Selectmen's meeting minutes of December 9th, 2010.

Present from the Board: Chair Pat Consentino, Selectman Sandy Plessner, Selectman Katherine Dawson, Selectman David Wadleigh, and Selectman Norm Boudreau.

Also present: Town Administrator Joyce Fulweiler, and Secretary Catherine A. Woessner.

Chair Consentino called the meeting to order at 4:32PM.

Chair Consentino informed the Board that they have an application for the Energy Committee for Denise Boudreau. Selectman Plessner made a motion to appoint Denise Boudreau as a member of the Energy Committee, seconded by Chair Consentino. All were in favor. Selectman Boudreau abstained from voting.

Chair Consentino informed the Board that the CHAT Committee has been applying for grants for the Grange Hall. Right now they are in the process of trying to connect to the Sewer line. They have labor donations from two general contractors that will do all of the work as a donation if CHAT gets the materials. CHAT has $1,000 towards what is needed for materials in the amount of $1,970.00. Chair Consentino made a motion asking the Selectmen if they would support the CHAT Committee in the amount of $1,000 that is needed for the balance of materials for the Grange Hall, seconded by Selectman Dawson.

Discussion: Selectman Dawson stated that the town does own the Grange Hall Building and no matter what it is used for, they need to hook up to the sewer. Chair Consentino said the $1,000 would come out of this year's budget to connect the Grange Hall to the Sewer.

All were in favor with the exception of Selectman Boudreau who abstained.
Chair Consentino reported that Dennis and his crew have put the lights on the large Christmas tree along with a star on top.

**Energy lighting project contract:** Selectman Dawson said she is not in favor of doing this project. She feels they are reducing too much lighting in the offices. Selectman Dawson’s opinion is to scrap this project. Chair Consentino is in agreement. Selectman Dawson also stated that in talking with some electricians about this project that lighting will be changing in the next couple of years and going to another technology such as LED which would almost make the fixtures obsolete at that point. Chair Consentino asked what do they do as the town’s people voted on a warrant article at Town Meeting to spend $12,000 to do the lighting. Selectman Dawson said they would explain that this is in the best interest of the town. After further discussion Chair Consentino made a motion to not spend the $12,464 for the Energy Updates, seconded by Selectman Dawson. All were in favor.

**Judge Ned Gordon:** The Honorable Judge Gordon joined the meeting. Chair Consentino informed him that the town has recently agreed to take part in Community Service work. The Board has put together a proposed community service program agreement and has asked Judge Gordon to review the criteria and to be sure they are doing the right thing and if he has any suggestions or changes. Judge Gordon first discussed the community service policy in the court. In regard to the court they want to make sure that everyone is held accountable when they are required to pay a fine. If someone is unable to pay their fine they always give them some additional time such as 30 days, 45 days and up to 60 days to pay a fine. Their expectation is that people will make a reasonable effort to pay their fine. Also they never let anyone leave the court house without giving them a date by which their fine needs to be paid. If they are unable to pay the fine they have to report back to the court on a particular date and explain what efforts they have made to pay the fine. They hold people accountable and to be sure they do this. There are certain circumstances where people are simply unable to pay fines and in large part it is because they have some disability.
Many people in this area do have disabilities and are unable to be employed. If they are unable to be employed it is not reasonable to expect that they are going to satisfy their fine obligation with cash. Judge Gordon said they offer them the option of community service. Their general policy is that they are only going to do that with people who are disabled, unable to work for community service. Their policy is that if people come back and have not paid their fine, their expectation is that they are out there looking and seeking employment. Judge Gordon said as long as someone can come in and explain to him that they have been seeking employment, filled out applications and can tell him who they have filed the applications with then they will be given additional time to pay their fine. Judge Gordon said they try to reserve their community service for people who have some good reason why they are unable to pay. In those particular circumstances, Judge Gordon authorizes the community service. They do not instruct them where to go, that is not the court’s responsibility. In Merrimack County there is an individual who works with the county who will coordinate that. Judge Gordon said they do not have a similar program here in Belknap County that he is aware of. The court does not instruct them but tell them they can go to a food pantry, food kitchen, Salvation Army, any Church and also indicate they can go to the towns and if the town has community service then they can do community service in that town. The only requirement is that they come back with a letter from someone in charge explaining what they did, how many hours they worked, the name of the person in charge and their telephone number so they can call them. Judge Gordon said if you impose fines and do not hold people accountable for them, then they have committed a criminal act and have no consequences for their conduct. Judge Gordon said the whole idea is there should be consequences for conduct. Judge Gordon said the largest number of people they have doing community service are those who are on social security disability, who are disabled in some way or getting benefits from the State and may be getting benefits from the town. These cases still need to be accountable for their conduct so they are given community service. Judge Gordon said the one thing he saw on the Selectmen’s proposal that they need to be concerned about is protection for the town more than anything else.
The Board needs to identify what disabilities the person may have so if they are going to do community service, you recognize in advance that many people may have disabilities. Judge Gordon suggests that they design a form so you can specifically identify what the disability is. Judge Gordon said he feels this would protect the town from liability. Judge Gordon commends the town for taking on the responsibility and for wanting to do community service. The way this is administered is entirely up to the Board. Judge Gordon said what the court wants to see is that the people are productive and make productive use of their time.

