

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
October 23, 2023

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

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Floyd Colburn, Ray Banks Jr., Pam McCurdy, Tom Flaherty, David Pratte, Jackie Pratte, Robin Mathews, Frank Campana, James Drury, Denise Purington, Maria Fossiano, Tom Clow, Kyle Parker, Gina Green, Tara Mann, Justin with Junior Generals, Diana Dickinson, Brent Dickinson, Mike Provencher, Gary Carpentier, Steve Naijar, Ray Banks III, Chris Mann, Andy Fulton, Police Chief Chris Moore, Acting Fire Chief Mark Roarick, Tracy Carl, Jack Meaney, Killian Donnel, Janice Matthews and DPW Director Jason Fiske.

These minutes were transcribed from the following link: <https://www.youtube.com/watch?v=EX-uWWrlilU>

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

Selectman Blume read the following statement into the record;

Good evening everyone. This statement is partially a recounting of recent events from my perspective and partially a set of opinions, but in total it is meant to increase transparency and accountability for this ongoing appointment and future board activities. I will request that this statement be included in the minutes in its entirety and that a draft of this meeting's minutes be published publicly as soon as possible.

I read a version of this statement at the October 19th meeting and it will be found in the minutes for that meeting once a draft is published within a few days. This version is updated to remove my proposals for the meeting on the 19th and instead includes how the meeting on the 19th transpired and what decisions the board made ahead of this meeting today.

To start off with, how did we arrive here? On October 9th, there was a normal meeting of the Board of Selectmen. At the end of that meeting, then-selectman Cahill tendered his resignation and, after he left the room, the board discussed publicly how to proceed. As it was a surprise to the board, the decision was made to have the Chairman reach out to Town Counsel for guidance and the Chairman expressed his opinion that a swift appointment of somebody experienced was preferable to letting things drag out as we are already in budget season. No one else on the board expressed a different opinion at that time so we were operating under the idea that we should find candidates who could step in quickly and with little assistance.

The October 9th meeting was broadcast on channel 6, but was unfortunately not broadcast on YouTube due to technical difficulties. In the past we have been able to recover a recording of the video from channel

6 and upload it to YouTube after the fact and it was my belief at the end of the meeting that this is how it would be handled within a day or two. Unfortunately, given that the meeting was on Columbus Day, the Cable Commission had not set channel 6 to record and the meeting was not shared on YouTube, which I did not learn until the following Monday, October 16th.

This failure of both the primary recording mechanism and its failsafe could not have come at a worse time, but we did fortunately have thorough minutes of the meeting and a draft of those minutes was published within the 5 days allowed by RSA 91-A. At this point those minutes have not been reviewed or finalized, but if we follow our usual cadence they will be reviewed at the regular meeting on Monday the 23th. If anyone has a recording of the October 9th meeting from channel 6, please email boardmembers@wearenh.gov so we can work with you to retrieve that and make sure the recording is uploaded to YouTube.

The day after that meeting, on October 10th, the Chairman emailed the rest of the board letting us know how his conversation with Town Counsel had gone, asking us to reach out to him if we had any recommendations on who to contact regarding the appointment. His email included the statement from Town Counsel that we would be making an appointment until March of 2025. I had gone home on October 9th and read the RSAs which pertained to making appointments to the Board of Selectmen and was surprised by Town Counsel's opinion as I had understood the law to say appointments are made only until the next annual meeting, which would be March 2024. After I pushed back by email, Town Counsel confirmed that my understanding was actually the correct one and that we would be appointing until March 2024, 5 months from now.

Also on October 10th, the board received an email from Janice Mathews with her resume and a request that she be considered for the appointment. Ms. Mathews had been in attendance at the October 9th meeting and was the only audience member remaining when then-selectman Cahill tendered his resignation. I know her as an acquaintance, having spoken a handful of times since I moved to town and she helped with my campaign for Selectman, along with a couple of dozen other people.

Given the request by the Chairman for a list of recommendations I reached out to Tom Flaherty that same day to ask if he would be willing to serve. Mr. Flaherty is someone who is immediately familiar to many people for serving on the Finance Committee, frequently attending and speaking at Selectmen's meetings, and organizing events like the town play.

Mr. Flaherty was another volunteer for my campaign and was enthusiastic about my goals to improve transparency and accountability within the town government. He also helped me catch up quickly on the specifics of Weare's budget early in my campaign, given his experience in that area.

Based on their resumes and interviews I believe that Ms. Mathews and Mr. Flaherty would both make excellent selectmen, but I look forward to also interviewing the other candidates to learn more about them so this board can make the best possible appointment at this time.

Mr. Flaherty told me he would think about my question, but likely would be willing to serve, and on October 11th he decided to email the board to express his interest in the position as well.

Back on October 10th, after talking with Mr. Flaherty, I called Chairman Hippler to tell him that I had talked with Mr. Flaherty so that Chairman Hippler, as Chairman, could put together the next agenda with as much up-to-date information as possible. In that same call with Chairman Hippler he expressed to me that he had contacted Jack Meaney and would be contacting Ricky Houde about the appointment as well.

That leads us to this past Monday, October 16th. The board had not met since October 9th and on the 9th we had not set a plan beyond reaching out to Town Counsel, which had been accomplished. We proceeded

through regular business, such as swearing in Officer Guilmette back to the Police Department and approving the policy on nonpublic minutes which had been discussed publicly since May of this year.

As a brief aside, I will be proposing an amendment to that policy which will read: "All nonpublic minutes shall be written to the same level of detail and specificity as public minutes". Since we have yet to approve the minutes from our interviews on Monday, this will allow us to add more detail to them before they are finalized.

After finishing the other parts of our agenda we moved to discussing the vacant selectman's seat. Chairman Hippler explained that we had received two requests for consideration by email and that he had spoken with two others. Vice Chairman Knapp added that he also had someone he wanted to speak with about the position. The board expressed wanting to have as much of the discussion in public as possible before moving into nonpublic so the board could decide on a short-list and avoid dragging folks through the mud who would be going back to their lives if not appointed. The board said it would follow that up with interviews of prospective candidates and given that the two candidates who had emailed their interest to the board were present in the room, we would potentially interview one or both of them and follow that up with further interviews on Thursday. It was my understanding that this process was approved verbally by Town Counsel.

In retrospect, this is what I believe was the most critical mistake the board made in this process. We used RSA 91-A:3 II (c) which states that a person's reputation must likely be adversely affected by matters being discussed, but if we are interviewing people who are fit to serve on the board then those interviews should not be likely to adversely affect their reputations.

The board met on Thursday for a meeting with the intention, as stated on the 16th, to go into nonpublic session. I had written the first version of this statement and wanted to read it publicly to prevent any further nonpublic sessions that night, but had not shared my intentions or the statement itself with the other board members or Town Administrator ahead of time. I got there earlier than I usually do to confirm what recording and broadcast options would be available and the Town Administrator confirmed that she would be able to do the YouTube stream, but there was uncertainty about whether Channel 6 would broadcast. I felt very strongly that we should broadcast and record in whatever manner was available and asked the board to continue with potentially just the YouTube stream. Once the stream was going I read the first version of this statement and said that I did not believe we should go back into nonpublic.

The board discussed the options available to us and decided to halt any further nonpublic interviews, go forward with public interviews of the two candidates who were there that evening (Ricky Houde and Jack Meaney), and to then re-interview the first two candidates (Janice Mathews and Tom Flaherty) on Monday the 23rd so that the public could be as informed as the board. The board also recounted how the two nonpublic interviews had gone to both inform the public and be able to better detail the nonpublic minutes before they are finalized.

The board discussed possibilities for other candidates, but given the quality of the candidates we had interviewed, the requirements of the position for the next 5 months, the timeline we have to make a decision, and the upcoming planned absences of various members it was decided that we had enough information to make a decision with our current candidates.

That brings us to today. The board has interviewed all four candidates and will be re-interviewing two of them in public. We will then take public comment and will vote on which of these candidates we will appoint or if we will need to find another way forward.

On a personal note, I appreciate the vigorous feedback regarding these proceedings and continue to agree that the town can always be more transparent. During my brief tenure we have already accomplished much towards this end:

- *Hired a dedicated minutes taker for much of the town*
- *Public minutes are now being posted again within the 5 business days required by law*
- *Minutes from nonpublic sessions are now being posted within the 72 hours required by law*
- *Adopted a Nonpublic Minutes Policy*
 - *Covers how they should be written, reviewed, stored, and released*
- *Adopted a Policy on Contacting Town Counsel*
 - *Based on feedback from citizens during public comment*
- *Began using town email addresses for the board rather than personal emails*
- *Pushing for other board/committee/commission town email addresses*
 - *This is beginning with Conservation Commission*

I have more goals I would like to achieve to improve transparency and look forward to working on them with whomever this board decides to appoint. These include:

- *Sitting down with Cable TV Committee to determine what is causing our recording failures*
- *Pushing to use our Comcast franchise agreement funds to outfit the upstairs room so more meetings can be publicly broadcast and recorded*
- *Ensuring that the town's website contains the latest information that is available and that it is easy to find*

If you have further comments or questions about this appointment proceeding or any other board topic, please email the board at boardmembers@wearenh.gov, email me personally, call me, or show up for public comment to know that your voice is being heard.

