



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
November 21, 2016

Selectmen Present: Susan Silverman, Nancy Carney, Chris Holman

Ms. Silverman called the meeting to order at 7:04 p.m.

PRIMARY:

*** **APPROVE MINUTES**
- **November 8, 2016**
- **November 14, 2016**

*** **APPROVE MANIFESTS**

Ms. Carney made a motion to approve the manifests and the minutes of November 8th and 14th. Mr. Holman seconded. Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

*** **REVIEW SIGNATURE FOLDER** - The Selectmen reviewed and signed.

7:15 MEET WITH WINSTON WRIGHT AND PHYLLIS PETERSON

Winston Wright and Phyllis Peterson, Monadnock Regional School Board members, met with the Selectmen to give an update on the school budget. Ms. Peterson handed out a written answer regarding the propane tank to the Selectmen. Ms. Peterson shared that the Superintendent was looking for goals and handed out information for residents to fill out if they wanted. Ms. Peterson reported there were a lot of concerns – have more to fight for this year than ever. Ms. Peterson shared that Mr. Wright has been asked if he would run again. Discussion was held on the newspaper article with information from Tom Matson, leaving out the cost per student, changing the formula and possibly being better off not having changed. Ms. Peterson shared that this year with the budget, she doesn't feel there was any way for the breakfasts to pass. The towns were outnumbered and a lot of new positions have been added.

Ms. Silverman mentioned that the town doesn't have a list of enrollment and asked who we could put pressure on to get the information. Ms. Peterson suggested writing to the Superintendent and copying Jane Fortson. Ms. Peterson shared it was easier to create now more than ever. Ms. Silverman stated the problem with the budget was the article in the newspaper that doesn't tell the whole story and if you don't look at the cost per student you lose the inequity. Ms. Peterson shared that she doesn't feel Fitzwilliam has more students than Troy. Mr. Wright stated that votes are weighted since they went from 15 members to 13. Mr. Holman mentioned that we were listed as having 10% more students than Troy.

Ms. Peterson shared the teacher contract would be a special Warrant Article and that she voted against it. Mr. Wright shared they had negotiated a contract and he left a copy with the Selectmen to review. Mr. Wright noted redlines were the changes. Ms. Peterson stated the language was concerning. Mr. Wright shared the contract was better than the one proposed last year. Mr. Wright also shared that people wanted to see a reduction in taxes and he doesn't want us to lose the veteran teachers. Mr. Wright reviewed the increases in the contract and the beginning teacher salaries. Off step was when teachers reach the top of the wage scale and now they have a career step, which Mr. Wright believed was the same thing. Mr. Wright stated if we give this to the people they would reject it. The Budget Committee would tear it apart. Ms. Peterson stated it has been ratified by the teachers and the teachers would not give any information as it was confidential. Mr. Wright has been attending the Budget Committee meetings and they want to see a 3.1 million dollar cut in the budget. Ms. Peterson stated the need to get this around town. Ms. Carney proposed holding an informational meeting and invite residents to discuss what was going on. Mr. Wright and Ms. Peterson could explain what was going on and answer any questions. Ms. Carney mentioned getting information into the January newsletter and hosting a meeting the middle of January. Ms. Silverman agreed with Ms. Carney and wanted to highlight the bullet points.

Ms. Peterson shared that if the School Board voted on something, she is known to state her opinion and doesn't think anyone should have a gag order. They don't know what to do with her and Mr. Wright. Monadnock United has already asked if Mr. Wright would be running again. Ms. Carney shared a PowerPoint presentation could be done and Mr. Wright and Ms. Peterson could answer any questions. Ms. Peterson stated when she has asked what a tax impact this would be, asked for student enrollment to be sent to the Selectmen, asked what the costs of the sports and number of students were, she was told "we are working on it". Ms. Peterson shared we may not be able to afford all of the sports but she doesn't want to hurt the students. Ms. Carney asked about Monadnock United. Mr. Wright stated they mostly support teachers - mostly out of Swanzey. There are two Troy people who are always with Monadnock United – appears they follow the Swanzey crew. Ms. Peterson and Mr. Wright vote and have asked for a roll count to see how everyone is voting. Discussion was held on why would a town want to remain in the Monadnock School District, cost per student, lack of revenue, more special education students, no building aid and starting renovations without any state aid. Mr. Wright and Ms. Peterson both shared that Tom Matson read abatement information about Troy residents and Mr. Wright shared that it was a powerful speech. The Selectmen stated it was happening in Fitzwilliam as well. Ms. Silverman stated it was unfortunate that Tom Matson was very outspoken and he was thinking in an old way – town against town – the issue was that the school budget has gone up and they need to do a more comprehensive job. Ms. Peterson stated they still want all of the sports, all of the classes, and State aid for special education was going down. Ms. Silverman stated the State was balancing its budget on the backs of the towns. Ms. Carney asked how to get an enrollment list. It would make it easier to get a cost per pupil. Ms. Silverman stated the Selectmen would write a letter with a deadline. We state we need it by December 10th because we have to put something in the newsletter by the 15th.

