

TOWN OF WILTON

SELECTMEN'S MINUTES

Date: February 3, 2014

Time: 6:30 P.M.

Place: Town Office

Present: Chairman Daniel E. Donovan, III, Selectmen William F. Condra and Richard E. Swanson, and Recording Secretary Pamela Atwood.

The meeting was called to order at 6:30 P.M. by Chairman Donovan.

Steve Elliott was recognized to discuss employee raises and salaries. His discussion was about certain salaried employees who receive overtime pay. He asked if this is something the other three salaried Town employees are entitled as the Police Chief and Ambulance Chief seem to be. Chairman Donovan questions if the Police and Ambulance Chief positions are appropriately categorized as salaried. He feels that neither position qualifies as a salaried position. Brent's DWI and speeding grants are paid for with overtime wages and when Gary is shorthanded he receives compensation for shift coverage. Jerry Greene asked if these positions have contracts. Dan stated that the Police Chief has a contract, but it was never amended as suggested by Town Council.

Mr. Elliott said that the requested raises this year were all over the place and he would be in favor of seeing a study committee to look at salaries, reviews, and job descriptions. Selectman Swanson would like transparency, fairness and equity. He has stated before that annual reviews should be done. There was further discussion about raises and the Selectmen's stance on them.

Next, Steve talked about the Petition Warrant Article that was presented to the Selectmen's Office by Mr. Schultz. He read the article

and stated that it affects him and his position. There has been disagreement between Steve and Tom Schultz and Steve feels that this is retaliation. Steve presented an item for a Warrant article which asks that the Water Department be dismantled immediately. Steve stated that there have been ten Water Commissioners in the last three years. He thinks if the Selectmen were in charge of the Water Department, as they are other departments, it would be run better. This subject initiated a lot of discussion. In the end it was decided that there might be some merit to the idea that would result in increased efficiency, but a more in depth study of the idea was needed. Chairman Donovan said that in fairness the new Selectperson should have input on this idea. Steve said there are things that run through the Town that help the Water Department. Jerry Greene said that the Town owns all that the Water Commission governs, and that it would be much cleaner if the Town ran the Department through the Commissioners. The Town is in some way subsidizing the Water Department to keep the rates low. Motion: Chairman Donovan made a motion that the Petition Warrant Article regarding election of the Director of Public Works in 2015 be put on the Warrant; but not to adopt a Warrant Article specific to abolishing the Water Department. Steve Elliott withdrew his Warrant Article request. The motion was withdrawn. Motion: Chairman Donovan made a motion stating: With respect to the Petition Warrant Article, that it be put on the Warrant, but second, that the Selectmen do not support it and do not recommend it. The motion was seconded by Selectman Condra followed by a unanimous vote with all in favor.

Dawn Tuomala was next on the agenda to update the Board with some new budget numbers. She presented the proposed revenue section. Motion: Chairman Donovan made a motion that the Selectmen recommend the revenue numbers as proposed by Dawn. Selectman Condra seconded. A vote with all in favor followed.

Dawn talked about the Maple Street lot line adjustment article, the

Town Hall repair project article and the Frye/High Mowing land article. Next, the Board of Selectmen voted on the Warrant articles as follows:

To see if the Town will vote to modify the Elderly Exemptions from property tax in the Town of Wilton, based on assessed value, for qualified taxpayers, to be as follows: For a person 65 years of age up to 75 years of age, \$35,000; for a person 75 years of age up to 80 years of age, \$50,000; for a person 80 years of age or older, \$70,000. To qualify, the person must have been a New Hampshire resident for at least five years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least five years. In addition, the taxpayer must have a net income of not more than \$25,000 or if married, a combined net income of less than \$40,000; and own net assets not in excess of \$70,000, excluding the value of the person's residence. (To be voted on by ballot).

Chairman Donovan suggested changing the residency requirement from 5 years to 3 years. Selectman Swanson agrees as does Selectman Condra.

