

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 13, 2023

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

TOWN ADMINISTRATOR: Naomi L. Bolton

GUESTS: Police Chief Chris Moore, Tom Clow, DPW Director Jason Fiske, Frank Campana, Neal Kurk, James Dury, Richard Butt, Brent Dickinson, Diana Dickinson, Finance Director Beth Rouse

These minutes were transcribed from the following link:
<https://www.youtube.com/watch?v=yk3NNNRvd08&t=8s>

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

Chair Hippler motioned to end the public meeting and enter into a nonpublic meeting at 6:31 p.m. to RSA 91: A-3 II (b). Selectman Burdick seconded. Roll call vote: Mathews – yes; Knapp – yes; Hippler – yes; Blume - yes; Burdick – yes. Passed in favor. 5-0-0

Chair Hipper motioned to come out of nonpublic at 7:13 PM. Seconded by Chair Hippler. Roll call vote: Mathews – yes; Knapp – yes; Hippler – yes; Blume - yes; Burdick – yes. Passed in favor. 5-0-0

The Board met with an applicant for a potential new hire for the town as a handyman/general services person to work on the Town buildings. The Board will discuss this further, later in the evening.

Forester Roles: TA Bolton informed the BOS that she sent them an email regarding the Forester agreement, and it states the CC has the authority to manage the Town Forest, but the term is not defined. The CC cannot expend any money to do that without a Town Meeting vote. Generally, the BOS would be the authority to sign contracts that bind the Town. Ideally, this would be a three-pronged approach. The CC would send out RFPs. Then they would open them in public session. Take the time to review them and choose. Then a recommendation to the Selectmen would be made. The BOS would then review the proposed contract, and if it finds it acceptable, it will sign it contingent upon a town meeting voting to authorize the expenditure of money from the forest fund. Town Counsel did state that they believe that a court would hold contracting a forester falls within the CC's authority to manage but Town Counsel would be comfortable arguing that it should not. TA Bolton reviewed the contract with the Board. Chair Hippler asked if the CC has gone through this contract recently with the Forester. TA Bolton said they have not, and they also have not done an RFP. Selectman Blume said he thinks the CC should look over the contract and then bring it back to the BOS and they should also put out an RFP. Chair Hippler agreed with Selectman Blume. The BOS agreed to have the CC look at the forester contract and put together an RFP.

Chair Hippler opened the Public Hearing for Acceptance of a grant from the State of NH Department of Justice (DOJ) in the amount of \$81,496.10 to be used to purchase one fully outfitted Tahoe to be used for command purposes.

Police Chief Moore stated the grant is to replace a 2013 Ford Explorer with 135,000 miles which is currently being used as a command vehicle. If approved the Ford Explorer will be sent to auction. Chair Hippler asked what the projected lifespan of the vehicle is. Chief Moore said twelve years. Selectman Mathews asked how much longer that would be than a normal vehicle. Chief Moore said hopefully it will double it. Selectman Blume asked if the vehicle was going to be a 2023 or 2024. Chief Moore said it would be 2023 and that everything would be the same except for the command box in the back. Selectman Mathews said besides routine maintenance there is no cost to the Town for the vehicle. Chief Moore said there is not. Chair Hippler asked if it was going to be marked like the State Police Ghost Cruiser. Police Chief Moore said it would be reflective.

Frank Campana said one of his questions was going to be how the car would be marked. He thinks it is a sneaky way of getting around and does not want people to know where they live if they take the car home. Mr. Campana said he has seen the reflective ghost State Trooper cars, and they are hard to see and you have to look very close to know it is marked. Mr. Campana said that the BOS should require some type of obvious marking on the cruiser if the car is going to be a take-home car. Mr. Campana said that it gives the Chief a brand-new vehicle and he can ride around no matter where it is, and it is a status symbol for his peers. Mr. Campana said that is the way he views it and understands that the unmarked vehicle has a purpose, but it is not only purpose from his point of view. Mr. Campana mentioned Chief Moore's plan within the CIP to replace this car and reassign it to command two. Mr. Campana asked if the DOJ offered patrol vehicles. Mr. Campana said to seize the opportunity.