Mr. Holman asked if they had a list of employees broken down by town. Mr. Wright didn't think so. Ms. Peterson shared that Jim Carney had called Roxbury and Gilsum about coordinating a meeting with Select Boards and that each town take back their own elementary school and everyone shared the high school. Ms. Carney shared that she would get in touch with Mr. Wright and Ms. Peterson to set up a date. Mr. Holman asked if they had a number of students that were homeschooled. Mr. Wright stated there were 107. Ms. Favreau shared that Mr. Wright and Ms. Peterson would need to come up with the talking points.

The Selectmen thanked Mr. Wright and Ms. Peterson for meeting with them.

7:30 MEET WITH FIRE WARDS

Ms. Carney recused herself from the discussion as a Selectmen. Bill Prigge and Warren Hall, Fire Wards met with the Selectmen to review their 2017 budgets.

Ms. Carney showed the new thermal imager that was purchased at a reduced rate of \$7,000. Ms. Carney asked the Selectmen to accept the donation so they could begin using it.

Ms. Silverman made a motion to accept the donation. Mr. Holman seconded. Ms. Carney – recused herself, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 2-0

Ambulance - Bill Prigge stated the budget was pretty comparable to last year's budget. Ms. Silverman noted that salaries were up \$4,000. Ms. Carney shared they were already over the 2016 approved funding, due to more calls. Ms. Carney stated if there were more calls, supplies go up and more income comes in to offset it. Ms. Carney shared there isn't any money to cover the overage this year. Of the income coming in – 50% goes to operations and 50% goes towards the new ambulance. Ms. Carney stated that as of this morning there were 351 calls. Last year there were 399 calls. Previously, the number of calls had been 318/319. Ms. Silverman asked about the calls. Ms. Carney explained it was all calls – ambulance and EMS. Ms. Carney shared that accidents were fire and ambulance. Ms. Carney hoped they don't go over last year's number. The other increase in budget was supplies, which are over because of the number of calls. They have income coming in to offset the expense.

Ms. Carney shared they have had a significant number of sick people in town so supplies are being used – assisting patients on the way to the hospital gives them better care. Ms. Carney also shared that when the ambulance was first started they would get supplies from the Hospital but now can only get IV and medications from Cheshire. Warren Hall stated if they transport to other places (Haywood or Monadnock) they don't get reimbursed. Across the region – calls are increasing for lots of different reasons. Some overdoses – not the number of Keene and Swanzey. Mr. Holman asked if some were because of insurance changes that some people may try to use medical coverage now before rates go up. Ms. Carney stated they don't do anything with insurance and they serve a lot of people that don't have insurance. Ms. Carney shared that with a car accident – goes to motor vehicle liability insurance first. Mr. Prigge stated salary was most of the increase.

Fire – Ms. Silverman stated fire wasn't up as much in salaries. Ms. Silverman shared that CIP had already gone over the capital request. Ms. Silverman asked about total operating. Ms. Carney shared it was up \$2,086 – salaries and incidental expenses. Mr. Holman stated they did a great job handling the growing pains going to a new system.

Mr. Holman shared in terms of bridging the breakdown – which hours are going to working, volunteering and when Ms. Carney was gone – would need four people to replace her – need to look at what's going on. Mr. Prigge stated it shouldn't affect the budget – it was volunteer. Mr. Holman stated as a lay person, he doesn't see what it is for. Ms. Carney stated when Captains