Chair Consentino said her intent in offering community service instead of paying a fine feels that if they can in some way during their course of community service with the town, someway touch upon them and make a difference in their lives. If at least one person has done community service in Tilton, they have made a difference. This is the town's intent and goal is to be allow this to happen. Chair Consentino said this is her intent to allow this to happen. Chair Consentino said with the youngsters they have right now there are a couple that have made a difference and they are consistent and doing a good job. One youngster on the program had to be let go, not for the work he did as he was very diligent, but he just did not show up the times he said he would.

Selectman Dawson asked Judge Gordon when they have a juvenile in their court that they send out for community service do they work it out with the Youth Assistance Program in Tilton if they are from the community. Selectman Dawson asked if the court finds Youth Assistance a valuable resource. Judge Gordon said yes he does find it a valuable resource, very much so. Judge Gordon said the town does not have to use a specific format when a person has completed community service but the information has to be on town letterhead, it has to explain how many hours were worked as they receive credit of $10.00 for every hour for every they work toward their fine obligation, and also include a contact name and telephone number. Judge Gordon said they do call and confirm that in fact all of the work has been done. Judge Gordon commends the Board for having a program like this and providing this as a service to their community.
Chair Consentino said they do not want to turn them away if there is some way the town can help out in conjunction with the courts and with the Youth Assistance Program. Hopefully this will make a difference in their lives.

Judge Gordon said in terms of the Youth Assistance Program they do send a lot of kids to diversion through that program. A lot of kids that otherwise might be prosecuted in the juvenile system can go their and satisfy obligations in terms of arranging for community service. But other types of programs like drug and alcohol education programs other programs that kids have a first offense or kids that made an unfortunate mistake, lots of good kids that just have a lapse in judgment. Hopefully it is just one lapse of judgment and it is a good way of addressing it without having to go through the litigation process and feels this is the true value of the Youth Assistance Program. Judge Gordon said he does not deal directly with them, but the juvenile probation officers do and they are not hesitant to refer kids there.

The Board thanked Judge Gordon for coming in and talking with them and enlighten them on the community service program.

Chair Consentino asked to have under the memorandum of understanding add; do you have any special limitations that the Board needs to be aware of. Also on the first page add #8. The Board of Selectmen will provide a written report to the court upon completion of community service.

Ceiling Fans: The Board discussed the three bids they received for installation of ceiling fans, 4 upstairs and one downstairs, motion sensors, and receptacle for a/c unit upstairs.

- Airworks-$3785.00
- Jordan Electrical-$4,438.70
- Clough Electric Co.-$5,950.21

Selectman Dawson said her concern with the lower bid is on the wall switches is to have reversing switches and independent switches for each fan, and it is not listed. Selectman Plessner suggested they contact Airworks to see what it involves.
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Selectman Boudreau made a motion to recess for five minutes while Selectman Dawson contacted Airworks for a better explanation, seconded by Selectman Plessner. All were in favor.

Selectman Dawson reported she discussed this with Airworks and he feels comfortable with his pricing. They discussed the switches that need to be relocated to the top of front stairs and that the fans have to be reversing. Selectman Dawson said he was comfortable with leaving his price as it is. Selectman Dawson said she also discussed putting in a light switch by the lift. This was not on the bids. This would have to be an add on to all of the bids.

After further discussion, Chair Consentino made a motion to award the bid to Airworks, seconded by Selectman Boudreau. All were in favor. Selectman Dawson suggests they start as soon as possible and would like to have Airworks come in and discuss the project with the Selectmen. The Board agreed Monday afternoon will be good. Joyce will contact them with a time after she calls Airworks.