Motion: A motion was made to recommend the article as modified by Chairman Donovan, seconded by Selectman Swanson. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of thirty seven thousand dollars (\$37,000) for the purchase of a pickup truck and plow equipment. The monies to come from general taxation, or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of one hundred seventy five thousand seven hundred and sixty dollars (\$175,760) for the purchase of a new 6 wheel dump/salt/plow truck

and to authorize the withdrawal of seventy five thousand dollars (\$75,000) from the Highway Equipment Capital Reserve Fund previously established. The balance of one hundred thousand, seven hundred sixty dollars (\$100,760) to come from general taxation, or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of two hundred seven thousand, five hundred eighty seven dollars (\$207,587) for the purchase of a new ambulance, a power cot and an onboard vehicle radio and the withdrawal of one hundred eighteen thousand, six hundred forty dollars (\$118,640) from the Ambulance Equipment Capital Reserve Fund previously established. Thirty two thousand fifty four dollars (\$32,054) to come from general taxation, Lyndeborough to raise fifteen thousand three hundred seventy six dollars (\$15,376) and Temple to raise forty one thousand five hundred seventeen dollars (\$41,517), or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to amend this article by inserting after the term general taxation “contingent upon Lyndeborough raising, appropriating and paying \$15,376 and also contingent upon Temple raising, appropriating and paying \$41,517; striking out any language inconsistent with that, and continuing with the rest of the Warrant Article. Selectman Condra seconded the motion. Vote: Selectman Condra, aye; Selectman Swanson, nay; Chairman Donovan, aye. Selectman Swanson would, however, like to go on record as supporting it.

To see if the Town will vote to raise and appropriate the sum of four hundred twenty five thousand (\$425,000) for the purchase of a new Fire Department Rescue vehicle, equipment and decals and to authorize the withdrawal of three hundred eighty three thousand eight

hundred dollars (\$383,800) from the Fire Equipment Capital Reserve Fund. The balance forty one thousand two hundred dollars (\$41,200) is to come from general taxation, or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of thirteen thousand two hundred fifty dollars (\$13,250) for the repair/ replacement of the Library Balustrades and to authorize the withdrawal of thirteen thousand two hundred fifty dollars (\$13,250) from the Library Renovation Capital Reserve Fund previously established, or to take any other action relating thereto.

To see if the Town will vote to raise and appropriate the sum of eighty thousand dollars (\$80,000) to replace the bridge on Frye Mill Road and to authorize the withdrawal of eighty thousand dollars (\$80,000) from the Bridges Capital Reserve Fund previously established, or to take any other action relating thereto.

Motion: Chairman Donovan made a motion to recommend the article. Selectman Condra agrees. The Board asked for Steve Elliott's comments. Discussion about making the bridge more esthetically appealing was discussed and would add approximately \$8,000 to the current price of \$80,000. After further discussion Chairman Donovan made the following motion:

Motion: A motion was made by Chairman Donovan to recommend this article amended to \$88,000 as discussed, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate up to the sum of eighty thousand dollars (\$80,000) for purpose of acquiring a partial interest in the conservation easements on Lots F-127, F-128, F-130,

F-131 and F-139. The Town will acquire public passive recreation rights, significant wellhead protection, and the protection of open space. The Town appropriation of funds will provide up to \$80,000, to assist in reaching the full Project Costs of (\$1,635,000). Other monies are to come from Federal Farm and Ranchland Protection Program grant funds and USDA and Natural Resources Conservation Services, along with fundraising and Board allocation from High Mowing School and other grants and private funds. The monies to come from general taxation, or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to table this article, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of twenty seven thousand, dollars (\$27,000) to be added to the Police Equipment Capital Reserve Fund previously established. The monies to come from general taxation, or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to discontinue the Recycling Center Landfill Closure Capital Reserve Fund previously established. Fund balance as of 12/31/2013 was fifty two thousand two hundred ten dollars and five cents (\$52,210.05). Said funds, with accumulated interest to date of withdrawal, are to be transferred to the general fund or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written. Discussion followed.

Motion: A motion was made by Chairman Donovan to recommend this article with the understanding that the Capital Reserve funds be specifically applied to the Recycling Center Budget and distributed pro-rata to the Recycling Center Member Towns. Seconded by

Selectman Swanson. Vote: 3 ayes.

