

**DRAFT**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
June 19, 2023**

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

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Police Chief Chris Moore; Goldie Bachelder; Glenn Daniels; Tom Clow; Richard Butt; Bryan Christiansen, Comcast; Jason Fiske, Interim DPW Director; Kyle Parker

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

**NONPUBLIC SESSION:**

**Chairman Hippler moved; Selectman Burdick seconded to enter into nonpublic session @ 6:32 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**

**Chairman Hippler moved; Selectman Blume seconded to exit this nonpublic session @ 7:04 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**

**Selectman Cahill moved; Chairman Hippler seconded to seal this set of nonpublic session minutes. Passed 5-0-0**

**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 the Police Chief for a quick nonpublic session. He then asked all present to join in the pledge of allegiance.

**PUBLIC COMMENT:**

Kyle Parker, Old Francestown Road stated that at last week's meeting towards the end it was mentioned that re-roofing your house now requires a permit. He stated that when he was in Town in the building department that wasn't required because it was considered a maintenance item. He went back through the agendas and what minutes are posted. He couldn't find it anywhere, where a permit is required and he's just curious why the recreation department had to come in and so did the transfer station to change fees. He's wondering if it was a miscommunication that there isn't actually a permit required for that and if that could be addressed. Selectman Cahill stated that there was some confusion, and he went to the Building Department to get information. In the situation that Mr. Parker described changing asphalt shingles with asphalt shingles there is no permit fee. There have been situations where there's multiple

different things going on, like when there is spray on insulation going on the asphalt before the metal that has created moisture problems. There have been other circumstances where re-roofs have created a situation for inspections and those have been charged a flat fee. The Board internally went around and addressed that, and it was a miss quote by the Board. He told Mr. Parker that was a good catch. Mr. Parker stated that he would like to thank the Board for starting a process about contacting the Town attorney. He asked if that discussion last week was the end of it. Chairman Hippler stated that it was going to be continued. Mr. Parker stated that when he was in a couple of months ago with the issue, he had with 706 and the Board ended that conversation that night, there had already a call made to the attorney which cost about a hundred dollars, and he felt it should have never happened. He's hoping that the discussion will address when it is appropriate for the attorney to actually be contacted.

Frank Campana, Quaker Street, stated that he noticed on the agenda tonight the Board is going to enter a contract with Comcast. He has a couple of comments on that. When if ever has a Board of Selectman verified that the subscribers are receiving a level of quality service. Second, has a Board of Selectman ever done a survey of satisfaction by the subscribers. Has Comcast ever done a survey of satisfaction by subscribers and reported the results to the Board of Selectmen. Has the Board ever met with Channel 6 volunteers to question them on Comcast's response to any concerns. When does a Board of Selectmen sign a contract for a service and somehow follow up that the service is being fulfilled. Some contracts are obvious, like lawn care when there were issues in the past, but it's pretty obvious if you don't see the grass cut. Comcast is a little bit different as they are an entity unto themselves. The Board is contracting for a service on behalf of the residents. The Board should be responsive enough that the service provided is what it should be.

Richard Butt, Old Town Road, stated that he is in receipt of the recycling progress insert into the tax bill and he had some questions hopefully the Board could answer. He also has some comments. One question is at the bottom of the sheet, it indicates that the use of the transfer station will require vehicle stickers. He asked in lieu of having a vehicle sticker, is proof of residency sufficient, it always was. Selectman Cahill responded that we are going to require any vehicle that uses the transfer station to have a sticker. Mr. Butt asked, what if you don't have one? Selectman Cahill stated that you will have to come get one. Mr. Butt continued, if you show you're a resident you're going to have to come get a sticker? Did the Board agree to that? Selectman Cahill stated that it's a policy already in place that all vehicles are to be stickered. Mr. Butt asked, what policy is that? Selectman Cahill stated that it is part of the Solid Waste Ordinance that already exists. Mr. Butt stated that he would like to see the Board revise that as he doesn't like to have stickers on his vehicles. He might have it in his glove compartment, I might have left it at home, I might have lost it, I might have bought a new vehicle. He continued, so if I go down there with a load of trash and don't have one because I just bought a new vehicle and the clerk's office is closed because it is a Saturday, are they going to turn me away? Selectman Cahill stated the answer will be if your vehicle does not have a sticker, you have had a year to get one it is given during vehicle registration, if you keep it in your glove box you will be asked to produce it at the time you arrive at the transfer station. Mr. Butt interrupted and asked how it's going to be enforced with the personnel at the Transfer Station. Chairman Hippler replied, not specifically no. Mr. Butt continued, by stating he felt it was a little bit too restrictive, proof of residency should be enough to allow using that facility. Selectman Cahill stated that we are trying to create some consistency to make it easy. Mr. Butt interrupted, and stated that it's not easier, it's making it more difficult in some cases and more restrictive. He stated that he understands that the Board is trying to keep people from out of town using the facility, but the Board should be more receptive to the needs of the residents if they don't have the sticker, but they live here in town. Mr. Butt then stated that on the insert it states, "the more we can remove from our trash including our recycling as a town the less we need to spend on disposal and the more we can earn more as revenue". Mr. Butt has a concern with this statement as there are so many factors that affect taxes. The fact that we are improving our recycling doesn't mean the taxes are going to be lower, does it? Mr. Butt stated that he didn't see how the Board could make that statement. He felt it shouldn't be on this insert as it is a political statement and not a statement of fact. He stated he doesn't care how much