James Drury a member of the Finance Committee asked if the vehicle would be fully funded and if there would be any other additional liabilities to the Town. He also asked if there are opportunities to do this again next year. Chief Moore said there will not be through this grant but there are other grants out there that they will be watching for.

Neal Kurk a member of the Finance committee asked if this grant could be used for replacing one of the online officers' vehicles that needs replacing or if must it be used for the Chief. Chief Moore said it could not because it was for a command vehicle to manage incidents.

Chief Moore said the grant was ARPA-funded. The intent of the grant was that as the nation recovers from COVID-19 there are going to be more outdoor activities and increased incidents. A patrol vehicle just gets people to the incident, but a command vehicle is what will help manage the incident. Selectman Blume said Mr. Campana said that Chief Moore has plans for a new command vehicle in 2029 and this cannot be a patrol vehicle for six years. Selectman Blume asked Chief Moore to explain the idea further. Chief Moore said that currently vehicle two is the other command vehicle and is not currently upfit for a command vehicle. It is just designated as such and is the captain's vehicle. There are five front line vehicles. If one of the front-line vehicles were to go down, they rotate two into the line first and then they would rotate one in the line. There is a rotation for a patrol vehicle of five years. Whereas the command vehicle gets replaced once every twelve years. Selectman Blume clarified the new command vehicle he is referencing now will become command vehicle two in six years and then a new command vehicle would come in 2029. Chief Moore said that is correct. TA Bolton said that the CIP meeting that Mr. Campana is referring to did not calculate the grant at the time because it was not awarded yet. Selectman Blume asked what other options there would be for markings on the vehicle. Chief Moore said that originally, he came to the Town with an unmarked car, and he came to a middle ground with a reflective marking. Selectman Mathews asked what the reason would be. Chief Moore said there have been many instances where officers have been targeted at their house and it would be for safety purposes.

Richard Butt said that statements were made at the hearing back in April from Sergeant Montplaisir that the grant was intended to be a secondary patrol vehicle and they would apply for everything to equip the vehicle. Mr. Butt said that he is unclear now because the Chief said it can not be a patrol vehicle for six years. Chief Moore said that earlier this year they were down to one vehicle, and they couldn't assign one of the primary five patrol vehicles but if they need a patrol vehicle, they can backfill with the command vehicle. Mr. Butt said the vehicle is going to be the Chief's vehicle. Chief Moore said he does not use it exclusively, they use it for training, court, etc. Mr. Butt said that the other officers would not have access to the command vehicle for a critical incident. Chief Moore stated that is why they have two. Mr. Butt asked if the explorer had ever been used as a command vehicle. Chief Moore said yes they have had multiple critical incidents. Mr. Butt said it was previously stated it was never used as a command vehicle. Chief Moore said it is not equipped as a command vehicle and they make the best of what they can. Mr. Butt said there is a fleet of five patrol vehicles and out of the five there are some vehicles that have had a lot of use and does not think there are that many situations to have a command vehicle. His concern is the patrol vehicles that have aged. Mr. Butt said the patrol vehicle needs to be replaced with the command vehicle. Mr. Butt said that he did not know about the public hearing and said it needs to be on the front page of the website.

Brent Dickson asked Chief Moore how he became aware of the grant. Chief Moore said that he believes that Sergeant Montplaisir brought it to their attention. Mr. Dickinson asked if the Police Department was actively seeking out options with what the taxpayers would not allow him to do. Chief Moore said they have obtained \$135,000 worth of grants this year. Mr. Dickinson asked if there was a grant manager. Chief Moore said they do not have a grant manager. Mr. Dickinson said that marking on the vehicle is a safety issue and would suggest no markings should be on the Tahoe. The town does not have a tax base to provide any of the departments with what they need. None of the BOS, Planning, Zoning, or Schools has interdepartmental discussions on how to improve the tax base of this town. Mr. Dickinson said instead of criticizing what is on the vehicle they should all work together to get some resources, so they do not have to beg for grants. Mr. Dickinson is for accepting the grant and applauds the Chief's efforts in obtaining the grant.