To see if the Town will vote to discontinue the Ambulance Radio Capital Reserve Fund previously established. Fund balance as of 12/31/2013 was four dollars and sixty one cents (\$4.61). Said funds, with accumulated interest to date of withdrawal, are to be transferred to the general fund or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article with Attorney Little's suggested changes; seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to discontinue the Isaac Frye Paving Capital Reserve Fund previously established. Fund balance as of 12/31/2013 was one hundred three dollars and two cents (\$103.02). Said funds with accumulated interest to date of withdrawal, are to be transferred to the general fund or to take any other action relating thereto.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate \$4,500 to take a 100 foot section from the lot known as D-093 owned by the Town of Wilton and added to each of the four abutting lots known as lots K-177, K-178, K-045 and K-046 as will be described more specifically in a survey to be done upon passage of this article; along with any specified covenants.

Motion: A motion was made by Chairman Donovan to amend this article to say "authorizing the Board of Selectmen to make any boundary line adjustment as they deem appropriate. Seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of twenty

thousand dollars (\$20,000) for repairs to the Town Hall storage and bathroom area and to authorize the withdrawal of twenty thousand dollars (\$20,000) from the Town Hall Repair Project Capital Reserve Fund previously established, or to take any other action relating thereto.

Selectman Condra commented on this article by saying that he came close to condemning the area.

Motion: A motion was made by Chairman Donovan to recommend this article as written, seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to adopt the provisions of RSA 72:37, Blind Exemption from property tax. Any legally blind persons, as determined by the blind services program, shall be exempt each year on the assessed value, for property tax on his or her residential property tax to the value of \$15,000. Majority vote required. (This is a housekeeping item; the exemption has been recognized by the Town for many years but was never officially voted on at a Town Meeting.)

Motion: A motion was made by Chairman Donovan to recommend this article as amended to insert Attorney Little's language in substitution of the second sentence. Seconded by Selectman Condra. Vote: 3 ayes.

To see if the Town will vote to raise and appropriate the sum of XX million, XXX thousand X hundred XX dollars (XX) for the general municipal operation for the year 2014 or to take any other action relating thereto. Said sum does not include any of the special or individual articles addressed.

The Budget Committee will vote on this article tomorrow night.

To see if the Town will approve the following article:

To see if the Town will vote to elect its' Director of Public Works to a three year term commencing in March of 2015 and every third year thereafter. (By Petition.)

The Selectmen previously voted not to recommend this article.

The article that was previously tabled was read by Chairman Donovan: To see if the Town will vote to raise and appropriate up to the sum of eighty thousand dollars (\$80,000) for purpose of acquiring a partial interest in the conservation easements on Lots F-127, F-128, F-130, F-131 and F-139. The Town will acquire public passive recreation rights, significant wellhead protection, and the protection of open space. The Town appropriation of funds will provide up to \$80,000, to assist in reaching the full Project Costs of (\$1,635,000). Other monies are to come from Federal Farm and Ranchland Protection Program grant funds and USDA and Natural Resources Conservation Services, along with fundraising and Board allocation from High Mowing School and other grants and private funds. The monies to come from general taxation, or to take any other action relating thereto.

Chairman Donovan stated that it sounds like an advertisement.

Motion: Chairman Donovan made a motion to not to recommend the article. Selectman Condra seconded the motion. The article was opened up for discussion. Ian McSweeney of the Russell Foundation spoke. He spoke to the statements made at a previous budget meeting, saying in part that if the owner sells for full price then they cannot get a tax deduction; in other words, they cannot double dip. Also that it would mean permanent protection of the land which takes away certain rights as opposed to a deed restriction which is not permanent. He continued speaking in favor of the Warrant Article stating items that the Town would benefit from, which it would not get any other way: Protection of 4 of the 7 wellheads. Corridor 13 snowmobile trail would remain as a permanent trail. As well as for private well quantity this is a recommended approach

Mr. McSweeney made a correlation between this project and the Warrant Article that was voted on years ago for much more money. Selectman Condra stated that approval of the Bond was what was

voted on at that time.