recycling we do his taxes are not going to be lower, they haven't gone down at all. Another statement that he felt was concerning was stating that over the last five years Weare has brought in \$364,000 by recycling allowing the town to offset the cost of things like a new plow truck, road repairs and employee raises and the sheet lists the revenue per year for the past five years. He didn't know how the Board could make that statement. He wanted to know how the revenue at the transfer station has reduced the cost of employee raises, you can't. How about plow trucks. How has the revenue in the transfer station offset the cost of things like plow trucks. Mr. Butt asked, "are you just refusing to answer, nobody knows what the answer is." He stated again that he can't believe the statement went out with that statement in there. He proceeded to give some examples as he did some research; in 2018 you show we have \$84,000 in revenue and that prior statement applies to that year saying that we were able to buy or offset the things like plow trucks; in 2018 there were two highway trucks on the warrant and there was zero offset for both of those. He thought the Board might be considering the use of unrestricted or undesignated fund balance to offset a vehicle in 2018, there was no offset. Chairman Hippler interrupted Mr. Butt and thanked him as his five minutes was up. Mr. Butt stated that he thinks this was ridiculous, he thinks what was put out there was erroneous misinforming people and it's unfortunate that it got out and no one on the Board even questioned it.

Jason Fiske, Town employee went to the podium. Chairman Hippler stated that because he is not a resident is the Board fine with letting him speak. Selectman Blume asked what topic. Mr. Fiske replied to last week's meeting. The Board was polled and didn't have a problem. Mr. Fiske stated that as an employee, as having family who has always worked in public service, police and fire, police chief, even had a grandfather who was a selectman and plenty of people working in highway departments. He knows and understands what working for the public is like, what criticisms we take and it's his opinion that some things that were said last week by a board member were completely inappropriate for the setting. If there is a problem with an employee, it should have been brought up non-public. He felt that the Board should be here defending the employees to the public and not criticizing them.

**PINE GROVE CEMETERY PLOT DISCUSSION:** Goldie Bachelder and Glenn Daniels were present. Her Mom was buried in Pine Grove Cemetery about 3 years ago. The grass on top is dead. Her brother, Glenn Daniels stated that they would like to have a reputable landscaping come in and do some work and hydroseed. It would scape a little bit of soil, make it deeper so they can replace it with loam and hydroseed. He has the ability to come up with water until such a time the grass can take hold and maintain itself. Selectman Cahill stated that people have done what they are asking for already. Town Administrator Bolton stated that when they reached out with their plan and according to the rules and regulations any improvements need the Trustees' approval. Her lot is located in the first row, go to the 3<sup>rd</sup> entrance on the left, take a right and the first red stone you come to, right next to the road. It has the name of Hall on one side of the stone and Jesseman on the other side. The concern is that the lots on either side of the plot are privately owned. As long as the work is done on their own plot. There are currently no corner markers. Ms. Bachelder can supply the town with a copy of the deed to assist the Town records. Chairman Hippler stated that the Town get an insurance policy from the landscaping doing the work. It must be submitted to the Town prior to any work being done on the plot.