Tom Clow stated that he is in favor of accepting the grant. He said that they can not look at the town and say the town does not need the command vehicle. If you look at what is happening in the world today and the tragedies happening there could come a time when you need to take control of the situation and that vehicle may be needed.

Chair Hippler closed the public hearing at 7:32 pm.

Selectman Blume asked the Police Chief what the plan is for replacing patrol vehicles and what it would be if the voters said no. Chief Moore said if the voters say no, the department does not get a patrol vehicle. Chief Moore said they need one vehicle a year to maintain a fleet that is capable of responding to the needs and calls of citizens when they need assistance. Not counting the command vehicle. Selectman Blume asked what Chief Moore uses to get to and from work as a vehicle. Chief Moore said the Ford Explorer. Selectman Blume asked if it was marked. Chief Moore said it is not. Chair Hippler asked if it would receive full graphics and become front-line patrol. Chief Moore said no it will still be a command vehicle throughout its life cycle. Selectman Blume said if the grant had not been extended to them what would they be asking for, for next year's warrant? Chief Moore said one patrol vehicle and that is what he will still be asking for. Selectman Blume asked when he would have asked for the command vehicle if the grant was not awarded. Chief Moore said the next budget cycle, which would be two vehicles in a year he would be requesting.

Chair Hippler motioned to accept the New Hampshire Department of Justice ARPA Municipality's Grant funding up to \$81,400 for the purchase of a 2023 Chevrolet Tahoe which will be upfit and used for incident command purposes. Seconded by Selectman Burdick. Motion passed 5-0-0.

Vice Chair Knapp motioned to authorize Chairman Hippler to sign the grant agreement as the grantee signer one and for Chief Moore to sign all documentation listed within the LPA subgrant agreement checklist contained in the New Hampshire Department of Justice ARPA Municipalities grant document as grantee signer two. Seconded by Selectman Blume. Motioned passed 4-0-1 abstention, Hippler.

Selectman Blume asked if there could only be one thing in red on the website. TA Bolton said yes, it was on the home screen, but then other things got posted under the news section and it was moved down. The notice was posted in the newspaper and two public places well before fourteen days.

Chair Hippler motioned to open the public hearing for *Acceptance of unanticipated revenue in the amount of \$77,651.55 from Primex for an insurance claim.*

DPW Director Fiske said this was for a truck that was in a single accident earlier this year and it is currently being worked on. There will be a motor replacement for it and it has had the frame straightened out. They are hopeful to get the vehicle back before the snow. Selectman Mathews asked if the funds would be going into the general fund. Chair Hippler said that is correct.

Mr. Butt asked if the money coming back was going to be the cost of fixing the vehicle. Chair Hippler said he is not entirely sure they do have a \$1,000 deductible and they have worked it out as an insurance claim at the body shop. Mr. Butt said this is a reimbursement of money already spent and this would not be additional money to go into the general fund. He asked if they needed to have a public hearing to accept the money because of the amount. TA Bolton said yes because \$5,000 is the limit.

Mr. Kurk asked the Chair when he says this goes into the general fund does that mean at the end of the year the Selectmen will be able to spend the money if they wish to do so without further vote of the Town? TA Bolton said how will you pay for the truck. Mr. Kurk said there is a lot of money in the budget that will not be expended for personnel that would probably be enough to pay for the claim. Mr. Kurk said his question was a technical one. Mr. Kurk reiterated the question. Chair Hippler said they could but that is not the intention.

Mr. Dickinson asked why is the money going to go to the general fund and not back to DPW. Chair Hippler said it is unanticipated Revenue and it was something they did not expect at the Town level it has to come back to the general fund by law.

Mr. Campana asked how the truck was getting paid for repairs. Chair Hippler said it is getting paid from the bottom line of our budget. Mr. Campana said that \$300,000 was an estimate of unspent in the DPW and the proposal is that some of the funds be spent on bonuses for DPW and then \$125,000 was going to be spent for cameras for the PD. Will this \$77,000 be coming out of what is combined? Chair Hippler said that the bonuses are coming from the DPW budget and he is not sure where the cameras are coming out of.