Interview Board Candidates: Chair Hippler said that Ms. Matthews was the only member of the public at the meeting when former Selectman Cahill resigned and was quick to submit an email with her resume expressing her interest. Ms. Matthews stated that she is here on request of the BOS to recap the discussion they had on October 16th related to the open board seat. She stated she had sent in her resume and the BOS had reviewed it prior to their discussion. Ms. Matthews said for the benefit of the audience she would like to give a brief statement of her professional career. She said she has worked for almost thirty-five years in aerospace and defense. She was a director at a Fortune 100 company and had over 2.5 billion in product and service responsibility every year. She stated her responsibilities routinely as they relate to this position from her prior position would be working with a highly regulated industry budget, development execution, and financial analysis subcontract management, including specification development supplier identification and evaluation, negotiation, schedule quality assurance accounts payable. She has managed personnel across geographically dispersed locations all around the US. She has experience in writing job descriptions, hiring, firing, and performance management of all those personnel. She has developed policies and procedures with an emphasis on streamlining and waste removal in processes initiated in corrective actions and validated that root causes had been rectified. She has led failure review boards that were related to concerns of human safety and mission failures, risk identification and mitigation, and fraud detection during the interview. She submitted her resume because she knew she had the skills and experience to be an asset on the board and to do something without much of a learning curve, therefore she volunteered her services to the BOS via email the morning of October 10th. Ms. Matthew stated that it was not until October 16th during the BOS meeting that she learned the BOS would be interested in having a discussion with her. Ms. Matthews was asked if she would be willing to run for a one-year term and she stated she shared that she had thought about possibly running for a board seat sometime in the future. Ms. Matthews said that there was a benefit to both a one-year and three-year term. One year gives an easy off-

ramp if you are not satisfied and fulfilled with the work running for a three-year seat lessens the owner's task of campaigning again so quickly. She stated she did not have an opinion on which way she would go if she chose to run. The evening of her interview Vice Chair Knapp asked her which was most important in creating a town budget. She had stated that basic services and the required services for the coming year are covered while still planning for longer-term capital, and longer-term expenses, and balancing all that with affordability to the taxpayers. Ms. Matthews said she was asked if she stayed apprised of what is going on at the Town level and stated that she attends most Selectmen meetings and when she cannot attend in person, she reads the minutes and watches the YouTube videos.

Ms. Matthews said in addition to keeping up with the BOS she does read the minutes from other Town Committees and would add that she has reviewed the Town budget in detail every year since 2017 and the warrant articles to vote upon. She said what she sees as top priorities for the next five months are department head accountability, vacancy, and the DPW Director for approximately a year, acting Fire Chief for eight months, and not enough plow drivers for the coming season as well as overall personnel vacancies in most departments. She was further asked about the plow drivers and how she would potentially solve the problem. Ms. Matthews said she would potentially solve the problem she reiterated that they need to hire a DPW director and suggested that they maybe review the hourly rate of the posted position and see if the rate should be increased. Ms. Matthews said there is only so much overtime an employee can work before safety becomes an issue therefore an option may be to look into contract services. Ms. Matthews said during the interview with BOS she was asked about social media and what was her take on prior posts and comments made about the board or individuals on the board. She stated that they had a joint discussion that Facebook was a bad thing and a good thing it depends on how you use it. Ms. Matthews clarified if the BOS was asking if she would engage in any of those posts and the answer was absolutely not. She stated she sometimes reads the posts but that is the extent of it. Ms. Matthews said she was not directly asked but she did volunteer work that she can devote a significant amount of time and as needed over the next five months. She stated that she is fully retired. Ms. Matthews said that she is a communicative and collaborative team member, laws and regulations are not debatable but everything else she believes can be approached in a collaborative manner. She closed by saying nothing shakes her, she operates equally well whether it is routine business or under significant pressure. Chair Hippler said he had asked a question about any outside affiliations with political parties. Ms. Matthews said that she is the treasurer for the Hillsborough County Republican Committee and is the federal elections commission compliance manager for the state GOP. Ms. Matthews said she is aware that this is a nonpartisan position, that she fully supports this and represents everybody whatever affiliation or non-affiliation and believes she can act in that manner. Ms. Matthews said she is conservative as far as finances go and is not sure she can fully check that at the door but that would be an element of how she approaches things in the seat. Chair Hippler said she is currently on the finance committee and would resign if offered the position. Ms. Matthews said she would fully resign. Ms. Matthews stated she would like to request to provide a public comment closely into the beginning if not the first comment if possible.

Chair Hippler said the next candidate is Tom Flaherty. Mr. Flaherty said he moved to Weare in 2017 and is currently on the Weare Finance Committee. Mr. Flaherty said that he is beginning his second year out of a three-year term, and he went through the budget cycle last year it was an interesting process, however, he has followed the Selectmen in the budgeting process for probably four or five years. Mr. Flaherty said he has gone to several school board meetings and has volunteered to work in the past five elections in Weare. Mr. Flaherty said he is a member of the American Legion and the Sons of the American Legion in Weare. He volunteers to work at the Sunday Breakfast. He ran for the Ethics Committee last year unsuccessfully and this is not his first attempt to try and get into office. Mr. Flaherty has been the Vice President of the Weare Historical Society for about the past two or three years. He was the Chair for the Pine Tree Riot 250th committee last year and he was also a member of the Old Home Day committee this year. He was the coordinator for the Townwide yard sale for the past three years. He also helps with the South Weare Improvement Society puts up some of the flags at about thirty-five and participates in town cleanup days. Mr. Flaherty said he loves the Town of Weare and wants to serve in any way he can and saw

the opportunity and put his name into the running. He has twelve years of military service with the Army National Guard as a field artillery officer and has owned his own business since 2001 in software consulting. Vice Chair Knapp asked what was important to Mr. Flaherty in preparing the budget and the main concerns. Mr. Flaherty said he believes one of the biggest problems they have is retention and that's across the board not just in the town but a lot of businesses. He would like to get to the bottom of what type of money and leadership issues are there. It is not all money, sometimes it is leadership, and sometimes it is just people who do not want to come to work for a particular town. As a Selectmen he would like to be able to help the department heads and encourage the department heads and support them in any way we can. He said he is a data guy and likes to look at the trends when a department is looking for a certain appropriation, he wants to look at the past three to five years as to what that trend is and if it is on a normal growth curve or is it spiking. Also is it a need or a want. Mr. Flaherty said the Selectman should spend a lot of time with the department heads to understand their business and their operations. Selectman Blume asked what Mr. Flaherty sees as potential issues to arise between now and March 2024 and how he would solve them. Mr. Flaherty said they are short on plow drivers and other towns are near full capacity of plow drivers and would like to understand that better. He said the Fire Department's future is a pivot point. There was a consultant in there for a while and there were plans and changes that wanted to be made. Turnover is another big concern. There is a new building inspector, and he has heard good things so far and wants to keep an eye on that. Chair Hippler asked about Mr. Flaherty's feelings on social media. Mr. Flaherty said some board members like to watch and not participate and he would choose not to even watch. If people would like to get ahold of him, they can come talk to him face to face anytime. He believes social media is too impersonal. Mr. Flaherty said he would not engage or participate he would not watch it to tack it. Chair Hippler said that in the past former Selectman Van had reached out to Mr. Flaherty about potentially making a run, what are your feelings now if you are not appointed would you plan on running in the future? Mr. Flaherty said he always intended to run at some point and just had to find the right time and with this opportunity he decided to put his name in because he can give the time. He has been following along and whether he is appointed or not he will run in the future. Mr. Flaherty said he cannot say exactly when. Selectman Burdick asked if the finance committee would help him with going through the finances for the town now, they are beginning budget season. Mr. Flaherty said he thinks so, he was assigned to the Weare School District subcommittee and because he had spent the time watching the town process, he wants to look at the schools. This year he volunteered to be on John Stark. Last year was tough because the Town had a 2019 budget due to being a default budget. Chair Hippler asked if Mr. Flaherty had any affiliations with any political parties. Mr. Flaherty said he is currently part of the Weare Republican Committee and is the Chair. He would step down if appointed because this is a nonpartisan office and would not want the focus to lie in two different directions. He would step down from the finance committee if appointed. He has talked to a few people about the Historical Society and thought it over it is an independent organization that has its system of record keeping and there does not seem to be a conflict of interest. Mr. Flaherty said that the BOS spoke about both Selectman Burdick and himself being on the Historical Society and if an issue arose where they had to both recuse themselves it would still leave the BOS with a majority quorum. Mr. Flaherty said that there have been things that come up from the board or individuals on the board that have been proposed and he thinks that some have been a little intrusive of the town. Things such as the rental ordinance and a solid waste ordinance. In some ways that has pushed the involvement of the government in the people's lives and would like to keep an eye on that and be able to voice his opinion that maybe they are stepping over the line and getting into too much of people's lives. He said his mindset is to let us do what we must do to move forward but also watch the necessities.