**Chief Cormier, PD- Re: Encumbrances.**

Chief Cormier reported that the low bid for the ballistic vests they would like was from Rosen's Uniform. Chief Cormier reported that he would like to purchase 6 ballistic vests for patrol and 2 for the detectives for a total of 8 vests. The vests are $785.00 each and the total is $6,280.00. Chief Cormier said he will have approximately $2,284 in the uniform line at the end of the year to put towards this. The Balance would be $4,000. Chief Cormier is trying to purchase half now and the other half in the spring. This would be his first encumbrance. Chief Cormier explained that on December 17th during the annual department training day each individual officer has to be sized for his vest and that is when the order will be placed. Selectman Dawson explained that is when the vests can be encumbered, the day they are ordered which is December 17th. Chair Consentino informed the Board that they need estimates from two other companies as they are over $500.00. Chief Cormier has two other bids and will give them to the town administrator tomorrow.
Chief Cormier said the next item is a request. Right now the two detectives are missing the ability to polygraph the people they bring in and interview. There are only so many in the state and only one for Grafton and Belknap County that they are able to use. The Detectives have asked if one of them can attend the New England Polygraph Examiners Course at Police Standards and Training in Concord, NH, beginning March 14, 2011. Detective Buffington has volunteered to attend the polygraph school. The Police Standards & Training Council has approved their requested training grant for a maximum of $1,000 for Detective Buffington to attend. The tuition includes the equipment as well. Everything is done on a lap top, it is all software based. Chief Cormier said this will also generate income as the cost for a polygraph is anywhere from $300 to $400. The cost of the school is $6,500 and Chief Cormier would like to encumber $2,500 this year and $2,500 in the police budget next year, $1,000 is a grant. Chair Consentino questioned if they send Detective Buffington to be polygraph trained does that mean that there are now to people to depend on. Also does this mean Detective Buffington will not be doing his job all of the time because he will be doing polygraphs. Detective Buffington will be certified at the end of the program. Chief Cormier said they have discussed this and Detective Buffington’s priority will be Tilton. Chief Cormier said they would have the ability to charge any agencies that request this service from Detective Buffington. There is also an RSA that allows him, but mandates that sexual offenders may be required to take a polygraph. Chair Consentino stated that this is a very large commitment and a lot to ask right now. The Board would like to wait until next week before they make a decision and would like the Chief to have an agreement prepared including a fee schedule. The Board also discussed encumbering the entire amount of $5,500. $1,000 will be from a grant. Selectman Dawson suggested that if the money is in the police budget this year they encumber the entire amount. The Board is in agreement. Chief Cormier will attend the Selectmen’s meeting next week. The Board would like to have protocol in place as to how to use the knowledge and expertise Detective Buffington will have and the prioritizing of his work. The Board would also like clarification that when Detective Buffington completes the program he will not be sharing the equipment with an officer from another town.
Public Works Dir. Dennis Allen: Dennis informed the Board that he talked to Al Laliberte who will be retiring at the end of this month and he has agreed to stay on a "call" basis to plow until Fred Wells is able to return to work.

Dennis discussed the earnings of the part-time office cleaner. According to the employee manual a part time person has to earn $10,000 per year to receive paid time off. The employee has been receiving PTO for the past two years. He was hired in May of 2008 and he was hired with the understanding that he would work between 20 and 23 hours per week doing janitorial and work at the highway dept. The first year he made over $10,000. The last two years he was under $10,000 and he has received the PTO. Dennis is asking the Board if they can give him PTO. He is now working 12 to 14 hours per week. After further discussion the Board agreed he should not accrue any more PTO until he meets the criteria of earning $10,000. Selectman Boudreau suggested this be changed from a monetary amount, which is what is in the hand book, to an hours worked figure. Chair Consentino informed Dennis that the Board will take this into consideration.

Dennis presented three bids to the Board for the new Pickup truck:
- Benson’s Auto 2011 Chevy Silverado- with plow -$28,795
- Cantin Chevrolet 2011 Chevy Silverado 2500HD- with plow-$28,964
- Banks Automotive 2011 Chevy Silverado 2500HD with plow-$33,751

After discussion Chair Consentino made a motion to award the bid to Benson's Auto for a 2500 Silverado 2011 work truck, seconded by Selectman Plessner. All were in favor.

Dennis presented 3 bids for a tractor mower:
- Knoxland-Massey Ferguson lawn tractor-$2,074
- Knoxland-NewSnapper LT 200 lawn tractor-$2,074
- MB Tractor-Husqvarna Tractor -$2,249.95

Dennis said he has looked at the tractor at MB Tractor and would like the opportunity to go to Warner to look at the other two tractors and then will meet with the Selectmen to inform them of his recommendation next week.
After further discussion Chair Consentino made a motion for Public Work Director Dennis Allen to purchase a tractor lawn mower this year not to exceed $2,249.95, seconded by Selectman Plessner. All were in favor.

