

# TOWN OF WILTON

## SELECT BOARD MEETING

### TOWN HALL COURTROOM

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DATE: Monday, August 13, 2018  
 TIME: 6:54 pm  
 PLACE: Wilton Town Hall  
 PRESENT: Chairwoman Kellie-Sue Boissonnault, Selectman Kermit R. Williams, Selectman Matt Fish, Town Administrator Paul C. Branscombe, Administrative Assistant Janice Pack

Chairwoman Boissonnault opened the Select Board's regular meeting immediately after the Public Hearing ended at 6:54 PM.

**CONSENT AGENDA: Chairwoman Boissonnault moved to approve the Consent Agenda, and Selectman Fish seconded. All were in favor; motion passed.**

#### **NEW BUSINESS:**

DOROTHY TAYLOR – Ms. Taylor owns Lot C-29 on the Class 6 portion of the Bennington Battle Trail and is here tonight to find out what the requirements are for a Driveway Permit. Selectman Williams asked her if she recognized that the Town did not maintain that road. Her deed calls it the Old County Road. Selectman Fish said it was renamed. He said RSA 674:41-I(c) details what is needed to get a driveway permit on a Class 6 road, and he read the RSA aloud. Ms. Taylor said that she has already obtained a driveway permit for another lot. The Select Board looked at the map with her. Selectman Fish suggested that she go to the Planning Board, but Ms. Taylor said that she had been there the week before, and they sent her here. Selectman Williams said there would need to be an agreement that the Landowner releases the Town from any liability for travel on that road and that the Landowner will maintain the road. Selectman Fish said they'd been working with Jim Cutler to develop a review process to be sure the fire trucks could travel on the Class 6 road in case of an emergency. Selectman Fish said that Ms. Taylor should have her attorneys draw up the agreement, and that the Road Agent and Fire Department would look at the driveway permit to be sure it met the requirements. Selectman Williams said that our lawyers should review any proposed agreement before the Select Board signs it. Selectman Fish wants to be sure there is a clear indication of the level of maintenance that will be provided. Ms. Taylor can have an agreement drawn up, and forward it to Mr. Branscombe for review.

SIGNS AT RESERVOIR – Selectman Fish said that at the Reservoir, the No Swimming signs are basically a rural legend. Years ago there was a reason for it, and now there isn't. He said that his son was up there a few weeks ago with his babysitter, and they got thrown out, so he'd like to straighten this out once and for all. Chairwoman Boissonnault said that she'd like to suggest that before any signs are removed, we should reinstate a committee to evaluate this. We need to come up with a better plan for parking, No Lifeguard signs, and other items that opening that up into a recreation area that the residents can utilize will necessitate.

Selectman Williams said that there is no local ordinance that prohibits swimming. There may have been one prior to the reservoir being decommissioned for drinking water but there is no reason for the signs to be up there now. Tom Schultz, a member of the Wilton Water Commission, said there are 3 signs there prohibiting swimming and other recreation. He will propose at the next meeting that these signs are removed.

Selectman Williams agreed with Selectman Fish that we have recreational immunity at that location, and do not need to post signs to absolve the Town of any responsibility. Chairwoman Boissonnault asked what authority we would give to the police if we open that up for recreation. She would still like to see a committee put into place.

Sara Spittel said that she would respectfully ask the Board to wait until the dam survey was done. Selectman Williams requested that Chief Olesen inform his staff that people ARE allowed to use the water. Janet Langdell asked about the survey being done; Chairwoman Boissonnault said there is an analysis of the dam being done. Jim Cutler said that he has big concerns with opening up the Reservoir to more people. The Fire Department is a volunteer company and this could force them to make changes to be sure there is always staff around in case a rescue is required or a fire is started. There was additional discussion regarding what would happen; no agreements were reached. Chairwoman Boissonnault wanted to post something about Wilton Residents Only; Selectman Williams said he didn't think we could do that unless we made it into a park.