Public Comment: Chair Hippler said that he would like individuals to state their name and address and the topic they would like to discuss. There will be a five-minute restraint and if you see him raise his hand you have reached your time limit.

Janice Matthews, 29 Woodbury Road and her topic is clarification on the Selectmen's Comments made during the October 19th, 2023, meeting. During the meeting Mr. Blume said that I helped on his campaign for Selectmen which is true, she did meet with Mr. Blume twice she recalls, and the topic was an analysis

she performed on voter turnout and tips on how to answer voter questions. She stated that she considers it similar to providing interview coaching and would have the same conversation with any other candidate. Ms. Matthews said that the BOS talked about if both interested parties are not selected for this appointment to retain their positions on the finance committee would be beneficial to the board. Ms. Matthews said in theory that may be true, but she believes in practice it is not a viable path forward speaking for herself as a current finance committee member who has now participated in this appointment selection process at the next finance committee meeting. She believed she needed to step aside for the remainder of this budget season per the finance committee order that the town adopted in 2012 even though a reasonable person might assume the intention of that provision is to preclude anyone from swaying financial discussions and recommendations for which they may subsequently be tasked to execute and when one could argue this is the exact opposite of that situation the wording and ordinance does not allow for any exception. Ms. Matthews said in his opinion third as mentioned in the meeting opening statement by Selectman Blume regarding the nonpublic session on the 16th of October, she wants to reiterate that she did, in fact, state during the interview that the conversation should be done in public and it's normal for names of candidates to be publicly known. Ms. Matthews further acknowledged that this appointment is not exactly the same as going through with the normal voting process. It is a board-level appointment per New Hampshire law. Fourth regarding the BOS discussion on October 19th, she would like to assert that the discussion in nonpublic was not the first mistake that this board made at best it was number three the first was not providing notification to the town's people that Mr. Cahill had resigned. Ms. Matthews stated that notification should have been sent out to the public for such a significant event. Ms. Matthews said continuing to use a letterhead with Mr. Cahill listed as a selectman after his resignation occurred including tonight's meeting. Ms. Matthews said in her opinion no one was here to listen to the conversation that was held on October 19th. Ms. Matthews asked that the BOS perform an after-action review of the series of events to look at opportunities to strengthen the impact of their actions. Ms. Matthews said lastly in her opinion Town Counsel contract needs to be reviewed. Where she stands as an observer there have been several instances over the past year of incorrect guidance given and the BOS is not well versed in the law and is relying on that Counsel's guidance.

Jackie Pratte, 51 Winter Road said she is not here tonight to discuss the nonpublic interview of the next Selectman. She had sent an email about her concerns about that to the BOS. Ms. Pratte stated if the BOS heard her husband and herself when they have come in over the past three years the BOS should know what she is about to speak about. Ms. Pratte stated that on October 19th the nonpublic meeting was made public, Selectman Blume was reading his statement in the part where the Town Counsel stated that the appointed Selectman would serve until March of 2025. Selectman Blume understood the RSA to be different and that the appointment should be until March of 2024. Selectman Blume sent an email back to Town Counsel and it was finally agreed that his interpretation of the RSA was correct. Ms. Pratte stated they have had instances where they have perceived the Town Counsel has given incorrect answers or no answers to questions that they have posed to the BOS and Code Enforcement Officer. Ms. Pratte stated that they had sent pushback emails and did not get the same result rather they were told that this was the official answer from the BOS because Town Counsel answered on your behalf. Ms. Pratte quoted "The Right to Know Law does not require me or the Town to answer the questions you have posed and therefore we decline to do so." This was on April 23rd, 2023. Ms. Pratte stated that their questions about discrepancy did not need to be answered and that the State and Federal violations are not the issue of the Town even though the town issued permits against them. Ms. Pratte said she can only assume that the difference in response is because she is only a member of the Town and not a member of the BOS, which is why she has come to the podium so often in hopes that the BOS could be her voice in the process. Ms. Pratte asked where the transparency that the BOS speaks about and questioned that there were mistakes, and they were silenced. Ms. Pratte said that the BOS were copied on that answer by the Town Administrator and their lawyer who never invoked on this issue but was the one who let the Pratte's know they were never going to get an answer on this issue. Ms. Pratte stated that they had received Town Counsel's answers a few days after he responded to them. Ms. Pratte said she knows Selectman Blume has lost sleep over these recent happenings but honestly how he feels is how they felt for the last three years because it is their livelihood and our home

that we deal with. In closing Ms. Pratte pointed out the following regarding Town Counsel at a BOS meeting on the subject of a rental ordinance last fall Town Counsel advised the meeting that was immediately discredited by a member of the attending audience at the Planning Board meeting on August 10th, 2023, Bruce Filmore stated that they were given bad advice from Town Counsel which would have changed the way that they have addressed short-term rentals. Most recently at the last BOS meeting there was a reference to an instance of wrong advice from the Town Counsel. Ms. Pratte has asked the BOS who oversees and who essentially is the boss of Town Counsel to which the BOS responded to her that they are. Ms. Pratte asked if the BOS is going to continue to ignore this track record of incorrect advice or will start taking responsibility and find a more proven attorney. Ms. Pratte said she still waits for the BOS to reach out to them about the misinformation they were given by Town Counsel. Ms. Pratte said she was at the October 9th meeting and made comments during that meeting and gave them to TA Bolton.

Frank Campana, 322 Quaker Street stated that he saw the meeting on Thursday, October 19th on Channel 6 and the BOS was interviewing two candidates. One of the candidates, Mr. Houde has a spouse or family member in the Fire Department at a pay of \$82,000. Mr. Campana said that is a conflict of interest in his opinion and how objective could he be to that budget. Candidate two Mr. Meaney, a retired State Trooper applies to him if involved in the budget process. He may feel obligated to support his brothers in blue if appointed. Mr. Campana said if they were to appoint one of the two the BOS would fulfill the good old boy network and the taxpayers finish last. Mr. Campana said as of tonight Chair Hippler you asked the two candidates about their outside affiliations and Mr. Campana said he would have to go back to the YouTube video, but he does not believe he did the same of the two candidates from Thursday night and have now treated the other two candidates unfairly and unjust.

Killian Donnelly, 65 North John Stark Highway said he would like to bring up the plowing situation. Mr. Donnel said in his opinion the Town should open its wallets to the subcontractors. The people that are currently there because this will affect an array of businesses the Police and Fire. If someone knows they could get \$10 more an hour they may want to come to work for the Town of Weare.

Kyle Parker, 483 Old Francestown Road started by thanking Selectman Blume for putting together the statement he made. Mr. Parker said the appearance of impropriety has been around for so long that there is a general mistrust of the BOS. Mr. Parker said he does see a change being made. He stated that at the meeting of October 9th, he believed that Selectman Burdick was confronted about potential gossip and then a comment about the board needing to be unified was made. Mr. Parker said he agreed that the BOS needs to be unified in the best interest of the Town but the point of a five-member board is to have differences in opinions and it should not be an expectation that there is unity in everything. Mr. Parker stated that there seems to be an inconvenience sometimes to have the same people coming back all the time and this is not a board-wide statement.

Diana Dickinson, 45 Del's Way gave a perspective of a voter who is trying to stay informed. Ms. Dickinson said that she tried to view the recording to see the information about the transfer station but could not find the recording. Ms. Dickinson said Brent heard a rumor that Mr. Cahill had resigned but could not confirm that rumor. There was no recording, minutes, or agenda to confirm that rumor. They were able to see the minutes Monday night and saw the agenda posted discussing the vacant seat. Ms. Dickinson asked TA Bolton what had happened to the recording and TA Bolton explained what had happened. Ms. Dickinson said from her perspective the BOS discussed how they are talking to people privately and then they go into nonpublic to interview two of the people who attended the meeting that night. Ms. Dickinson said that the BOS also discussed making a decision that night but there was no way of knowing what was going to happen that night. Ms. Dickinson said there was no notice on the Town website or anywhere in town. Ms. Dickinson said that she had emailed the BOS twice, once that evening and then the next day and had not heard back. She understands that the BOS is upset at how Facebook escalated but during the week nothing was communicated by the town that she could see, and her two emails were not acknowledged. Ms. Dickinson said she does appreciate Selectman Knapp and Selectman Blume's apologies. Ms. Dickinson

said she can tell that you can have a nonpublic during a public, but doesn't see anywhere that it works the other way around. She said she went to the Facebook page and spread the word that it was streaming and that is how they had the viewership that night. Ms. Dickinson said the BOS does have the responsibility to fill the vacancy but is hoping that the BOS can keep in mind the Weare code of ethics they signed. Ms. Dickinson quoted "I encourage diverse public engagement in our decision-making processes and support the Public's Right to Know." Ms. Dickinson said when the BOS makes the decision tonight to fill the vacant seat, please make the right decision for the Townspeople and not for the board's convenience.