Town Admin. Joyce Fulweiler Agenda items: Joyce presented an analysis that she and Tim worked on regarding paid time off based on 2009 and ending 2010. Joyce reported that on Wednesday, December 15, 2010 there will be a Staff meeting and Tammy Croft from Health Trust will be there to do a brief presentation on employee benefits and will answer any questions regarding any changes employees need to make in their benefits. Joyce will be presenting the renewal contracts for the Property Liability, Workers Compensation, and Unemployment Compensation to the Board. Joyce said after talking to LGC she asked for a quote of what it would cost to have our worker’s comp. on a fiscal year. Right now our property liability and our unemployment comp. are on a fiscal year and our worker’s comp. is on a calendar year. Joyce explained that when these are all bundled together this is how the town gets their discounts by having more than one plan and participating in the Joint Loss Committee program and participate in the health and wellness programs. Joyce said if they were going to make a change it would be easier to have all of them on for a fiscal year. Joyce has not heard back from LGC on what this will cost and will keep the Board informed when she does.

Joyce reported for improvements for the town hall in 2010 they have budgeted $25,000 total which includes all of the regular maintenance items. The various improvements would be the $10,000 for the architectural engineering study for ventilation and water problem. This includes money for emergency lighting upstairs and in the basement. Possible replacement of the awnings. Joyce reported that the company that manufactured the awnings said they were only guaranteed for 10 years and it has been 13 years since we have had them. They would not even sew them because they cannot guarantee they will hold together. Joyce is calling other companies to see if they can make the repairs to see if we can get at least another year with the awnings.

Joyce reported that for this year’s encumbrances they are going to pay for the ceiling fans and electrical and there will also be money to do the floor mats.
Chief Cormier presented the bids for the railings at the police station.

- Blacksmith Wrought Iron-$10,895
- DGD Builders-$3,995
- Maher's Welding Service-$3,764.95

After discussion Chair Consentino made a motion, seconded by Selectman Plessner to award the bid to Richard Maher Welding Service for the railings at the Tilton Police Station in the amount of $3,764.95. All were in favor.

Finance Officer Tim Pearson: Re: 61 Business Park Drive Tim presented a revised Selectmen's proposed budget which was presented to the budget committee last night. Tim reported that he has been periodically checking the building to be sure the lights are off and the heat is set appropriately, the building is full except for the area near the offices and overhead doors where the emergency vehicles can pull in and out.

Tim reported he spoke with realtor Mike Gagne and the listing agreement will expire at the end of the month. He suggested letting the agreement lapse so that if the town is in a position to relist it, doing so in 90 days. Tim asked Mike to write a summary letter highlighting the marketing activities and interest in the building. If the Board agrees with letting the listing lapse, Tim would recommend that that the Board give him special consideration if and when they decide to relist.

Tim gave the Board a list of encumbrances from 2010 to 2011 from department heads and is recommending the Board hold off on them until next week as he is planning on reviewing the projected revenues next week.

Tim informed the Board that he received a request from CDBG regarding an invoice they missed last month. This is for the contractor on the White Rock Estates Cooperative (water and septic) project. This was sent from Donna Lane the CDBG Administrator. Tim said this will also possibly put them over the amount for the town requiring a single audit which is an additional $5,000. Tim has made them aware of this and that the town receives all of the money before all of the CDBG monies were expended. Once the Board signs and approves the invoice Tim will have the check ready in next week's manifest. Tim said they will hold onto the $5,000 for the single audit until it is done.
At 7:35PM Chair Consentino made a motion to enter into non public session, as per RSA 91-A:3 regarding (c) matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person request an open meeting, seconded by Selectman Boudreau. Selectman Plessner, yes, Selectman Wadleigh, yes, Selectman Plessner, yes, and Chair Consentino, yes. Selectman Dawson left the meeting at this time.

At 7:45PM the Board resumed their regular session. At this time Chair Consentino made a motion to seal the minutes of the non public session as they pertain to personnel, permanently, seconded by Selectman Wadleigh. Selectman Plessner, yes, Selectman Boudreau, yes, Selectman Wadleigh, yes and Chair Consentino, yes.

Public: Joe Jesseman informed the Board that Kim Koulet of Lakes Region Planning Commission has nominated Joe to Council #3 Public Transportation. Joe will keep the Board informed of any changes. Joe also informed the Board that the Recycling Committing is working on a warrant article to present to town meeting, 2011.

Selectman Boudreau made a motion to adjourn the meeting at 7:55PM, seconded by Chair Consentino. All were in favor.