**COMCAST FRANCHISE RENEWAL AGREEMENT DISCUSSION:** Bryan Christiansen was present on behalf of Comcast. He is the Director of Government Affairs for Comcast. The franchise renewal is essentially a license from the Board of Selectmen to grant Comcast a non-competitive franchise agreement to use the rights of way in the community. There are guardrails on what a franchise agreement can and cannot be done and Mr. Christiansen offered to get into those if the Board wanted to. As part of a franchise agreement the Board's allowed to ask under federal law for certain things, franchise fee, capital funding, a PEG channel, density requirements, etc. By and large franchise agreements have become boiler plate, in fact this is the last franchise agreement with a couple of changes. He changed the dates to protect the innocent. He lowered the density requirements in the town's favor and other than that it is the exact same franchise agreement with a couple of small changes to the federal

law. The last franchise agreement expired about 9 months ago. They partner with the phone and electric company to rent space on those telephone poles to provide competitive products and services to the community. Selectman Blume stated that it is non-exclusive, not non-competitive. Mr. Christiansen stated that he meant non-exclusive and apologized for that misstatement. It's a competitive franchise agreement. This is a seven year which is what was done last time, most of the time they do ten-year agreements. Selectman Blume asked to see the complete set of strand maps. Mr. Christiansen stated he would be happy to bring them to Town Administrator Bolton. If the service for cable or internet is out for over 24 hours Comcast will offer a reduction on the bill, but they must call Comcast. The Board said that they would like to 300 feet versus 150 feet. Mr. Christiansen stated that he could do the 300 feet. The lower density makes sense for the Town. It is the standard language for now. The Board went back to Mr. Campana's questions raised during public comment. Mr. Christiansen stated they do survey their customers all the time. They strive to get it right 100% of the time, but things happen. It is a competitive marketplace which is why they strive to get it right. The Board admitted that we have never done any surveys on behalf of the Town. Mr. Christiansen stated that under State law you have to hold a public hearing prior to signing the agreement. Mr. Campana stated that his personal example pushed him over the edge. It was late winter, maybe weather related, when they lost cable not power. He called and a technician could not come from Friday afternoon to Sunday afternoon. He felt that was unacceptable as he depends on the television for news and other things. Although the expired franchise agreement was not executed the town still has been receiving all the franchise fees and benefits. Selectman Blume asked about the ability to add another PEG channel.

#### **DEPARTMENT HEAD/COMMITTEE ITEMS:**

Police Department Prosecutor Position: Chief Moore explained that Officer Purslow resigned last week who was the town prosecutor. The duties of prosecutor had to be assigned to other personnel with the Board's permission Sgt. Montplaisir will step into the prosecutor duties, with that becomes a stipend of \$500 per month. Additionally, Administrative Assistant Emily Dauphinais will perform paralegal and discovery duties that were previously performed by Officer Purslow but due to Sgt. Montplaisir being a supervisor, he has additional duties. For him to perform those duties it would cost the town a substantial amount of overtime, so to save the town money Administrative Assistant Dauphinais will perform those duties and Chief Moore is recommending a \$150/month stipend with the Board's approval. **Selectman Blume made a motion to extend a \$500 a month stipend to Sgt. Montplaisir for taking on the prosecutor roll beginning June 1, 2023; Selectman Burdick seconded the motion. Selectman Blume made a motion that Administrative Assistant Dauphinais get a stipend of \$150 per month as she is a paralegal and handles all the discovery motions, Seconded by Selectman Cahill.** Discussion: The Board pointed out that these stipends must be done within the current budget. **Both motions passed 5-0-0**

Radio Tower/Communication Update: Chief Moore explained that he and Sgt. Montplaisir met with 2-Way this morning. Everything is on track based on the results from the test hole DPW provided, thank you Jason. The following is the update:

- 2-Way is preparing a quote for the work to be performed and the tower. I asked if the quote could be available for the July 03 BOS meeting.
- The direct flight from tower site to tower site has been completed and there is a clear line of site. The report is being prepared.
- Next item is a variance may be needed from zoning. We may need a survey completed for the zoning board application for a variance. We have already spoken with the homeowner (882 Concord Stage Road) abutting the side/rear property lines where a variance would be needed, and he has no concerns. We will provide a letter of support from him in the packet.
  - We are covered under Article 24.3.2 as an essential public service.
    - We would need variances for the following:
      - 24.5.1: minimum 2-acre lot (lot already established as fire station)
      - 24.5.2: 200-foot frontage (lot already established as fire station)



- 24.6.2: 30-foot setback from side/rear property lines.
- Once the variance is approved, DPW would dig a 16' square hole and trench to the SE corner of the fire station. 2-Way will mark the locations and dimensions. Two branches from a tree also need to be removed.
- A concrete company will pour a 6' square pad and set the mounts. This must be completed during warm weather.
- Conduit needs to be run from the tower base, in the trench, inside the SE corner of the fire station.
- DPW backfill trench and site, may need a small retaining wall.
- A timeline will be presented with the quote.