Brent Dickinson, 45 Del's Way said this whole situation blew up because they had a Selectman resign with no information to the public. Mr. Dickinson said that he attended the October 16th meeting to get information about the vacancy seat and all he saw was the Chairman of the BOS berate and intimidate another member of the BOS for spreading rumors or being a liar. He said he was not sure of the context and there was no context given for the taxpayer. There was not a censure of the board, and they still do not know what is going on but for two years Selectman Cahill ran rampant and made every department mad and made Selectman Knapp quit one of the best road agents the Town ever had. Mr. Dickinson said that the BOS broke the law with the meeting on October 19th because there was no 24-hour notice. Mr. Dickinson said this board has broken the law several times and there are too many inconsistencies. He said on October 16th after the public session the BOS went into nonpublic to interview candidates those two candidates told the BOS that they needed to be interviewed in public and the BOS still interviewed in nonpublic, and the two candidates went along with it. Mr. Dickinson said, "where is the integrity"? Mr. Dickinson questioned how Mr. Blume had a 3-to-4-page statement to make if the Board did not talk before the meeting of October 19th. Mr. Dickinson said that all he has seen for the last couple of years is arrogance, condescension, and lack of leadership. He said leadership does not derive from intimidation. Mr. Dickinson stated that Chair Hippler leads each candidate down a path that he does not like social media and when the BOS goes dark that is all they have. Mr. Dickinson said if he can raise discussion on social media, he can raise it through the newspaper as well. He said there is no trust in this board or honesty. Mr. Dickinson said that no one on the 19th stood up and said this was not happening. Mr. Dickinson said that Chair Hippler was not professional about the situation, and he chose two candidates who supported his campaign. Mr. Dickinson said that on the 19th the BOS alluded to a candidate who took down a Facebook page thread that concerned recall rights of the people and that conversation was between Mr. Dickinson and the candidate. Mr. Dickinson mentioned paper ballots and hand counting in a comment made at the October 19th meeting and how they do not want accountability and do not want to be questioned. Mr. Dickinson mentioned a similar issue with a school board member that they could not remove from the board, but that member did not break the law, or commit an illegal or unlawful act. Mr. Dickinson said the BOS broke the law at least three times. Mr. Dickinson would like the Secretary of State's office involved and for the Chair to make a public statement of apology and make an oath that he will never run for public office again.

Tara Mann, 51 Worthley Road said that she is excited about the Parks and Recreation expansion of recreational fields. She hopes it can move forward. Ms. Mann said that she agrees with a lot of the comments made by Mr. and Ms. Dickinson. Ms. Mann said she has screenshots of Mr. Flaherty being horrible to people in the Town through social media and she can present them to the Board if they wish. Ms. Mann said that Mr. Dickinson mentioned the school board and the school board members where they had a member resign and they chose to fill it with the next person. The school board thought it would be the easiest and fairest way with the least amount of controversy. Ms. Mann said that Mr. Flaherty and Ms. Matthews run the Weare Republican Facebook page. Ms. Mann also stated that Mr. Flaherty Facebook stalked a young mother because he did not think she would vote Republican and tried to humiliate her. The woman had to resign as a paraprofessional because of the questions Mr. Flaherty was trying to raise about her. Ms. Mann said that Mr. Flaherty is an identity politician and will not be objective and that he will further the cause of his Republican caucus.

Gina Green, 137 Concord Stage Road said she agrees with all the comments. The Townspeople elect the BOS and moving forward integrity is important to the Town and need people to speak for the Townspeople

and do what is right for them. Ms. Green said she does not feel Mr. Flaherty is a good candidate, he is on the Republican committee and several people have left the committee because he is inconsistent. Ms. Green said that she was very disappointed with the decisions made.

Justin from the John Stark Junior Generals came to speak about the East Road project. He said that this year and historically the last couple of years. They have fielded 50 kids on the flag team and 40 to 50 kids on the youth and Junior High practices. They have a total of 26 practices over five days on one field. They are trying to find room for 36 home games. Justin said they are encouraging the BOS to strongly look into the Eastman Road project which in return would help them provide services better for the youth along with WAC. Justin stated that it would be best to use the land that is already in the possession of the town that is affordable flat and ready for use.

Mike Provencher, 492 North Stark Highway, president of the Weare Athletic Club spoke on behalf of the East Road project. He stated that they have close to 900 kids in the program who are scattered around fields for games and practices around town. The numbers continue to go up, Mr. Provencher stated that it would be a wonderful thing for the Town not just for sports but the town in general for recreational opportunities such as connecting to trails, snowmobile trails, being able to snowshoe, cross-country skiing, etc. Mr. Provencher collected the signatures of individuals who were in support of the project.

Tom Clow, 125 Concord Stage Road stated there is a posting for a handyman in the town for repairs. He said he was looking at the job description and suggested that the BOS add a regular walk-through of the buildings to it. He suggested that there is no other situation like the bathroom issue that led to water damage. Mr. Clow said that he thinks the BOS is fortunate to have a person on the list of candidates who have served six years in the role and could step in. Mr. Clow said that the candidate has pledged not to run in March so that there would be no bias. Mr. Clow said he is on the finance committee, and this is an opinion of his and has nothing to do with the finance committee. Mr. Clow said that he has supported every conservation project that has been brought forth in town for the last 50 years, however, there is a time when we must find some balance. He believes this is one of the times, granted the original proposal was to mine the gravel and then convert the area to athletic fields. Mr. Clow said as a Selectman he was in support of the proposal but was doubtful when he toured the area which was hilly and strewn with boulders. His support was done out of emotion rather than practicality. He recently toured the site again with the Selectman and Parks and Recreation representatives leading us to the boulders are still there and land has not become flat. Mr. Clow said it could cost a fortune to turn that into athletic fields, in addition the area would be hidden from sight and could be vandalized. Mr. Clow believes it would be a better solution if they could reclaim the gravel pit area as best as possible and practically include that area in the conservation easement and free up the fields for a recreational site ideal for that purpose. The field site is ideal for that purpose just down the road from the middle school and visible from the road. In addition, although the library's expansion is likely in the distant future it would make sense for the relocation of the tennis courts to create additional space for the library. Mr. Clow said that athletic fields would change the appearance of the fields but would not destroy it and the whole area would still be protected from residential and commercial development. Mr. Clow said he respects and appreciates the Conservation Commission for everything they have done to preserve and protect the open space in town but as he said earlier there are times when they must find the balance.

Steve Naijar, 138 Pondview Road said that the commission discussed the project of the East Road. Mr. Naijar said this was not a conservation project to begin with. This project was facilitated by the Russell Foundation which also facilitated the Society for Protection in New Hampshire. The Conservation Commission was a minor part of the funding originally and there was a warrant article the Conservation Commission was only supposed to have \$50,000 from the Conservation Commission to support the project. Something had fallen through on the project and the Conservation Commission had to put \$180,000 into it to have it and he believes the Mildred Hall committee also put a lot into it as well. The article said that 20 acres be a gravel pit and then turned into fields. The Banks family sold that parcel to the Town and there

is a purchase option that the town assumed from the Russell Foundation that has the intent of the conservation. Ray Banks was in the Conservation Commission meeting and was upset about the idea of the fields being developed. They still own property there. Mr. Naijar asked that the BOS look at what Mr. Naijar forwarded from Ian McSweeney. Mr. Naijar said that the Banks family also went to the ZBA to get a waiver to subdivide at the time the zoning required five acres per unit for a dwelling. Mr. Naijar said that the ZBA minutes should be looked at to see the intent. Mr. Naijar said that he was disappointed when he looked at the property. The acreage is 6 to 7 acres that are oddly shaped. Mr. Naijar said that the Conservation Commission voted not to develop the fields and that an engineering firm should be the one to look at the gravel pit area and say if it can be mined and developed into a field. The town promised the Banks family that the fields were not going to be developed. The town did not follow through on getting the conservation easement and if you think about the complexity of the easement the town needed to survey the twenty acres which needed some engineering.

Gary Carpentier, Old Town Road said that he is in support of the East Road project. Mr. Carpentier said that this is not Weare 1990 the Town does not have a population of 5,000. The population is growing year after year. Sports play a huge role in children's lives it gets them off the electronics and allows them to meet new friends. It also encourages them to stay active and healthy. The town needs a place like this where people in the town's families can continue to enjoy sports. Mr. Carpentier said that he strongly supports the project and hopes the BOS strongly considers the future.

Raymond Banks III, 38 Buzzell Hill Road said that his family has been in Weare for five generations. Mr. Banks III said that his family has given back to the Town for many years. He stated when the town was running out of gravel his family saved the taxpayers thousands and thousands of dollars on the backs of his family members. Mr. Banks III said that the BOS needs to look forward and leave the agricultural land for agricultural purposes as was set forth. If not, Mr. Banks III stated that his lawyers have already looked at the paperwork, and if they go forward, he will put a GoFundMe page out there for himself and he will put a lawsuit against the town. Mr. Banks III said that the fields were not set forth for baseball fields, soccer fields, etc., they were intended for agricultural use. He stated that there is also a firing range there. He said that he would come to the meeting tonight to let the BOS know enough is enough. He has asked the BOS for many different things and never got answers. Mr. Banks III has asked about a fence, he stated there is a six-foot-deep hole at the cemetery that someone can fall into, the board has taken over Buzzle Hill Road to widen it and there is a stone culvert that runs underneath that road and the town keeps pushing gravel over the edges and turns his land into wetland.