go out for inspections of business, big buildings, and churches for occupancy permits, they get paid 1 hour and it's documented as "other". Ms. Carney shared only talking about 10 hours per year. Ms. Silverman noted that the Police Department has an administrative assistant but they don't and they have to do all of that in their departments and there should be some hours for that because they don't have anyone doing that work. Mr. Prigge shared that Ms. Carney spends hours doing that work. Ms. Silverman shared that each department has to deal with it in different ways and she wasn't questioning it. Ms. Carney asked if in next year's budget they have a request for a part-time person. Ms. Silverman stated it wasn't that unreasonable, the Police Department has an assistant and the Highway Department doesn't but they have very finite tasks. Mr. Prigge stated they have done it over the years and it was just part of the work that needed to be done. Mr. Prigge shared it would be good to have an administrative assistant to help Ms. Carney and he supported that. Ms. Silverman stated we have a fantastic department and we are lucky to have Ms. Carney as Chief and she wanted to make sure we don't get people to the point that it is unattainable and a lot of record keeping and the answer can't be that we have always done this. Mr. Hall shared that if we do hire someone, we have seven people working out of one office - all of the Officers, Fire Wards and the Chief. Ms. Carney shared that they were in the process of looking to do something with the back space - it's a thought for the future.

Mr. Holman asked about the concept of raising the Fire Wards from 3 to 5 and having Ms. Carney serving as the 5th. Mr. Hall stated he would hate to see it being more than three. Mr. Prigge stated for the size of the Town – three Fire Wards works. Mr. Holman asked if there was ever a time that Mr. Prigge had to recuse himself – would they be able to continue the discussion. Mr. Prigge shared they had run into that once before and had to ask the Board of Selectmen to select someone. It was for an employee hearing. Mr. Prigge stated that having to coordinate among three – sometimes meeting on the fly was hard as they aren't always in the office at the same time.

The Selectmen thanked Mr. Prigge and Mr. Hall for coming in.

EMS – Ms. Carney stated the budget hasn't increased at all over last year and her concern was with the shelter. Ms. Carney hoped to have more information after the first of the year.

8:00 MEET WITH CHARLES KOCH

Charles Koch met with the Selectmen to discuss the timber tax appeal. Ms. Silverman shared the Selectmen wanted to meet with Mr. Koch first before meeting with the applicant. BTLA always ask that Select Boards try to work something out first. Mr. Koch shared that he has seen all of the weight slips. Ms. Favreau shared that Donna Hill in her application noted the Town didn't give her an abatement, but she was given an abatement and didn't realize it was exempting her cordwood. Ms. Favreau had talked with Ms. Hill and showed her what the reduction would be. Ms. Silverman wanted to reach a settlement. Ms. Favreau shared at 50% it would be another abatement of \$199.92. Mr. Holman asked what the original tax bill total was. Ms. Favreau reported it was \$3,516.31 and Ms. Hill hadn't exempted the cordwood but came back to state there was a lot of red rot. Mr. Koch shared that it was inconsequential and didn't appear to him that there was a lot of red rot. Mr. Koch went through each slip and deducted all of the rot and shared there were two types of defects. Mr. Koch shared it was 2% and was insignificant. Mr. Koch shared that he has sold wood to that mill before and they pay one price for any type of wood. Mr. Koch thought she was fishing for something and asked if Ms. Hill said it wasn't a fair abatement. Ms. Silverman shared they don't want to go to BTLA and wanted to come to an understanding. If we have something legitimate – 2% rot isn't anything. Mr. Koch went through the State recommendation for abatements and shared that actual numbers were needed. Ms. Silverman asked if Ms. Hill would have had to submit that to BTLA. Mr. Koch reviewed Ms. Hill's documentation to BTLA that showed what she got paid for each type of wood. Mr. Koch noted if the cost ran true through all of the slips it would be a fair abatement. Ms. Favreau shared it figured out to approximately 50%. Ms. Favreau doesn't feel that the Selectmen should just cave but with that justification it comes out the same. Mr. Koch recommended going through the slips to determine what Ms. Hill got paid. Ms. Silverman noted that would be their settlement offer and see if Ms. Hill would accept it. Mr. Koch stated the slips need to add up to Ms. Hill's original board feet. Mr. Koch noted that most of the wood was pine. Ms. Silverman asked Ms. Favreau if she felt comfortable figuring out the cost. Mr. Koch reviewed the slips with Ms. Favreau. Mr. Koch shared there wasn't much hardwood and wouldn't amount to a lot. The Selectmen agreed it wouldn't be to their benefit to go to BTLA. Ms. Silverman asked the Selectmen if they wanted Mr. Koch to be here when they make the settlement offer to Ms. Hill. Ms. Carney stated to just make the offer. Mr. Holman stated if the Selectmen were going to make an offer, Mr. Koch should be here should Ms. Hill ask any questions which they may not be able to answer. Ms. Silverman would like to do this within the next couple of weeks. Mr. Koch shared he would be here if the Selectmen wanted him to be. Ms. Silverman stated the Selectmen would include Mr. Koch in the plan. The Selectmen agreed that they needed to try and reach some kind of settlement with Ms. Hill. Mr. Koch stated Ms. Hill had shared the volume and not the value up until now.