The Board then discussed needing a surveyor to go to the zoning board. Chief Moore will call around with some prices/quotes and time frames and let the Board know.

**FFY2024 NHDOS Grant Update:** Chief Moore provided the Board with a copy of the grant application that will be submitted and put them in line for all the speed equipment. Chief Moore stated that we did this in 2023. Departmental goals based on our participation in the grant:

- Saturation patrols will be focused in areas where and when crashes occur more frequently: In FFY 2024, we will focus at least 85% of our enforcement activities in these areas.
- Our goal is to reduce crashes with injuries by 10% compared to the previous year in these areas.
- During 2024, this grant will allow us to conduct 20 saturation patrols targeting enforcing: speeding, DUI, and distracted driving.
- WPD has one of the largest social media followings in the area for a local jurisdiction. We plan to increase the number of educational public information posts by 5%

**Selectman Cahill moved to approve the FFY2024 Grant application as presented by Chief Moore, Vice Chairman Knapp seconded the motion. Passed 5-0-0**

**Towing Rotation:** Vice Chairman Knapp stated that he had a couple of questions about towing. He asked that when there is an accident an a vehicle needs to be towed there is a policy. Chief Moore stated that they have a contracted towing list on the website. Vice Chairman Knapp asked that if there's a controversy about that who is the one for people to go see. Chief Moore replied that it depends. He just handled one this past week. Tows are voluntary and the individual person can use whoever you want to tow. You are under no obligation to use a contract wrecker. There's only a couple of instances, one is if the driver is too inebriated to make a decision, there's nobody to turn the car over, there's nowhere to leave it legally parked they have to tow it. Vice Chairman Knapp stated he is talking about the fees, as there seems to be a big discrepancy. He's speaking about an accident that occurred between two vehicles. Both vehicles were picked up at the same place and same time. They happened to get them out of the impound yard at the same time and there was a \$430 difference between the two tows. Chief Moore stated that from his understanding one was a rollback, and one was an extraction. Chief Moore stated that he spoke to the complainant and asked them to give him the forms as it might be fraud. Sgt. Frisbee was familiar with it and indicated to Chief Moore they were not the same kind of tows.

**GRAVEL PIT DISCUSSION (BEHIND THE TRANSFER STATION):** Interim DPW Director Fiske was present. Chief Moore, Town Administrator Bolton and Interim Director Fiske met, and the decision was to put some boulders out in front of the walkway people are using to access the lot. They are going to put some no parking signs along the tree line as well. Vice Chairman Knapp indicated that more signage is best, but it seems like someone must have posted it on Facebook as we have had two incidents just recently. Chief Moore stated that they go the second individual who was actually from Concord. Chief Moore suggested moving the sand pile further up the road. Vice Chairman Knapp indicated maybe a larger sign indicating it's an Active Gravel Pit or Active Work Zone – No Unauthorized Access. The Board agreed to 1) put boulders in place to close off access; 2) walk the property line; and 3) order appropriate signs. The Board agreed to have Interim Director Fiske and Chief Moore work on a plan and let the Board know once the plan is in place.

Operator Promotion: Interim DPW Director Fiske was present. After inquiring about the process of promotion at the May 15<sup>th</sup> Board meeting, the Interim DPW Director is here to inform the Board that he has had an employee running the grader for two months and he needs to be recognized for his hard work and dedication. I would like to promote Scott Triacca to the title of Equipment Operator, bringing his hourly pay rate of \$21.22 to \$23.13. He stepped up to the plate after showing interest in running the grader when the position came open this spring. He has shown a willingness to learn and improve every step of the way. The Board talked about a probationary period. **Chairman Hippler moved to promote Schott Triacca to Equipment Operator Step 4, Operator 1 at \$23.13 per hour with a three-month probation with two months credit as he has already been working the piece of equipment, leaving 30 more days of probation; Selectmen Blume seconded the motion. Passed 5-0-0**

River Road Bridge Update: Interim DPW Director Jason Fiske and Thom Marshall is going to meet with DOT to see if they will approve the one side fix. That date has not yet been set therefore he has nothing further to report tonight.