Chris Mann, 51 Worthley Road spoke about the Right to Know Law and deliberations on appointing a person for the vacant Selectman seat. Mr. Mann said a couple of things that he has observed over the last couple of weeks are that if the board has brushed up on the RTK then they need to. He is questioning whether the Nonpublic C has been used a lot and does not know if it has been being used for the correct purposes, and some things are sealed that should not be. Mr. Mann said there are issues with most of the candidates and to echo what Brent was saying it looks bad and there are trust issues. Mr. Mann said that Selectman Blume approached Mr. Flaherty and other stories say he was not approached, but rather he took the initiative. It is very apparent that he also pushed for Selectman Blume's campaign and flyers went out with his face on them from Mr. Flaherty's home address. It looks like a quid pro quo whether it is meant to be or not. Mr. Mann said two of the finance committees are running for the position and if the finance committee ordinance is looked at the people seeking local elected office while being on the committee are disqualified for being in that budget session for the rest of the year. Mr. Mann said that this was a concern brought up last year for two candidates seeking election on the Ethics Committee. Mr. Mann said this is straightforward. Mr. Mann said that his concern is that two of the candidates have not to this point last year recused themselves from the finance committee which makes Mr. Mann question their ability to serve. Mr. Mann said this is an ordinance and not a guideline. Mr. Mann said that the BOS is not going to get by from an apology or statement. Mr. Mann said that he thinks Selectman Blume should recuse himself from the vote or run the rest of the year with four selectmen. Mr. Mann said the whole process has been tainted and

there is an RSA that states that if there is an election or appointment to office it needs to be done in public session. Mr. Mann said that the BOS has a fiduciary responsibility.

Andy Fulton, 51 Hemlock Drive, Chair of the Conservation Commission said that he corresponded regarding the Conservation Commission motion regarding the fields on East Road. Mr. Fulton said that the November 5th, 2012, meeting of the Weare Board of Selectmen talked about the purchase of the property. Mildred Hall Trust contributed \$155,000 and Mr. Fulton said that we should honor her contribution. He said that when someone leaves money in the Town, they expect even newcomers to remember them, in remembering Mildred Hall. Mr. McCauslin asked that the board approve the request from the Mildred Hall trust fund. Mr. Fulton said that he thought that they should acknowledge her contribution and wanted to read into tonight's meeting a little bit of background on who Mildred Hall was and that as they go forward, they do not lose touch with what has created the Town and has given the town opportunities.

Tracy Carl, 147 Ridgeview Road said that she is a new resident of Town and has been in town for about four years she has four children that attend school in town. She is also a new teacher in the district. Ms. Carl is shocked at the lack of communication and support from the town's people and the community. Everyone says the town needs more people involved. How are more people supposed to become involved if they cannot all fit in the room to be able to hear what is going on and participate in meetings? Ms. Carl went outside and there were people in the foyer at the front door. Since Ms. Carl moved to town the town has suffered from public office, the school board, and the teachers because the town does not support any of it. People do not seem to understand if they continue to contract out these positions that everyone speaks of it costs more tax dollars. Ms. Carl said they see it in the school building, they are understaffed, they have people who are in unsafe conditions. Ms. Carl moved out of Merrimack because of how big it was growing, her public water supply was contaminated with PFAS because of how fast the town grew. Ms. Carl said she wants people to know no matter how much the town conserves there will be development and it is all in how you handle it. People in the town need to come together for the children. Ms. Carl asked who owned the fields, who purchased the property, what circumstances was the property purchased under, and what the trust entailed. Ms. Carl said the community wants to know more about the Eastman Road project and having a meeting in a small room where the community cannot all fit is not okay.

Deliberation of vacant appointment: Chair Hippler asked the Board Members their thoughts on the candidates. Selectman Burdick said that she has been thinking about the potential candidates all weekend and she listened to the Town's people tonight. She thinks that the Board is in a time crunch as far as coming up to budget season. Selectman Burdick said that she thinks all the candidates are qualified for the position and could do a good job. Selectman Burdick said that her top pick is Janice Matthews. Selectman Blume said that after the board conducted interviews at the end of Thursday night's meeting his top two were Ricky Houde and Janice Matthews. After hearing Ms. Matthews tonight, he was very impressed with Ms. Matthews. Vice Chair Knapp said he did bring up and asked a couple of meetings ago if they had to fill the position because he would have been interested in leaving the seat vacant. Vice Chair Knapp said it was looked into and they have 45 days to fill the seat. Vice Chair Knapp said that everyone who has been interviewed could take the reins with the BOS on the budget. The one thing he is hung up on from the beginning is choosing someone who could use that as a future vote because they are going to run again next year. Vice Chair Knapp said that there were a couple of things that he expressed could be road bumps for Jack Meaney he is not going to run for an open select-person seat. Vice Chair Knapp said that his top two are between Jack Meaney and Janice Matthews. Vice Chair Knapp said he would only go for Mr. Meaney because he is not going to be running for a seat. Chair Hippler said after reviewing all four candidates and moving into budget season swiftly and quickly setting the fuel rates and getting someone up to speed in the budget process he would feel comfortable moving forward with Jack Meaney or Ricky Houde. Chair Hippler said, like Vice Chair Knapp Mr. Meaney has the experience and Mr. Houde also. Chair Hippler said not to say Mr. Flaherty and Ms. Matthews don't have experience, they do from the finance committee.

Chair Hippler motioned to appoint Jack Meaney to the vacant seat on the Board of Selectmen. Seconded by Vice Chair Knapp. Roll call vote Burdick-No, Blume-No, Knapp- Yes, Hippler- Yes. Motion fails.

Selectman Burdick motioned to appoint Janice Matthews to the vacant seat on the Board of Selectmen. Seconded by Selectman Blume.

Vice Chair Knapp said that she was in his top two but the reason he went with Jack as he stated a few times before was because he was not going to be running for the seat come the election. Vice Chair Knapp said that he wishes they were better educated in this.

Roll Call vote Burdick- Yes, Blume- Yes, Hippler- No, Knapp- Yes. Motion passed 3-1-0.

Chair Hippler swore in Janice Matthews to the vacant Selectman seat. Ms. Janice Matthews publicly resigned from the Finance Committee.

Police Chief Moore clarified the firing range and that they have a pile of dirt that they put temporary targets up in and they shoot. It is a thirty-foot embankment. It is very safe, and they have procedures. What is frustrating for employees of this town is they make themselves very available and transparent. No one contacts us before making statements in public putting out bad information and firing people up. This was a discussion they had five times last year and they look to save the town money. They have to have somewhere to go, and they would have to pay fees if they do not have the range. It is not open to the public and they put up no trespassing signs. They pick up their brass, someone could take a picture the day after they shoot and there is nothing left.

Fire Department Update: Fire Chief Roarick said that he emailed the BOS the list of items that were sent to White Farm for auction. He went on the website today and did not see any kind of results. He is expecting to see something, or the town will just receive a check from the auction. The highway department was able to come down to the fire station and pick up eighteen shovels and numerous lengths of hose.

Chief Roarick said the Board of Fire Wards met last week and they do not have the authority to appoint a forest fire warden. It is up to the BOS and then have the appointment signed by the city or town manager. It then goes to the state. The position has been vacated by Chief Richards. He is now the Chief of Deering. He dropped off all the paperwork and everything else such as the records that he had at the Fire House. Chief Roarick said he has the application to present to the BOS and the decision was unanimous by the Board of Fire Wards to request that Chief Roarick be appointed to get the forest fire warden position. Selectman Blume asked what the Forest Fire Warden does. Chair Hippler explained that the warden oversees brush fires, and burn permits, and oversees the Deputy Wardens. Chair Hippler said the Deputy Wardens can enforce the laws of the State when it comes to forest, land, and fire permits. Chair Hippler said that there is management on scenes of brush fires, large scale and there is some responsibility as far as inventory if it was a fire that was intentionally set. The warden is also responsible for keeping track of how many trucks, personnel, wardens, and deputy wardens are there. Chief Roarick said that the deputy wardens are the Weare Fire Department. Selectman Blume asked how long the appointment was for. Chief Roarick said it is until someone succeeds him. Selectman Blume asked if the Forest Fire Warden was someone from the fire department and if it was a position at the fire department. Chair Hippler said yes to both of Selectman Blume's questions. Chief Roarick said that in most of the fire departments that are full-time and some of the volunteer departments, the fire chief is usually the Forest Fire Warden. Selectman Matthews asked if Chief Roarick would keep the same deputies. Chief Roarick said yes that way if someone comes in for a burn permit to the station there will be someone there to write the burn permit. Selectman Burdick asked Chief Roarick to clarify when townspeople need to get a burn permit. Chief Roarick said that in the past they had Ray in the back of the firehouse and write permits. The town went to an online permit process or if someone came to the firehouse, they would write out permits and it would not cost

anything. Now if you go to the firehouse, they will ask for the persons driver's license and they will type it into the computer and give them the permit and it will be of no charge. They like having the computer version better than the paper because it gets recorded by the state. The state will email people to tell them if it is a red flag day to not burn. If someone chooses to cover a brush pile so it is nice and dry you can burn it once, there is significant snow cover around the property. You still need to get a fire burnt permit if it is raining. Selectman Matthews asked if the forest fire warden was responsible for changing the fire safety level sign. Chief Roarick said more or less they get a fire danger level every day in the summer and it's a prediction so that is why most of the time they do not write the permits until five in the afternoon because it is a prediction of weather and that can change in the day. TA Bolton asked if someone wanted a fire permit for Saturday could they come down to the station on a Saturday do they need to go online or could they get the permit ahead of time like on a Thursday? Chief Roarick said he does not believe that the State website would allow you to post something ahead of schedule because the weather conditions can change.