Chairman Donovan stated that he is offended. He feels Ian's statement about the taxes was directed at him and he is troubled by that. Dan's comments were not directed at any properties in particular. He thinks it is unfair for taxpayers to be funding a Capital Gains tax break to an individual. It is a use of taxpayer money to make land unbuildable. Furthermore, he takes issue as to whether this has been authorized by previous Town Meeting. He stated that this has not been approved by the voters and Ian's comments are misleading and troublesome. The vote years ago simply required the Bond vote to be by simple majority, not two-thirds. Chairman Donovan said that he did not make reference that Gary Frye was benefiting; he doesn't know the details of the Purchase and Sales agreement. He did say that Mr. Frye can save money by putting an easement on before he sells. Ian said if he sells that easement there's no deduction. Dan stated that the Town is not buying anything, merely paying an administrative fee. Ian stated that this is a purchase price; interests in real estate and the Town's money is provided for the purchase price. Dan sees no benefit to the Town. Dan moves not to recommend the warrant article. Selectman Condra spoke next, saying that he feels it is an attempt to direct public money for a private use. High Mowing School is the primary beneficiary, and the Town of Wilton is being asked to participate at a cost of \$80,000. He feels this is inappropriate to do so; using public money to go toward a private school entity. Bill said it is not in the best interest of the Town of Wilton; rather it is a conservation easement that is in the best interest of High Mowing School. He overheard an audience member during the Budget meeting say that this is a "200 acre outdoor classroom for High Mowing School".

Selectman Swanson spoke saying it is a public benefit; it is another piece of farmland and open space. It improves the tax base for all the land that is left, creating better land value with a high priority for open space. He is in favor of putting it on the ballot so the voters can decide

even though he is in the minority on the Select Board with regard to this issue.

Chairman Donovan stated that the Select Board is the Board that designates what goes on the Warrant and if put to a vote, then the outcome is quite clear. He wants it to be presented to the voters, so it should remain on the Warrant. After further comments from the floor and clarification of what a no vote would mean, the Selectmen voted as follows on the Warrant Article: Selectman Condra votes in opposition to this Warrant Article; Chairman Donovan votes in opposition to this Warrant Article; Selectman Swanson votes in favor of recommending this article. The majority vote is that the Board of Selectmen do not recommend this Warrant Article.

Gary Zirpolo was next on the agenda to explain the accident that the ambulance had. The estimate to repair the damages is \$3,844. It will take one week to repair and Gary will have an Ambulance to borrow during that time.

Next, he discussed the Comstar billing rates. He explained the billing practices and gave comparisons of local towns stating that Wilton is in the middle when compared to NH billing practices. After further discussion and questions, Chairman Donovan suggested that Gary pursue the issue further and get back to the Board. On another matter, Chairman Donovan told Gary that he would discuss his other issue with the other Board members in a nonpublic session. The Board thanked Gary.

Chairman Donovan called for a nonpublic meeting per RSA 91-A:3,II (c) at 9:15 P.M. to discuss a personnel issue. A vote with all in favor followed.

The regular meeting was called to order at 9:22 P.M.

The status of the NTV variance filing was discussed.

The Selectmen read a letter from Charlie McGettigan which requested a copy of a document that was part of a nonpublic meeting. The Board stated that the letter is part of a sealed nonpublic meeting and will not be released. They asked Pam to respond in writing to Mr. McGettigan.

Selectman Swanson will call the vendor who had presented an energy saving lighting proposal to the Board.

Next, the Selectmen discussed the Notice of Intent-to-Cut that was submitted by Home Farm Realty Trust/Matthew Fish. Before signing the form, the Selectmen will request a Trustee Certificate and a bond in the amount of the cut from Mr. Fish.

Assessor Todd Haywood will be requested to prepare an information packet for the Selectmen regarding the Pole License matter.

The minutes were approved.
Accounts Payable manifests
One (1) PSNH Pole License

A motion was made to adjourn the meeting at 10:07 P.M. by Chairman Donovan, seconded by Selectman Condra, followed by a vote with all in favor.

Respectfully submitted;

Pamela L. Atwood, Recording Secretary