COMPENSATORY TIME – Chairwoman Boissonnault said that we do not currently have a comp time policy for hourly workers working over 40 hours a week. She explained that a salaried person is paid a set amount for their job, and not eligible for comp time. Selectman Fish said that there should be a mechanism to compensate people like the Road Agent who may be out plowing for 80 hours straight. Mr. Branscombe said having no comp time is a policy in itself. However, there are 2 employees who were given a “handshake deal” with the former Town Administrator and this should be addressed. Chairwoman Boissonnault said that we should honor that, but that it should not be allowed to accumulate further. Selectman Williams said he wouldn't be comfortable from a policy perspective writing a check. Deb Harling said that the Fair Labor Standards Act addresses this, and comp time is ONLY for hourly employees and specifically exempts salaried employees.

Steve Desrosiers came to the table to speak about his own job offer and the handshake agreement made with the previous Town Administrator. He feels it is hard to take time off and still retain coverage. Chief Olesen asked if we were going to end up with a policy that outlined the benefit package. He said that the former Chief had a comp time policy, and he has actually lost 2 weeks of vacation time because it wasn't taken. He's looking for a written policy to spell everything out.

Bill Condra joined the Select Board at the table, and Chairwoman Boissonnault asked him about the former policies. Mr. Condra said that the former police chief had control of his crew and their benefits and while the Board did not set any of their policies, they were aware of the police comp time. Chairwoman Boissonnault asked if there was an agreement for the DPW or Ambulance and Mr. Condra said that the former Board did not balk if they wanted to take time off. Selectman Fish said that they are trying to put into place effective rules and policies. He feels it would be a shame for any employee to get burned or to feel they are not being fairly compensated. Chairwoman Boissonnault asked Mr. Branscombe to contact the attorney and ask about having an agreement with one department or one person; he said that was possible. After further discussion, it was

recommended that Chief Olesen encourage his crew to take the overtime pay. William Hickerson joined the table and said that he liked the comp time policy when he was new to the force and didn't have enough vacation time. Deb Harling suggested we send the question out to other towns to find out how they are handling comp time, and what limits they are setting. **The discussion was tabled pending further information.**

### **OLD BUSINESS**

GARWIN FALLS – It was suggested that we deputize a parking officer to be present at Garwin Falls. Chief Olesen said he would make a phone call to the Attorney General's office and find out what is required. Chairwoman Boissonnault directed him to do the research.

Selectman Williams said we need to do another Public Hearing to discuss the proposed ordinance for parking. Selectman Fish asked why there was a difference in the ticket price for the Horseshoe and Garwin Falls. Chief Olesen said that Garwin Falls had become the bigger issue, and the Board had agreed on the \$100 ticket price. Chairwoman Boissonnault asked if the ticket price should be raised from \$50 to \$100 at the Horseshoe and Chief Olesen said it should be uniform. Selectman Fish asked about coverage and wondered if we should add a few more roads such as Adrian, and Gregoire Circle. Bill Condra said that to post some of those streets No Parking would be harmful to the residents who have visitors and Selectman Williams said we shouldn't add No Parking signs to streets without asking the residents if they want them. Ralph Buschmann from 123 Sand Hill Road suggested signs that say Resident Parking Only. **Chairwoman closed discussion on this for now until the ordinance can be revised.**

RECENT SEALED BIDS – Tim Broderick joined the table to talk about the bid for surplus vehicles. He began by reading a statement detailing the bid procedure and protesting that the bid for the fire vehicle was awarded to Joe Poisson. Selectman Fish said when he was elected that he was committed to making sure that no one entering a bid got screwed the way that he did a few years ago. He did not remember any motions being made to accept the bid, or seeing the personal check. Selectman Williams said that this is the first sealed bid for surplus vehicles that this Board has done, and he did not read the invitation when the bids were opened, just the bid page. Tim played the part from the Live Stream Select Board meeting of July 30<sup>th</sup> where the bids were opened.

Chairwoman Boissonnault asked the Board what they wanted to do. Tim felt that an email conversation had occurred and that one person made the decision. Chairwoman Boissonnault said the Board had accepted the bid during the meeting. This was discussed further. Selectman Fish read the entire Invitation to Bid including the part about the Town of Wilton waiving any informalities.