Selectman Matthews motioned to appoint Mark Roarick to be the Forest Fire Warden for the Town of Weare effective November 1, 2023. Seconded by Selectman Burdick. Motion passed 4-0-1. Abstention by Chair Hippler.

Chief Roarick said that he has spoken to the BOS about the Emergency Operation Plan. He went back and researched the three companies again except for the one that he got the price quote from. Chief Roarick said he got a quote for \$2700 and one for \$4700. For the one for \$2,700, the company will take care of the Federal grant work and they will submit the grant and the other one will not. He would like to go with the \$2,700 quote and that was with June Garneau in Twin Mountain.

Selectman Blume motioned to authorize Chief Roarick to spend \$2,700 to come from the Emergency Management Budget for Mapping and Planning Solutions out of Twin Mountain NH. Seconded by Selectman Burdick. Motion passed 4-0-1. Abstention from Chair Hippler.

Chief Roarick said he talked at the last meeting about duct cleaning. He said it is not the furnace that is being handled by the Town. Chief Roarick said that the actual ducts need to be cleaned and this has never been done in the safety complex. Chief Roarick said he reached out to three companies to get quotes one has not gotten back to him. Cornerstone does not do any bathroom vents and Armstrong said that they were called back in 2014 and no one followed through. Armstrong has the vent system on file and assessed it. The cost for the cleaning is \$3,750. Cornerstone charges per vent and milage because they are out of Derry. Chair Hippler wanted to confirm this was the entire building. Chief Roarick said yes, it is the entire building. Vice Chair Knapp asked Cornerstone to give a price. Chief Roarick said that Corner Stone would charge \$500 for the first eight vents, and they have eight vents in the training room alone. After the first eight, the cost is \$25 for each event after that. Cornerstone did not come out and look at how many vents. Vice Chair Knapp asked if they would be splitting the cost with the Police Department. Chair Hippler said he had a brief discussion with the Chief and mentioned that it could be ARPA funds because of the air quality. TA Bolton said they would need to check with Finance Director Rouse. Chief Roarick said that if it can be covered through ARPA funds great if not, he will ask Chief Moore to split the cost. Chief Roarick said if they are at the end of the year and there is money to cover the cost, they can pay for it, but it needs to get done. Selectman Blume said that Chief Roarick mentioned five furnaces a couple of times, but it says three HVAC systems. Chief Roarick said he does not know the exact number of furnaces there are which is why he wanted the company to come and look and then give the quote. Selectman Blume asked if the quote was going to cover the entire project. Chief Roarick said yes. Ms. Matthews asked if there have been any changes since 2014. Chief Roarick and Chair Hippler said there are no changes that they are aware of. Chief Roarick will email the quote to the Finance Director. The BOS will review it at the next work session once they have an answer on whether ARPA funds can be used.

Appointment PARC: Selectman Blume said the PARC Chair left a couple of weeks ago and it left a vacant position on the committee. The committee is still looking for two people to join PARC. The PARC nominated Pam to be the chair and she said they need to clear up the paperwork first. When an appointment for a town body expires, the person whose term has expired can continue on until a replacement is found.

Selectman Blume motioned to appoint Pam Moul to the Parks and Recreation Committee with a Term that began in March 2022 expiring in March of 2025. Vice Chair Knapp seconded. Motion passed 5-0-0.

East Road Update: Denise Purington gave an update on the East Road Property. Ms. Purington gave a recap of her findings. Ms. Purington also gave the BOS the findings from the Town Counsel. She was able to meet with the conservation commission and they spoke about the intent of the property. They also outlined the funding sources for the property. She has not met with Mildred Hall; the warrant article indicated the total purchase price was \$600,000. There has been overuse of the fields and WAC has spent shy of \$4,000 renting fields. Ms. Purington said that she got a sense from everyone that PARC was to move forward. Ms. Purington said that Vice Chair Knapp and she thinks DPW Director Fiske verbalized that between the boulders, cutting, and the gravel it would be difficult to use the property. This is why they are speaking about using the front half. Ms. Purington said she did research and found some statistics from the natural resource inventory summary on the Conservation Commission website. Ms. Purington said 65 properties are restricted for conservation or held for a fee by the town or government. Ms. Purington said no one suggested any other contiguous property and there is not any other property owned by the town. Ms. Purington said that there is a huge value in merging the venues and reducing costs for things such as porta-potties, trash, and maybe getting vandalism under control. Ms. Purington said that if they were to convert the gravel pit to a recreational field it would be far out and create an issue of being able to patrol it. If they are using the East Road property it will allow for something closer to the school and central to the town. Ms. Purington said they need guidance on how they move forward. She said she has contacted three engineering firms and is waiting for the quotes to come back if they need to go into a warrant article. She would like to take the average of the quotes. If the BOS decides not to move forward, she will call the three firms to stop working on the proposals. Ms. Purington said that she understands that it is a difficult decision to make as a board member. Ms. Purington said this may be an opportunity to put it back before the Town in a warrant article and get clarification. Vice Chair Knapp said his opinion would be to send it back to the voters. The voters are going to want to know the overall cost. Ms. Purington said that the PARC committee would like to know the town's opinion. That does not mean that an engineering firm could come in and say this is the worst spot for a field. Ms. Purington said that the first quote came in just shy of \$25,000. She said that she only asked the engineering firms to give a quote for the 12 acres. Ms. Purington said that a person from WAC sent out an email today to ask people if the topic should go back to the voters and they had 214 people email them in three hours saying it should go back to the voters. Selectman Burdick said she has concerns with changing the use because Conservation Land was used to purchase the property and according to Mr. Banks, it was agreed upon to keep the fields for agricultural use. Ms. Purington said the conservation information was hard to trail and Mr. McSweeney was even quoted in the deliberative session, and he does not mention the conservation information. Selectman Burdick asked where parking would go. Ms. Purington said that when they did the walk-through, they talked about right beyond the gate in the somewhat level area and then some adequate parking much beyond that. Selectman Burdick said that Mr. Banks gave the Town a \$60,000 break on the property and that the Town needs to be respectful of his wishes. Ms. Purington said that she understands that and she is not trying to be disrespectful, it just may be an opportunity for PARC in the future. Conservation Commission Chair Andy Fulton said that what is being discussed tonight is breaking the agreement. Mr. Fulton said that the Conservation Commission put in a significant amount of money for the agreement. Mr. Fulton said if they focus on what they are discussing and revise the intent how will that affect the Conservation Commission working for the town and going forward with potential future projects because it will have a ripple effect. He said he believes there could be an impact. Nothing is being put into conservation and nothing is being pulled out. Vice Chair Knapp asked Conservation Chair Fulton if the Commission has ever been asked if there is a piece of

conservation property that would be realistic for ball fields. Mr. Fulton said conceptually no one has come to the Conservation Commission for the idea of another property being ball fields. Chair Hippler asked where the change in contribution from the Commission came from. Mr. Fulton said it was his understanding that there was anticipation of State Grant money, and it never came through. Mr. Fulton said that the Conservation Commission is not on board with supporting the project and would like to move forward with the work that was agreed upon. Chair Hippler asked where the agreement was. Mr. Fulton said that was in the minutes of a BOS meeting. Selectman Blume said that his thinking hinges on the deliberative session and what the townspeople were in favor of. It ultimately came down the vote at the time and they have the minutes of that and think there could be videos from Channel Six from that meeting. Selectman Blume said he would like to see the whole discussion on the topic and ask the TA to reach out to the cable company to see what transpired. Chair Hippler said there was intent and would agree with Vice Chair Knapp and he is not sure how they would write the warrant article. Ms. Matthews asked what the front fields are being used for. Mr. Fulton said they are being hayed and the town has not been maintaining it for the last ten years. Vice Chair Knapp said they would need insurance for the company haying the field. Mr. Fulton said they have had that conversation before, and it has not gotten done within the last five years. Mr. Fulton read a piece from the March 25, 2023, meeting minutes of the BOS regarding the haying of the fields, conservation easement, and agricultural use of the fields. Mr. Clow suggested going back to the legal opinion as a starting point once information is collected. He said he went back to look at the warrant article and it was confusing along with the deliberative session because it is a contradiction. Selectman Burdick said it might be helpful to have Mr. McSweeney come to speak to the BOS. TA Bolton said that she forwarded the documents he had provided to the Conservation Commission. Mr. Fulton said the December 2nd, 2013, BOS meeting discussed the existing fields and their agricultural use. The BOS discussed having a meeting to discuss the expectations of each party. Chair Hippler asked if the meeting happened. Mr. Fulton said he is not sure. Selectman Blume said there is a lot of information spread all over the place and they need to have one meeting and discuss the topic. Selectman Blume proposed discussing the project at the November 27th work session and nothing else. The BOS agreed.