DPW Director Fiske said there could be a supplemental a little less than \$20,000 when it comes to parts for the engine, and he wanted to make it clear that they could revisit to accept another amount to finish the repairs.

Mr. Butt said if you look at the budget for DPW the maintenance line is going to show an expenditure of \$79,000 the money the town is receiving from the insurance company is going to show up as revenue. The maintenance line is going to show the minus \$79,000 and the money the Town is receiving is going to show up elsewhere. Chair Hippler said it would show up in the revenue line.

Mr. Campana asked how the decision was made to repair the truck. Chair Hippler said a claims adjuster looked at it and a body shop gave the estimate. Mr. Campana asked what the year of the truck is and what is the life expectancy. DPW Director Fiske said the truck is relatively new. It is a 2019 and rotation on the trucks is about twelve years. DPW Director Fiske said that Chair Hippler is correct about the claims adjuster coming out and looking at it and getting the estimate from the body shop.

Chair Hippler closed the public hearing at 7:59 pm.

Selectman Blume asked when they would be getting the truck back. DPW Director Fiske said they gave a date of November 20th for the motor to land at the shop and it will probably take a couple of weeks to put it in and get the truck all buttoned up and ready to go. Hopefully, they will get the truck back in mid-December, but he cannot speak to the repair shop workload. Selectman Blume asked what would happen if something happened and they were not able to get the truck back. DPW Director Fiske said they are down a few people and think they will be okay, but it is possible they may feel an impact because of it.

Chair Hippler motioned to accept the unanticipated revenue in the amount of \$77,651.55 from Primex for the insurance claim against the T3 2019 Western Star. Seconded by Selectman Mathews. Motion passed 5-0-0.

The BOS reviewed the revised copy of the on-call bonus. Selectman Blume asked if the part-timers were slated to get the on-call bonus because the final sentence does not explicitly say that. DPW Director Fiske said that he does not believe that was in the original part-time on-call proposal that he had given the BOS. Vice Chair Knapp asked how someone would be prorated if they had multiple storms. DPW Director Fiske said he thinks that they would just take the total and divide it by three if they're not going to be available. The Selectmen agreed that the prorated amount would be at the discretion of the Public Works Director.

Chair Hippler motioned to allow the DPW Director to enter into agreements for the Part-Time Seasonal Drivers and the Full-Time driver operator bonus agreements approved by the Board of Selectmen for all Public Works Employees full-time and part-time for the dates November 17th, 2023 through April 25th, 2024. Seconded by Selectman Mathews.

Vice Chair Knapp said that it is great for the ones working there now. Vice Chair Knapp said that he was told by someone considering it that he decided not to because of the amounts being lowered. Selectman Mathews said they were not lowered they are higher now. Vice Chair Knapp said the initial proposal was \$10,000. Vice Chair Knapp said the purpose of this was missed because of lowering the bonus. Selectman Blume said the approved bonus is lower than the DPW director’s proposal, but is twenty times higher than what they had in place.

Motion passed 4-0-1. Abstention from Vice Chair Knapp.

**MANIFEST: Vice Chair Knapp moved; Selectman Burdick seconded:
To order the Treasurer to sign the payroll and accounts payables checks dated November 16th, 2023, as included in the following manifests:**

<u>Checks Dated November 9, 2023,</u>	
Payroll Manifest	\$ 67,541.48 <i>(Weekly payroll checks)</i>
Accounts Payable Manifest	\$ 52,956.34
Weare School Payable Manifest	\$ 300,000.00
John Stark Payable Manifest	\$ 250,000.00
TOTAL:	\$ 670,497.82

Passed: 4-0-1. Opposed Hippler.

2024 Default and Revenues: Finance Director Rouse said that the default budget is calculated by using the same appropriations that were contained in the operating budget authorized for the previous year, reduced and increased as the case may be by debt services contracts and other obligations previously incurred or mandated by law and reduced by one-time expenditures contained in the operating budget and by salaries and benefits of positions that have been eliminated in the proposed budget. Finance Director Rouse went through the summary of the default budget. When the voters entered into the voting booths last March, they were informed that the following amounts would be included in the operating budget of 2024. Most of the warrant articles stated if approved this addition would become part of the annual budget. In 2023 the Town received an approved operating budget of \$77,977,540. The Police had a collective bargaining agreement in article number six which added \$59,266 to the operating budget. There were pay increases for non-union employees warrant article seven in the amount of \$98,225. The total approved operating budget for 2023 was \$8,135,031 and would be the operating budget for 2024 plus the additional \$1,755 for the collective bargaining agreement and the additional \$32,400 for pay increases for non-union employees. The voters were aware that the operating budget could be \$8,187,527 and there is a decrease in debt services of \$13,226. There was a decrease in Police payroll because seniority officers had left which created a decrease of \$24,560. There was an increase in contracts of \$4,167. There was a reclassification in the New Hampshire retirement system of employees which was an increase of \$32,708. Selectman Mathews clarified that as mandated by the State. There was a 15% increase in Health Insurance premiums of \$54,158. This leaves the default budget at \$8,240,774.

Finance Director Rouse said that she tries to be conservative when she estimates the revenues because it is the number, they use on the warrant to offset the revenues. They do get the actual revenues and if they come in lower that means the warrant article will be higher. Finance Director Rouse said that she provided the last three years' actual revenues and listed 2023 revised revenues. Finance Director Rouse said she is estimating that they will receive \$12,490 than what the revised revenues are for 2023. Selectman Blume asked about the timber yield tax and if they would stay as high. TA Bolton said with the price of lumber being high people had been cutting. Selectman Blume asked what the sewer rents were and why there were not any in 2022. Finance Director Rouse said there is a small portion of town on sewer and there is a sewer budget. The Town does not raise taxes to run that department. They must invoice the people who use sewer and water. The sewer is on the expense side and the revenue is a user service fee to net it out. Selectman Blume asked if it was a revolving fund. Finance Director Rouse said it was not they have to raise the revenues to offset the expenditures from the previous years and is off a little bit. Selectman Blume asked why 2022 was zero. Finance Director Rouse said the auditors want to see it outside of the operating budget, but it is not there yet and would need to be moved to its own fund. Selectman Blume asked what miscellaneous. Finance Director Rouse said it would be unanticipated revenue that is less than \$5,000 but she will get back to the BOS on that. Chair Hippler said there was pump failure and if the money is pulled out of the budget how is it rectified right now, they pull from the bottom line and then it goes out to the users to reimburse to make it a net zero. How would they function if it was pulled from the budget entirely? Finance Director Rouse said because it would stay in a separate fund and would go negative. Chair Hippler asked how you could overspend the fund if there was no money. They would have to look at the fund because it is always a year behind. It would be the same as the revolving fund at the transfer station. Finance Director Rouse said that there is a line for insurance reimbursement for anything under \$5,000. Selectman Blume asked where the Clough Park detail goes. Finance Director Rouse said, on the books there is a police detail special revenue revolving fund and that is where a lot of the details went. Finance Director Rouse said they are tracking them outside of the budget because it is not operating money to spend. Selectman Mathews asked why there was a drop in lines 23 and 24. Finance Director Rouse said that the voters authorized 50% of the revenues to go into a special revenue fund. Chair Hippler said he thought they sold lots. TA Bolton said that it goes to the trustees of the trust funds for perpetual care and then they cut checks for the corner markers and then they pay it right out to the company, so it becomes a passer account. Neal Kurk asked about the Land Use Change Tax penalty because he thought it was 10%. TA Bolon said that the CC gets 75% of any current use penalty and the general fund receives 25%. The tax is 10%. Mr. Kurk

asked if the vehicle will be purchased in 2023 because the grant is under 2024, could the vehicle and the grant be done in 2023 to offset taxes, or can it both be done in 2024? Finance Director Rouse said it could change and if it does change then she will adjust the revenues.

Handyman Discussion: Chair Hippler asked what the available funds for the handyman position were. Finance Director Rouse asked if they were looking to hire an on-call one. Chair Hippler said it would be an on-call position and would not be a stipend position. Chair Hippler asked if they could earmark an amount for 2023. Finance Director Rouse said they could because they are not taking money from a specific line they are taking from the bottom line. Chair Hippler said his thought would be if they think that they would need the handyman for fifty hours of work in 2024 they could earmark it from the 2023 budget for 2024. Vice Chair Knapp agreed to earmark the money, but they needed to figure out if they would need the handyman for two hours a week or more. Vice Chair Knapp recommended scheduling the handyman for five hours a week. Chair Hippler said with all the buildings they have he would suggest 10 hours a week and times it by 52 and earmark the number. Selectman Blume asked where the money would come from for supplies for the position. Chair Hippler suggested earmarking money for supplies as well. Finance Director Rouse suggested a six-week probationary period until the end of the year and if they like the work, he is doing then they could have him work next year. Chair Hippler asked when the last day to earmark money. Finance Director Rouse said she usually says January 10th. Vice Chair Knapp said that what is budgeted and what they were thinking for an hourly rate would be that would be about two hours a week 100 hours for the year. Selectman Blume said that he likes the idea of a probationary period and hiring him at \$20 per hour. Chair Hippler said that the gentleman gave them a number and he felt as though it was reasonable and did not think it was right to go any lower than the number, he gave the BOS for the probationary period. Selectman Blume said he also asked about mileage. Chair Hippler said that he thinks they go with the hourly rate that the BOS discussed with the gentleman and have a six-week probation period. Selectman Blume clarified that there was money to spend on materials. Finance Director Rouse said there is a capital reserve fund for government building maintenance and a small amount in the operation budget. The BOS agreed to offer the handyman the position with a probationary period.

Other Business: Selectman Mathews said that she would like to talk about the professional stamps. Last week there was a discussion on building permit applications having registered professional stamps and the BOS received a follow-up on Wednesday from the TA, and she gave the BOS the excerpt of the residential building code or the IRC paragraph 106.1. Selectman Mathews read the paragraph and said that she did some research into what was approved by the Town and further research on previous meetings. Selectman Mathews said it is her personal opinion after researching that the Town may not be in compliance. Selectman Burdick read RSA 310:a and said the architectural stamp is not needed for a single-family or two-family home as long as they meet the requirements in RSA 310:A. Chair Hippler asked why Selectman Mathews and Burdick did not go and speak with the building inspector on this issue because that was a lot of information on the topic to process and feels blindsided. Selectman Mathews said that she wanted to know if the BOS would like to pursue this further which is why she did not go and speak with the employee. Vice Chair Knapp said this was started by a prior building inspector to have the architectural plans. Chair Hippler said this is a conversation to have with the staff. Selectman Blume said he thinks it is fair enough to have the conversation if the BOS has the information to stop requiring this of individuals immediately while they sort it out. Chair Hippler said if they stop requiring it and then find out they do need it then three people get a pass. The BOS will continue the conversation at the next BOS meeting.

Selectman Blume asked Chair Hippler his feelings on continuing to be chair as a follow-up from last week's meeting. Chair Hippler said last week was fine. It is hard to be doing town functions while he is at work. If the BOS is good with him getting to things when he gets to them that is fine, he can pass things off that are time sensitive. Selectman Blume asked what else was going on as Chair because he was only aware of the RSA and setting the agenda. Chair Hippler said he receives calls from employees, he has been contacted to contact the lawyer about certain things, etc. Chair Hippler said he can wait until the Town meeting to continue to be the chair.

Selectman Blume said there was a request from Diana Dickinson to correct the minutes quoting about having an opinion when she had the opposite. Selectman Blume said the minutes will be corrected next week to reflect her opinion.

Being there was no further business to come before the Board, Selectman Mathews made a motion, and Selectman Blume seconded to adjourn at 9:58 p.m. Passed 5-0-0

ADJOURNMENT

A True Record.

Kearsten O'Brien

Kearsten O'Brien, Minute Taker