Selectman Fish suggested that we rebid the whole package. Selectman Williams said that the Board had not seen the bid specs previously. He invited Selectman Fish to write a Town of Wilton bid sheet. Selectman Fish said the bid sheet looked pretty good, but he didn't remember waiving any informalities on this bid. Selectman Williams suggested that the Board vote on the policy and it will serve as instructions for not only the Board but for the staff. He said he had seen a check for an amount that was larger than the check Tim had submitted and thought it was a done deal. He agrees with Selectman Fish that we need a better bid policy. Selectman Fish will create a new bid policy to use going forward. Chairwoman Boissonnault motioned to accept the bids the way they had been received, and take it as a learning experience and move forward. Selectman Williams apologized to Tim, who cut him short, still upset because there had been no vote at the

last meeting. Chairwoman said that perhaps they didn't do everything the proper way, but they had decided to move forward. **Selectman Williams moved that the Town accept the bid of Mr. Poisson for the Fire Rescue Truck and waive the inconsistencies or irregularities in his bid. Chairwoman Boissonnault seconded the motion. The vote was 2-1 with Selectman Fish bidding against. Motion passed.**

WILTON AMBULANCE & EMS BUDGET – Chief Desrosiers joined the table to discuss his budget. Deb Harling joined as well; she had supplied updated budget worksheets for the Select Board. She is still in the midst of entering all revenues, but is working with Karen on that. The new billing company is at a 50% collection rate currently. She said that the request went to the Trustees to transfer funds and that will be completed shortly. Selectman Williams noted an amount of \$22,931.13 that was exceptionally high, and Deb determined that some items were in the wrong place. Selectman Fish asked Chief Desrosiers how he felt he would end up at the end of the year. Chief Desrosiers said it was hard to predict as he didn't have any data, and it was unknown how many calls they might have. He maintained that he had to rely heavily on the previous Town Administrator's numbers last budget season but that these numbers are what it costs to run a proper 2018 Ambulance and EMS Service. Selectman Williams asked if he had a split on where the calls were, and Chief Desrosiers said he did.

Chairwoman Boissonnault pointed out that Chief Desrosiers had been a part of the previous budget season, but there were some items that weren't anticipated. Selectman Williams said that once things were reclassified, they would have to look at transferring money. He wanted to know what was in the Revolving Fund. He stressed that Chief Desrosiers needs to work closely with Deb to get those numbers current and accurate.

PERFORMANCE EVALUATION FORMS – Chairwoman Boissonnault said that the sample form looked good, and Selectman Williams said it is important to get comments on the employee. He thinks the employee should do their own self-evaluation. Chairwoman Boissonnault would like to see another set given to the employee to fill out and then be able to compare the two. All agreed. Selectman Williams said this form was generic in terms of job areas. Previously there had been an attempt to include specific tasks for each department. The form will be revised to include this.

## **TOWN ADMINISTRATOR UPDATES**

CivicLive Website – Mr. Branscombe detailed the kick off conference call with CivicLive, and thanked Jackie Kahle for all of her input. December 17 is the anticipated date to go live.

Ambulance Inter-Municipal Agreement – Mr. Branscombe went to Temple with Russ Boland from Lyndeboro and reviewed the revised Agreement. Selectman Williams said he wasn't comfortable with the requirement for the Town of Wilton to give a year's notice if they decide to discontinue the service, but the other Towns only need to give a 6 month notice.

Habitat for Humanity – A memorandum of understanding has been put together. Selectman Williams said we need to hold a Public Hearing after meeting with the Conservation Commission and the Planning Board.

Personnel Policy Committee – This has been established; the committee has not met yet.

Select Board Guidelines & Procedures – Chairwoman Boissonnault said she liked this policy; Selectman Williams said that the Select Board does not appoint an ex-officio as members of other boards or committee. He disagreed with the part about getting approval from the other board members to meet with counsel. He would like to strike that section completely. Selectman Fish said that each Select Board member has the ability to put their finger on the "pulse of the town"

and hear what they want to hear. Chairwoman Boissonnault reminded all to share any information they received. **Chairwoman Boissonnault tabled this for further review and revisions.**

Temporary Alternate Duty – Mr. Branscombe shared the TAD that Primex recommended.