The Selectmen thanked Mr. Koch for meeting with them.

8:15 MEET WITH CONSERVATION COMMISSION – PRIME WETLANDS

The Selectmen met with the Conservation Commission to discuss nominating 6 wetlands as prime wetlands. Ms. Silverman shared that a Public Hearing would be held at the next Planning Board meeting on December 6th. Rick Van de Poll would attend to answer any questions. Rick Brackett mentioned that the overlay district had a 75' buffer and they would want to go to a 100' buffer for prime wetlands. Ms. Favreau would forward the subcommittee information to the Conservation Commission and the Planning Board. Paul Kotila stated that it seemed reasonable to start with 6, as we could make arguments for what we are doing. Ms. Silverman shared they are spread out in a variety of locations. Ms. Silverman

stated the need to have people understand why we would do this and education them on what they could do on their property. Mr. Holman asked for a synopsis of the proposal. Mr. Brackett explained the process and the composition of the wetlands. Mr. Brackett stated the need to protect wetlands not just ponds. Ms. Silverman shared that there wasn't any discussion on what the second group might be because they want people to understand these 6 and in a year or 2, we would take on others.

Mr. Holman asked if anyone had looked at the land if someone wanted to develop it. Mr. Brackett shared it doesn't say lot wasn't developable. Terry Silverman shared they haven't had any lot that has been classed as undevelopable. Ms. Silverman shared that forestry and agriculture could still be done near prime wetlands and people need to understand that. Mr. Brackett stated that the State has authority over forestry.

Ms. Silverman shared there would be two public hearings – December and January and they would go from there. Mr. Holman asked if they would do all 6 water bodies in one Warrant Article. Mr. Brackett shared that Mr. Van de Poll suggested to do them individually. Ms. Silverman shared they are trying to be careful with the choices and asked the Conservation Commission to think about it and if they thought 6 was too many – it wasn't set in concrete.

Discussion was held on getting the word out for the December 6th Public Hearing, being too late for the newsletter, the need to talk to people about it, looking at abutters and sending something out, noting that the 6 were only a subset of that group, possibility of moving the December meeting to January and splitting up the meetings so that one was about nomination and the other for voting. Mr. Brackett noted they still have 3 months of newsletter articles, which gives a chance to see public responses. Mr. Brackett stated it wasn't new news. Ms. Silverman shared that people who attended Town meeting know it was voted on and we could have another informational meeting in February. Mr. Brackett noted that it hasn't been that long since Mr. Van de Poll's last presentation.

Mr. Brackett shared that the information needed to go up on the website soon for people to look at. Mr. Brackett reviewed the rankings. Mr. Holman asked if the ordinances reflect when wells were drilled. Mr. Brackett stated not as a municipality but all information gets submitted to DES. Information included was, location, depth and yield. Mr. Brackett wasn't sure how much more the Town would need. The data could be obtained from DES.

Mr. Kotila asked about cost over runs and would they tap into the Conservation Commission funds. Ms. Silverman shared the study was budgeted and costs were covered.

Mr. Holman asked about solar projects and getting rid of net metering and did the Conservation Commission think it would be better for the Town to do an abatement ordinance. Mr. Kotila thought there was an ordinance and mentioned what failed was an ordinance repealing it.

REVIEW AVITAR AGREEMENT
- **Mapping Bundle Add-On**

Ms. Silverman shared that for \$895 we could add mapping to the assessing software.

Ms. Carney made a motion to approve the mapping bundle add-on. Mr. Holman seconded.
Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

REVIEW LETTER FROM AVITAR
- **Fairpoint Settlement**

Ms. Silverman reviewed the information. Ms. Silverman felt the need to go ahead and pay it since we are in good financial shape to do it.