DPW Update: DPW Director Jason Fiske said that the repairs to the River Road Bridge were completed on their end. There are sections bolted and ones that need to be welded. The ones that needed to be welded were welded by a certified welder. Inspections are to come this week with the engineer. They have hired a consultant to come out tomorrow and they did get an independent engineering firm to come out and mag particle test the welds and give some volt torque testing. DPW Director Fiske said that he did put a call in with the State Friday to try and get the ball rolling there for the weight restriction lifting to go to a C2. DPW Director Fiske said that TA Bolton and himself will be taking a class tomorrow and Wednesday for the paperwork stuff to go ahead and move forward with the State Funding. DPW Director Fiske asked the BOS to be involved in the project. Former Selectman Cahill was kind of on the bridge committee and would give an update. It would also be nice to have someone bounce ideas off. Selectman Matthews asked what kind of notification went out regarding the road detour. DPW Director Fiske said they put out an electric sign and posted it on Facebook. The sign was out there for three or four days. Selectman Blum asked if they would be sending a report after the inspection. DPW Director Fiske said yes and that someone would be down there with them.

DPW Director Fiske said that they received two bids regarding winter sand. One from Townes excavating at \$14.40 a yard and one from Mt. Williams for \$6 yard. There is a material difference, the type of material that Mount Williams offers is not exactly what Townes offers. Mt. Williams would be offering wash stone dust which is like what they use. DPW Director Fiske suggested going with Mt. Williams at \$6 a yard and getting 3 to 4,000 yards which would be \$18,000 to \$24,000 coming out of the sand and salt line. The line had \$111,000 in it a couple of weeks ago and DPW Director Fiske ordered 600 tons of salt to fill the salt shed.

Chair Hippler motioned to accept the bid from Mt. Williams for up to 4,000 yards to a price of \$24,000 to come from the salt and sand line within the Highway Department Budget. Seconded by Selectman Blume.

Vice Chair Knapp asked DPW Director Fiske if they should accept the motion by the yard or stay within the budget. DPW Director Fiske said that he has about 1,500 to 2,000 yards of usable sand and then with the 4,000 yards to come, he believes he should have enough. He said the normal price is \$6.50, so if they need to go back for more there will be a fifty-cent increase.

Motion passed 5-0-0.

DPW Director Fiske said they were tracked at the transfer station to make improvements for the issues they were having. After they reopened the demo, they had a major decline in contractors coming in and dumping the demo. He said it is something that gets paid for anyway, therefore the contractor coming in to dispose of the demo is not a huge deal but there is a cost associated with hauling. They have not had to haul a trailer out in two weeks. Vice Chair Knapp asked why DPW Director Fiske thought fewer contractors were using it. DPW Director Fiske said he believed it because they had it closed for two weeks and because they are more in line with what other places are charging. Selectman Blume asked if they were holding even now or if it was still declining. DPW Director Fiske said that they are holding even now and are back on track.

Mapping of the Cemeteries: Chair Hippler said that they received a bid today through email and the other gentleman did not bring back a bid. Chair Hippler said the bid from the gentleman was \$2,500 and the new one is \$4,000. Selectman Blume said with the email bid they received today it seems cheap for the drone work. The company is out of Georgia. Chair Hippler asked if the money could come from CyPres. TA Bolton said that the work is within the cemetery, but she would have to ask Terry. Selectman Burdick said while on the topic of cemeteries, she was in the one in the center square and there are many headstones down. Chair Hippler asked if there were restoration services that could give a price per headstone that maybe she could research for a warrant article. TA Bolton will ask about using the CyPres money for the mapping and then get back to the BOS once she has an answer.

Electrical and Plumbing Bids: Chair Hippler said the first was from Carroll Johnson from Weare. The labor rate is \$65 an hour and is the same for after-hours and weekends. The second one is Jane Ash with Ash Communications Security Electrical Services. Foreman Project is \$120, General Foreman is \$115, Forman is \$110, Crew Leader is \$105, Journeyman is \$100- and first-year apprentice goes from 55-75 but will be going up \$5 a piece in 2024. Chair Hippler said that the bid states any worker who exceeds their normal eight-hour shift will be paid time and a half, overtime rate is 50% of their additional hourly rate. Any worker working on a Sunday is paid twice their doubly hourly rate. The second shift is between 4:30 and 1:00 am. Workers on the swing shift will receive eight hours of pay plus 17.3% for all worked hours. The third shift is eight hours of consecutive work 12:30 to 9 and they will be paid at 31.4% for all worked hours. Based out of Weare. Selectman Matthews asked if the bid says how they select who will be working the job. Chair Hippler said it does not say. Chair Hippler read the third bid from Laliberte Electric in Weare and has included the certificate of liability insurance. Chair Hippler said the rate for a master electrician with over twenty-five years' experience, troubleshooting and installing on town-owned buildings is \$75 an hour. Selectman Blume asked if the first bid included the liability insurance. Chair Hippler said he did not see it included in either of the first two bids. Chair Hippler said they have been using Carol Johnson for a while and is very responsive. Vice Chair Knapp said that he has done a lot of work for the town, has been great to work with and has historical knowledge. Selectman Burdick said that Carol Johnson would come out on weekends for the same rate.

Vice Chair Knapp motioned to award Carroll Johnson the electrical work bid at \$65/hr. Seconded by Selectman Burdick. Motion passed 5-0-0.

MANIFEST: Chairman Hippler moved; Vice Chair Knapp seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated October 26, 2023, as included in the following manifests:

Checks Dated October 26, 2023

Payroll Manifest	\$ 72,671.1 (<i>Weekly payroll checks</i>)
Accounts Payable Manifest	\$ 64,396.42
TOTAL:	\$ 137,067.63

Passed: 4-0-1 abstention from Selectman Matthews

Minutes: TA Bolton said on the October 16th meeting minutes there was a correction. Selectman Blume said that the minutes on the 16th looked like there was everything in them. TA Bolton asked if she could add the nonpublic session piece and post the drafts to the website. Selectman Blume said that in the nonpublic he said he had reached out to Tom and would like that put into the minutes.

Selectman Blume motioned to accept the October 16th minutes as amended. Seconded by Vice Chair Knapp. Motion passed 4-0-1. Abstention from Selectman Matthews.

Administrator's Report: October 23, 2023

General Items:

1. DPW Department Items:
 - River Road Bridge – LPA (Local Public Agency) Training has been scheduled for Jason, Beth, and me on October 24 & 25.
 - River Road Bridge Steel Fabrication work – DPW Director to provide update tonight
 - Transfer Station Stickers – deadline extended to October 31, 2023
 - Update tonight on Transfer Station demolition
2. Police Department Items:
 - Radio Communication Project – Chief Moore and the Town Administrator working together to try to get the project underway. Updates will be provided as we move forward.
3. Parks & Recreation Items:
 - Minute Taker – at this time our current minute taker has not confirmed she will take these on, but she just had the baby as well.
 - Bolton Field – Driveway and drainage work – DPW putting together a proposal.
 - Boat Ramp Repair Options:
 - DPW proposal – after water is drawn down in the fall
4. Conservation Commission Items:
 - Asbestos Remediation on 487 North Stark Highway – Mr. Lemay is working on an RFP for the asbestos remediation that he will bring to the Commission's next meeting for approval to post.
 - It has set up all the CC emails – credentials were supplied to the individual members on 10/18
 - Letter received from CC asking for training of all aspects of RSA 91:A. Town Counsel available 11/2 (Thursday night) or 11/28 (Tuesday night)
 - Email received from Vice Chairman Najjar with a signed Forester Contract signed by Mr. Turner, dated today 10/23/23 (back page); date on front page 8/14/23. Is this going to go out for RFP or what is the status? Chair Hippler said to wait until a work session he is not comfortable signing it right now. Selectman Blume said they were looking for the answer from Town Counsel on whose authority it is. Chair Hippler asked Selectman Burdick if the CC moved or discussed the signature of the forester contract. Selectman Burdick said she is not sure she doesn't remember.

