always looked the other way. Selectman Cahill stated that he doesn't want to lose sight of this. The outline that the Finance Administrator provided shows the structure and a majority of those job descriptions that need to be reviewed. The Board felt that to move the heating from oil to pellets would be a Town vote. The Board agreed to ask Interim DPW Director Fiske to look into containment with a set time frame by the end of June. Contacting legal counsel policy was spawned by residents and feel that it is pressing. Anything released with regard to nonpublic minutes must be approved by the Board. There is HB 321 that is working it's way through and it states that minutes non reviewed will be publicized if not released after 10 years. Chairman Hippler stated that the Board may have to come up with another different night to review them. This would be a nonpublic minute to review and unseal or seal if that is going to happen. The Board agreed to have the nonpublic session minutes organized for a separate meeting. A list will be put together of all with dates, letter and reasons for the nonpublic session. Selectman Cahill stated that he felt that the end of June or mid-July would be a great time to kick this project and the framework.

Flowers at the Stone Building: Selectman Burdick stated that she went and purchased three new barrels, not paid by her personally, that had completely disintegrated. She took them out and re-did them today and another one at the other end that never got replaced. So three new barrels and they did all the dirt in them so they will be ready for them to plant and then tomorrow she is going up and do the legion hall but didn't have any more room in the truck to bring the soil and all that, so they will be ready for Memorial Day.

Selectman Cahill asked if the Board was going to reconsider the InvestNH grant or is it a dead issue. Selectman Burdick stated the Board voted no. Chairman Hippler stated that there was a request to reconsider it as far as a joint meeting with Southern NH Planning Commission and the Planning Board. Selectman Blume did send Chairman Hippler an email in opposition. Selectman Cahill stated that he is fine as long as we get back to the right people. If the Board voted and are going to stay with that motion that is fine. Selectman Blume made a motion to limit reconsideration. Chairman Hippler stated that he didn't think the Board has to. The response can be that it was briefly discussed and the board is standing affirmed to reject the application for the InvestNH grant for \$25,000.

**Being there was no further business to come before the Board, Selectman Burdick made a motion, Selectman Blume seconded to adjourn at 9:43 PM. Passed 5-0-0**

## **ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

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