**MANIFEST: Chairman Hippler moved; Selectman Burdick seconded:**

**To order the Treasurer to sign the payroll and accounts payables checks dated June 22, 2023, as included in the following manifests:**

<b>Payroll Manifest</b>	<b>\$ 79,340.17</b> ( <i>Weekly payroll checks</i> )
<b>Accounts Payable Manifest</b>	<b>\$ 14,222.18</b>
<b>John Stark Regional Manifest</b>	<b>\$ 569,263.00</b>
<b>Weare School Manifest</b>	<b>\$ 1,101,198.00</b>
<b>TOTAL:</b>	<b><u>\$ 1,764,023.35</u></b>

**Passed: 5-0-0**

**MINUTES:** These are tabled for tonight.

#### **ADMINISTRATOR REPORT:**

Minute Taker and Building Inspector Position: Town Administrator Bolton stated that we need to take the June 26<sup>th</sup> meeting to interview and try to get these position fills. The Board agreed.

Solid Waste Ordinance: The Board agreed that this should be handled at an upcoming work session.

DPW Director Job Advertisement: The advertisement has been posted on the website; Facebook; posted in 2 public places; set to NHMA for posting as well.

Town Office Building Replacement Generator: Chairman Hippler stated that Interim DPW Director Fiske did located the generator that was taken from the DPW garage. It is a little bit rusty but not beyond the point of pulling some panels off and getting them sprayed and painted to see if it runs and would work for this building. Chairman Hippler stated that it is large enough to run what is slated in the box for this building. We still need to pour a pad and make some sort of enclosure as well. It is an auto start.

Cemetery Inquiries/Status: Selectman Cahill asked Town Administrator Bolton how many if any we have looking for new plots. Town Administrator Bolton stated that there are approximately 3 requests. Some people inquiring want to purchase in the Johnson and East Weare but without having corner markers and not accurate mapping it's very hard, as the Board is responsible for all those. Selectman Cahill stated that he would like to see this item added to the report. Selectman Burdick stated that she has a metal detector to help locate the corners that are marked.

#### **CORRESPONDENCE/OTHER BUSINESS:**

Tax Bill Insert: Vice Chairman Knapp stated that he would like comment on Mr. Butt's public comment insinuating that it looked like the Board was campaigning. The Board worked very hard to not make it

look political or campaigning, but it was 11 PM and we all voted to put it in with the bills. Vice Chairman Knapp stated that when he got his he re-read it and thought maybe we should have looked at it a little bit longer. He wanted to just put out there that it was not our intent to put it across like that and it was not a malicious intent at all. We really just wanted to inform people of what recycling does and how it helps increase revenue. Selectman Cahill stated that the literal interpretation seemed incorrect, fair enough, we will certainly be more careful with the next insert/flyer.

Patriotic Celebration: Vice Chairman Knapp stated that he has been asked by two different vendors, one is an arts and crafts person, and one is a food person. Their question was is there a form to fill out to have a spot here at the upcoming Patriotic Celebration. Chairman Hippler stated that it should go to the Weare Patriotic Committee but if it is old Home Day it goes to the Weare Historical Society.

Library Expansion: Selectman Cahill stated that he and Selectman Burdick attended the library meeting in which the expansion was discussed. He felt that it was appropriate if the Library Trustees came to the Board to make a presentation. Selectman Blume stated that he has attended several meetings and the Board has always been invited to those meetings. He didn't want it to sound like the Board was surprised. The library has always made it public for anyone to attend. Chairman Hippler stated that he felt with a government building with alterations like that it should be a collaboration with the Library Trustees and the Board of Selectmen to work together on it. The Board was expected to repair the chimney, right fully so, as it is a town building, but there needs to be some dialog between both parties. The Board wants to see this succeed but would just like everyone to be on the same page.

July 3, 2023 Meeting: The consensus of the Board was that there would be NO July 3, 2023 meeting.

Work Session Agenda: The following items will be put on the June 26, 2023, work session:

- Non-public – RSA 91:A-3 II (b) – interviewing minute takers and building inspector candidates
- Manifest
- Other Business

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

## **ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

Naomi L. Bolton,

Town Administrator

From YouTube video & TA Bolton notes