**Selectman Williams moved to accept the TAD as written; Selectman Fish seconded. All were in favor; motion passed.**

Delegation of Financial Functions – we will show this revision to Bill Chalmers tomorrow

Investment Policy – We reviewed this with Mr. Chalmers; he said we had nothing to invest at this time.

Library – Meet and Greet Thursday at 5:30

Debra asked what reports the Select Board would like to see. Selectman Fish would like to see a month by month for each department, a trial balance and an income statement.

BMSI – Mr. Branscombe told the Board that Janice and Debra would be attending training in Littleton, NH on August 24<sup>th</sup>, and would be driving up the night before. **Selectman Fish motioned to approve the travel to attend the BMSI Training; Chairwoman Boissonnault seconded. All were in favor; motion passed.**

### **SELECT BOARD ITEMS**

Selectman Williams said he is of the understanding that the IT staff at the High School is under employed and it was suggested that they could provide IT support for the Town. It would be less expensive, more personal service than what we're getting from RMON. Mr. Branscombe will contact the High School.

**Selectman Williams moved to authorize our legal team to contact the lawyer from MACC Base. Selectman Fish seconded. All were in favor; motion passed.**

### **PUBLIC COMMENTS –**

Deb Mortvedt – on July 20<sup>th</sup> she executed a Right to Know Request and she felt that not everything was there. She is concerned that the Select Board and Mr. Branscombe understand how to properly do a Right to Know Request. Selectman Fish asked if there was a Right to Know checklist. Selectman Williams said that when you place a Right to Know Request, you need to know what you're looking for to a certain extent. He said there isn't a real definition but you can't just have a fishing expedition. The Town of Wilton charges \$1 per page for copies.

Ruth Smith said regarding the bidding process, Selectman Fish is absolutely right; the Town needs a policy of consistency. She said there was no easy way to fix this but we've treated a business that has been here for years really badly. House by the Side of the Road donates the annuals that go in the flower boxes downtown. In response to Jennifer Beck's request for daffodils they always donate, and she feels that we owe them something. Regarding Comp Time, she wonders when the department heads would find the time to take it.

Rob Keller asked why the Town of Wilton doesn't do seasonal fire permits. He said it doesn't make sense to go down and get a permit every single time they want to have a fire. Chairwoman Boissonnault said the decision for a seasonal burn permit is the decision of the Fire Chief. Rob said the past week there was paving done on Isaac Frye Highway and he was concerned that he didn't have advance notice. He said that he's surprised there isn't a trail from the Horseshoe to the High School parking lot. He also feels that the fence at the Reservoir should be removed at the gate; it's an eyesore.

Christine Keller said the EMT Chief had mentioned that the calls were up 16% and she asked what that meant; Chairwoman Boissonnault thought it was because we were responding to more calls.

**NON-PUBLIC UNDER RSA 91-A:3, II (e)**

**Chairwoman Boissonnault motioned to enter Non-Public Session; Selectman Fish seconded. All were in favor; motion passed.**

**Chairwoman Boissonnault made motion to exit non-public at 11:30 PM; Selectman Williams seconded. All were in favor; motion passed. It was agreed that the minutes did not need to be sealed.**

**APPROVALS: MINUTES, MANIFEST, SIGNATURE FILE**

The Board returned to the Courtroom to sign documents. Chairwoman Boissonnault reminded all that next Monday they need to be there as quickly as possible to sign the payroll manifest.

With regard to the letter from DTC Selectman Williams agreed with the suggested procedure.

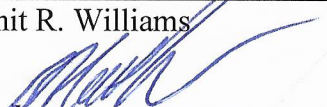
**ADJOURNMENT**

**Selectman Fish moved to adjourn this meeting, Selectman Williams seconded. All were in favor; motion passed.** The meeting adjourned at 11:53PM. The next meeting will be held on Monday, August 27, 2018 at 6:30 PM.

Respectfully Submitted:  
Janice Pack, Administrative Assistant

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Kellie-Sue Boissonnault, Chair

  
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Kermit R. Williams

  
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Matthew S. Fish