Ms. Carney made a motion to approve a one-time payment of \$64,625. Mr. Holman seconded.
Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

CONSTRUCTION PERMIT

Map 31, Lot 14 – Ms. Carney made a motion to approve the permit for Map 31, Lot 14. Mr. Holman seconded.
Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

Map 10, Lot 39 – Mr. Holman made a motion to approve the permit for Map 10, Lot 39. Ms. Carney seconded.
Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 3-0

RAFFLE PERMIT

Raffle Permit for Fire, Rescue & EMS Association of Fitzwilliam on December 17, 2016 – Mr. Holman made a motion to accept. Ms. Silverman seconded. Ms. Carney - recused herself, Mr. Holman - Yes, Ms. Silverman - Yes. Approved – 2-0

***** NON-PUBLIC SESSION – RSA 91-A:3 II(c) – Exemption Application**

At 8:55 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(c). Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 8:58 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

***** NON-PUBLIC SESSION – RSA 91-A:3 II(e) – Legal Matter**

At 8:59 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(e). Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 9:03 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

***** NON-PUBLIC SESSION – RSA 91-A:3 II(b) – Personnel Matter**

At 9:03 p.m. Ms. Silverman made a motion to go into non-public session under RSA 91-A:3 II(b). Mr. Holman seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

At 9:04 p.m. Ms. Silverman made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Ms. Carney seconded and the motion passed 3-0. Roll Call vote: Ms. Carney - Yes, Mr. Holman - Yes, Ms. Silverman - Yes.

***** REVIEW BUDGETS**

- **Conservation Commission**
- **Fire Department**
- **Ambulance**
- **EMT**

Ms. Silverman shared the Conservation Commission was asking for \$10,000 to put into their Expendable Trust Fund and their budget wasn't all that different from last year.

Mr. Holman asked about work to be done around the areas that would be nominated as prime wetlands. The Selectmen discussed the properties.

OTHER BUSINESS

Reminder - Selectmen meeting on Sunday, December 11th at 1 p.m. for budget discussion.

Letter from KMO and State of NH - Revised Operation – Ms. Silverman recused herself as Selectmen and was speaking as an abutter. Ms. Silverman asked that the Board submit a letter to the State to deny the request for expansion and to share the letter they received with Erik Durmer and others. Ms. Silverman shared the letter sounded like the expansion had been approved. Ms. Carney would like to address the fact that the owner of this company has been found guilty of a federal crime and was it in the best interest of the State and the Town to allow him to expand at this time. Mr. Holman stated we would have to set some kind of standards for security. We all know about the large amount of money that they owe. Ms. Carney stated it was important to make the State aware that KMO has been found guilty and the need to find out what kind of expansion he wanted to do. Mr. Holman asked about monitoring and the fact that we have been prohibited from any type of oversight and it was a risk for our Town. Mr. Holman shared there was a very different way that we were corresponding with the quarries. This warrants an additional hearing. Ms. Favreau stated we don't have any regulation over it. Mr. Holman stated we should say to the State that we feel there should be some oversight of this as someone that owes money and was allowed to take resources out of our community. Mr. Holman asked if any maps were submitted. Ms. Silverman stated the way the State law was written, there was a loophole.

Letter from NHMA - The Selectmen reviewed.

NH Extension - Forest Laws for Municipal Officials and Volunteers – December 14th – 8 a.m. – 3 p.m. or 8 a.m. – 12:30 p.m. –
The Selectmen reviewed.

The Selectmen discussed the dates of January 11th or the 18th to hold a school budget informational meeting. Ms. Carney asked when the deliberative session was for the school district to make sure we have enough time. The Selectmen agreed to hold the informational meeting on January 11th.

Ms. Favreau shared that Bill Harper came in and picked up the flash drive and would meet with the Selectmen next week.

Mr. Holman mentioned a sound/video system since the elevator wasn't working. Mr. Holman has some friends that do this and the cost was approximately \$15,000. Ms. Favreau shared she received a notice from the State that there was a 30 day deadline for making

repairs on the elevator or asking for an extension. Ms. Silverman shared that we need to look at an alternate site to hold the Town meeting. Ms. Carney would check on using George Emerson Elementary for Town Meeting.

Ms. Favreau shared that Mr. Wright and Ms. Peterson would need to be strategic in their presentation. Ms. Carney would be meeting with them to put together the information. Ms. Silverman asked Ms. Favreau to contact Tom Parker and Wendy Martel to let them know about the January 11th school budget informational meeting.

ON-GOING BUSINESS

Ms. Silverman made a motion to adjourn the meeting at 9:34 p.m. Ms. Carney seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Susan Silverman, Chairman

Nancy Carney, Vice Chairman

Chris Holman
Board of Selectmen