5. Town Office/Town Administrator/Board of Selectmen Items:
- Joint Loss Management Committee – on hold until Fire Chief positions filled.
 - Contracts for Forester – still open
 - Collins Cemetery – to be worked on as time allows.
 - Asbestos Testing on Buzzell Hill Road property returned positive for asbestos – on hold for now
 - Rental/Hospitality Ordinance – tabled, will be revaluated and resubmitted in the future.
 - Police Job Description – on hold
 - Ethics Committee – all forms were emailed to Town Counsel with a 3-hour limit for review. Their next meeting will be October 25th at 6 PM.
 - Finance Committee – their next meeting is November 1st @ 6:30 PM.
 - Perambulation with Dunbarton – Draft report sent for review; once finalized will be signed and sent to State (with a copy for Dunbarton and one for Weare) Selectman Blume said that Fred wanted to come to one of the meetings.
 - Perambulation with Neighboring Towns: letter was received from Henniker looking to do this mid-October to early November (remember it's hunting season be careful); letters were sent to Goffstown, Hopkinton, Francestown, and Deering. New Boston was done in 2018 so the 7 years is not up until 2025, therefore no letter was sent.
 - TA schedule – off Tuesday (regular schedule); Vacation Day (Friday – 10/27)
 - Service Contract Listing – provided by Finance Director to the Board – info for budget season
 - Deliberative Session – Saturday, February 3, 2024 – WMS – 9 AM
 - Thibeault Gravel Permit – The permit for 3 years was signed; an Email was sent to Mr. Thibeault to remind him that the 45 days to remove the material on lot 409-104 expires on 10/26 and Zoning Administrator Tony Sawyer will go out Friday, 10/27 to verify all material is gone.
 - Eviction Notices – Petition notices were prepared by the Town counsel to be sent to Goffstown District Court. Who will be signing them? TA Bolton with Board authorization or Chairman? Chair Hippler said he thinks it should come to the BOS for signing.
- Chair Hippler made a motion to have the three evictions signed by the chair. Seconded by Selectman Burdick. Motion passed 3-0-2. Abstentions from Hippler and Matthews.**
6. Correspondence:
- Letter from resident received 10/18/23 regarding resident
 - Many letters from residents regarding the filling of the vacant Selectmen's seat
 - Letter from Ronald & Sharon Connary – requesting permission to clean veteran headstones in the East Road cemetery. Chair Hippler said that he replied to a gentleman in regards to cleaning the headstones of veterans and that he has no issues with it. Selectman Blume said he was very thorough and knew what to do and what not to do. Chair Hippler said that the only question he has is a hold harmless. Selectman Burdick said she does not have any issues with it as long as he is following the guidelines. The BOS asked that TA Bolton reach out to the volunteer to have him sign the volunteer form.
7. Work Session Items:
- Solid Waste Ordinance – BOS meeting posted for 10/26 @ 10 AM at Transfer Station to meet with DES.
 - Cemetery Sexton – posted – no end date
 - General Services Maintenance Person/Handyman – posted - no end date
 - Policy for Non-Public Minutes; Policy for Legal Opinions and RTK Fillable Form were all added to the website on 10/18/2023
 - Invitation to bid on Electrical and Plumbing on Town buildings for 2024 – to be opened tonight
 - RFP for mapping cemetery gravesites – to be opened tonight

- Town Seal Policy – was approved and never signed by prior Board – Counsel suggested attaching the minutes and putting it with the other policies or the BOS can reaffirm the prior decision to approve and sign
8. Right to Know Requests pending:
 - Travis Corcoran –Town Counsel waiting for the rest of the replies, due by Wednesday, 10/25.
 - Darrin Brown Law Office – (Hopkinton's attorney) – Meadowsend's attorney advised our Town Counsel that all of the documents were turned over to the Conservation Commission. Working on getting those documents – the rest of the emails have been received. Requested extension with attorney to November 1st for CC documents. CC informed TA they had no information. Town Counsel was informed of this decision and will get back to Meadowsend Attorney.
 9. Legal: MMG Legal Services Invoice(s) Breakdown: Total of invoices: \$1,780.02
 - Eviction work - \$108.00 (Bedard, Labarre)
 - PSNH Case (prorated) - \$73.30
 - 55 Winter Road (emails w/Bailey's attorney) - \$157.50
 - Draft Audit Response - \$20.00
 - Town's authority to hire forester & town forest - \$90.00
 - Conversation with/TA Bolton & Chairman – nonpublic session & appeal to Supreme Court- \$246.00
 - Expenses related to the EES (aka Laurie) list of former employees - \$1,083.00
 - Expenses (miscellaneous) for copies and postage - \$2.22
 10. CIP Schedule:
 - Presentation to Planning Board on 11/16
 - Presentation to Board of Selectmen 11/20
 11. Budget Schedule:
 - 11/13 – Default and revenue – Finance Administrator Beth Rouse to present
 - 11/27 – Fire Department – Acting Chief Mark Roarick to present
 - 12/4 – Police Department – Chief Chris Moore to present
 - 12/11 – Highway, Transfer Station, Water & Sewer – DPW Director Jason Fiske to present
 - 12/18 – Rest of Budgets – Finance Administrator Beth Rouse to present
 12. Ex Officio Updates:
 - Planning Board – Vice Chairman Knapp
 - Parks & Recreation – Selectman Blume said the PARC budget is going to be slightly over the default budget and is largely due to telephone. They would like to know if they can speak to Granite State to lower the cost.
 - Conservation Commission – Selectman Burdick

Building & Maintenance Projects:

1. Town Hall List of Projects – open – Casey Rodd from Rodd Roofing Company, St. Johnsbury, VT – one possible contractor for the Stone Building and Town Hall
2. Library Chimney – completed per K. Cahill's email with pictures – check cut for approval in tonight's manifest.
3. Riverdale Road/River Road – the town has a final plan, need to get in front of planning and zoning boards. A meeting is scheduled with Mr. Dussault for Thursday, November 9th @ 10 AM to meet at his house to go over the plan and get applications for the planning board and zoning boards signed, so this can be done by December 31st.

4. Solar Committee – they were emailed and replied that their next meeting is 10/26 – after that meeting, they would be ready to meet with the Board
5. Town Office Building Replacement Generator – Spoke with A.Pro regarding the generator as it has not shown. He will be texting TA Bolton with ETA. Irving has been called to come remove the existing propane tank and install a new tank, no date was provided for that.
6. Town Office HVAC in the vault in the basement – received a detailed quote from Granite State Plumbing and Heating, an RFP will need to be developed per the purchasing policy.
7. Town Office Furnace Repairs – a follow up call will be made to Granite State Plumbing and Heating for the broken bolt to get fixed.
8. Furnace Fall Services – AJ LeBlanc was contacted 9/25 to schedule furnace cleanings for:
888 Concord Stage Road – East Weare Fire Station
797 South Stark Highway – South Weare Fire Station
15 Flanders Memorial Road – Town Office – heating oil
16 North Stark Highway – Town Hall - propane
10 Paige Memorial Lane – Library – propane
4 Paige Memorial Lane – Stone Memorial Building - propane
144 North Stark Highway – Safety Complex - propane
No date provided. Today Irving was called to schedule cleanings. Buildings, locations and fuel type were provided to the office person. They will be emailing me a date/time as to when they will come provide service. Both the East Weare and South Weare Fire Station were not included, they have to go to AJ Leblanc.
9. Electronic Security Protection (ESP) – Today ESP was called to schedule the annual fire alarm testing. A message was left looking for a Thursday as that would be best for the Town, least amount of employees and customers.

TA Bolton said that Conservation signed the trapping permit for Glen Dubois and the Chair of the BOS signs as well.

Selectman Blume motioned to allow the Chair to sign the permit for trapping on map 411 lot 160. Seconded by Vice Chair Knapp. Motioned passed 4-0-1 abstention from Hippler.

Selectman Blume motioned that all Board of Selectman sign the trapping agreement with Mr. Dubois. Seconded by Vice Chair Knapp. Motion passed 5-0-0.

TA Bolton said that the Chief would like to have a public hearing for the Department of Justice grant of almost \$882,000. TA Bolton said for the notice to be out for 14 days the public hearing would need to either be the 13th which is a work session or the 20th which is a regular meeting. TA Bolton said the Chief is fine with either date. TA Bolton said that she is going to have one for the new fully outfitted Tahoe for command purposes and two for the acceptance of unanticipated revenue for \$77,651.55 which is from Primex for the insurance claim. The BOS agreed to have both public hearings on November 13, 2023.

The BOS set the work session for October 30th. Chair Hippler will not be there.

Vice Chair Knapp said at tonight's meeting many people spoke about the meeting last week being advertised as nonpublic and then going public without 24-hour notice. Selectman Blume said there are non-public sessions within public meetings. Maybe they need to clear up that they need to be in public session and then go into nonpublic session.

Being there was no further business to come before the Board, Vice Chair Knapp made a motion, and Chair Hippler seconded to adjourn at 11:12 p.m. Passed 5-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker