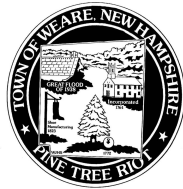


**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
October 23, 2017**

**PRESENT:** TOM CLOW, CHAIRMAN; FREDERICK W. HIPPLER, VICE CHAIRMAN; JOHN (JACK) MEANEY, SELECTMAN; JON OSBORNE, SELECTMAN; AND JAN SNYDER, SELECTMAN.

**RECORDING SECRETARY:** Naomi L. Bolton

**TOWN ADMINISTRATOR:** Naomi L. Bolton

**GUESTS:** Jeff Stevens; Frank Campana; Lori Davis; Leigh Bosse; Ernie Thibeault; Vinny Iacozzi

Chairman Clow called the meeting to order at 6:30 PM, welcomed everyone present and watching, followed by the Pledge of Allegiance.

**ACCESS TO DUDLEY BROOK ROAD:**

Jeff Stevens was present. Jeff and his wife Gina own a lot on Dudley Brook Road identified at Map 107 Lot 3 containing 7.2+/- acres. The lot, according to the tax maps, show that it fronts on Dudley Brook Road but he had a recent boundary survey done and it doesn't. He has an easement from his neighbor for the right to access his property. He started putting in a driveway to his lot not knowing he needed a permit, which is why he is here. He is looking for some guidance from this board. There was a little bit of discussion regarding the access and that the Town several years back discontinued the road that his lot fronted on. But in further looking the lot that abuts Mr. Stevens is owned by another resident. Two options were suggested. The first was to make an equal swap with his neighbor, but the area that he needs access to put in the driveway is a wet area. The second would be to go to the zoning board and apply for a variance to the shared driveway article. The Board explained to Mr. Steven that they could not approve the driveway but felt that it would be best to apply for a variance with the zoning board for a share driveway. Mr. Stevens thanked the Board for their time.

**EXCAVATION PERMIT RENEWAL-CLOUGH PARK ROAD:**

Ernie Thibeault and Vinny Iacozzi were present. Mr. Thibeault reminded the Board that he was here in May looking to have his excavation permit renewed. At that time he was sent away to work with the Town Attorney. Mr. Thibeault and his attorney provided documents that the Town did not have. In light of the new information provided Town Attorney Bill Drescher supports the conclusion that there was activity on this site and that there was continuous applications to the Town, both before and after zoning was adopted. The conclusion is that the applicant has not lost any vested right due to abandonment, in spite of the failure to apply for and/or obtain Board of Selectmen issued annual permits. The 7 acre tract appears fairly easy to identify as it is the disturbed section of Map 409 Lot 7 that is evident on that portion of the tract that is located west of the river that bisects the tract. However the location of the 29 acre tract is not easily identified as it constituted a portion of the bulk of this parcel located on the east side of the river. There was a topo map of this area that was provided purporting to identify the area of intended future excavation. Attorney Drescher agrees that the Town concedes that the applicant enjoys a continuing vested right to excavate the 29 acre tract but felt the applicant

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should be admonished to file a permit to the extent of any desired excavation on either of these two tracts of Map 409 Lot 107. Mr. Thibeault stated that all he would like to do is get started and have the ability to move some material as the season is almost over. Town Administrator Bolton suggested to the Board that if they were inclined to issue the renewal that it expire on March 31, 2018. That date would then align with the State reporting forms (April 1<sup>st</sup> to March 31<sup>st</sup>). There should also be a condition/stipulation that prior to coming forward for any further renewal (before April 1, 2018) the Town will need to have a reclamation plan and a plan/survey or other documents identifying and confirming the specific outer limits of the boundaries of the original 29 acre tract (and the 7 acre tract if that will be applicable) that Town staff or a town appointed representative will view the site to confirm the limits of the boundaries. Suitable markers need to be used consistent with such a plan that will enable the boundary to be identified in the future as well. Mr. Thibeault stated that he has no problem with that condition. **Vice Chairman Hippler moved, Selectman Meaney seconded to renew the excavation permit for the 29 acre tract for Thibeault Corporation, Tax Map 409 Lot 107 off Clough Park Road to expire on March 31, 2018 and that no further renewal will be granted until the boundaries of the 29 acre tract are marked and confirmed by the Town. Passed 5-0-0**

### SETTING OF TAX RATE:

Finance Administrator Beth Rouse was present. A spread sheet was put together with six columns. The first column was the current 2016 tax rate. Each column after that provided the retainage percentage remaining based upon varying amounts of fund balance used. For instance column ö leaves 7% retainage and applies \$225,000 to lower the tax rate. This would mean a 1% increase in the Town tax rate. The Town rate would go from \$3.78 to \$3.80. The columns of fund balance retained range from 7.96% applying zero to 4.52% using \$801,000. The board discussed the options. **Chairman Clow moved, Selectman Snyder seconded to apply \$225,000 of the unassigned fund balance toward taxes which would make the Town tax rate \$3.80 per thousand and \$23.05 for an overall total tax rate. Passed 5-0-0**

### MEETING MINUTES:

October 16, 2017 Minutes: Chairman Clow moved, Selectman Meaney seconded to approve the October 16, 2017 minutes as amended. Passed 5-0-0

### MANIFESTS

**Chairman Clow moved, Selectman Meaney seconded to order the Treasurer to sign accounts payable and payroll checks dated October 26, 2017 as included in the following manifests:**

**Payrolls Manifest** \$ 53,935.05 (weekly & monthly payroll)

**Accounts Payable Manifest** \$ 47,710.93

**John Stark School District Manifest** \$ 250,000.00

**TOTAL** \$ 351,645.98

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**Passed 5-0-0**

### ADMINISTRATIVE REPORT:

State Auction Proceeds: Town Administrator Bolton received a check for the proceeds of the State Auction that was held on Saturday, October 14<sup>th</sup>. The 3 cruisers and the 1 former police cruiser that was used by the DPW

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were sent along with some miscellaneous computers, monitors, etc. The Town received a check in the amount of \$6,880.85 which is unanticipated revenue and will go into the general fund.

Supplemental Agreement with Hopkinton-Everett Lakes Project: Town Administrator Bolton provided the Board with a Supplemental Agreement with the US Army Corp of Engineers requiring a signature by the Town. This supplemental agreement when fully executed grants permission to install the electric service to the existing communications tower at the Everett Dam in Weare. The Supplemental Agreement has been drafted with the Town Administrator's name, so the Board would need to authorize the Town Administrator to sign it. **Vice Chairman Hippler moved, Selectman Meaney seconded to authorize the Town Administrator to sign the Supplemental Agreement with the Army Corp of Engineers for the overhead service next to the voter site on the Everett Dam. Passed 5-0-0**

Chairman Clow stated that we are on the subject of voter sites he wanted to bring the Board up to speed on something that has been going on. Jack Dearborn who is the Chairman of the CIP Subcommittee has created a so called mini committee for radio communications. He is working with the departments to try to get the system to function properly. Mr. Dearborn, Chairman Clow and Gary Shelto have met with both chiefs and they have physically visited all the voter sites. One of the issues that seemed to play a part in the communication issue is that in 2013 the FCC narrowed the bandwidth which has negated the improvements that we have been making. Once there is some sort of resolution Jack Dearborn will be invited in to make the presentation to the Board.

Sugar and Spice Lease: Town Administrator Bolton informed the Board that the lease for Sugar and Spice is up for renewal this month. There was mention made several months back by a resident and former selectman that the board should think about whether they want to continue to rent it or allow them to continue on without a rent/lease fee. Town Administrator Bolton stated that she will reach out to Sugar and Spice to make sure they still want to lease and it will be put on an agenda very soon.

Insulation in attic of Town Office Building: Town Administrator Bolton has scheduled Team Engineering to come and look at the attic for this insulation project on Tuesday, October 24<sup>th</sup> @ 8 AM.

RFP for Assessing: Town Administrator Bolton reported that these RFP's are being reviewed still. There appears to be some outstanding questions, so the intent is to send the questions out to each of the bidders and prepare a spread sheet like was done on the camera project and bring it back once all the information is gathered.

Joint Loss Management Committee: Town Administrator Bolton has looked through the information that was left when Chris Hague left. The size of the committee is not specified, only that there needs to be an equal number of department heads and employees. There was a caution indicating that not to make the committee too big so that the organization is crippled when the meetings are attended. Town Administrator Bolton stated that she would like to move forward and start with 3 department heads and 3 employees and schedule a meeting. The Board felt that would be appropriate.

### **PUBLIC COMMENT:**

Frank Campana stated that from his observations, the percentage of retainage is going up year after year. He also stated that the numbers on the sheet in 2012 don't agree with his, but he will reach out directly to Finance Administrator Beth Rouse for clarification. He didn't understand why there was such a large spread used between columns c and f. He would have like to see a little closer spread. He did appreciate only having a 2 cent increase. He also appreciated the emphasis given that it was the town's rate that was increasing 2 cents. He stated that it will be interesting in March to see what money can be used for articles, which could have been

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used to reduce the rate lower tonight. The other issue he had is that last week when the DPW director was here he gave a very brief overview of hazardous waste day. No one from the Board asked him any questions. Last year the Board put an article on the warrant to have it become part of the operating budget, as well as putting an amount in the proposed budget which both passed. He felt the change was driven to increase the transfer station budget. He was disappointed that no one on the board asked any questions.

Lori Davis stated that she is not here to comment but more informational. The Finance Committee now has 10 members and they are having a meeting on Wednesday, October 25<sup>th</sup> at 7 PM. She pointed out that the school has two contracts and they are working on being more energy efficient which is going to be expensive. She stated that as things move forward scrutiny with all departments will be very tight. She invited the board to attend their meetings as she felt it was very important to have continuous dialogue.

### **CORRESPONDENCE:**

None

### **OTHER BUSINESS:**

Selectman Snyder stated that she checked on the tax deeding information as it was brought up last week. She provided the Board a copy of the 1994 Town Report showing that article 14 authorized the Board to convey property acquired by tax deed, only to former owner, by private sale or by public auction, except for any parcels larger than 5 acres for land only or 10 acres if a dwelling is present. This authorization is necessary because if it was not granted it would have to go on the ballot before property could be offered for auction.

### **NONPUBLIC SESSION:**

**Chairman Clow moved, Selectman Meaney seconded to enter into nonpublic session @ 7:55 p.m. pursuant to the authority granted in RSA 91-A:3II (a & c). A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0**

**Selectman Meaney moved, Vice Chairman Hippler seconded to exit from the nonpublic session @ 8:27 p.m. A roll call vote was taken, Selectman Osborne – yes; Selectman Snyder – yes; Chairman Clow – yes; Selectman Meaney – yes; Vice Chairman Hippler – yes. Passed 5-0-0**

**Chairman Clow moved, Selectman Meaney seconded to seal and restrict these minutes of the nonpublic session. Passed 5-0-0**

**Being there was no further business to come before the Board, Chairman Clow moved, Vice Chairman Hippler seconded to adjourn at 8:30 PM. Passed 5-0-0**

### **ADJOURNMENT**

A True Record.

*Naomi L. Bolton*

Naomi L. Bolton  
Recording Secretary