

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, September 28, 2023, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Kate Merrill, & Dean Hollins

Guests: Joshua Crawford

Roll Call: completed and guests introduced.

Chairman Matt Burdick called the meeting to order at 6:00pm.

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll
- Nonpublic/Public Minutes for Approval—09.21.23
- Concord/Laconia Connector Update
- Report from Executive Councilor Warmington

Selectwoman Lorrie Carey noted grammatical changes to the 09.21.23 public minutes.

Selectman Bill Bevans motioned to approve the Consent Agenda as amended. Seconded by Selectwoman Carey. All in favor. None opposed.

Department Head Updates: Finance Director Kate Merrill presented the updates to the wage schedule and noted that Police Chief Jason Killary had provided updated numbers, which differed slightly from the reports emailed out.

FD Merrill included the estimated costs for 2023, 2024, 2025, and 2026. She also presented two different scenarios for the bonus plan. The first scenario involved granting bonuses to salaried employees only in the 5th year, and the second scenario proposed giving bonuses to all staff in the 5th year. The committee also decided to eliminate annual bonuses and create a non-financial compensation option for salary employees. The option would allow them to earn compensatory time, subject to the same rules as hourly employees: a maximum bank of 40 hours at any given time. Chairman Burdick inquired why the Lieutenant position was blank. FD Merrill clarified that Police Chief Killary was not filling the Lieutenant position and might instead fill it with an officer position. She noted that next year's budget shows a decrease in overall costs, partly because Chief Killary plans to eliminate an additional officer position and leave the Lieutenant position unfilled to reduce salary costs. FD Merrill also mentioned that there was turnover with an employee with longevity. The estimated costs include the market rate adjustment for CDL drivers. Chairman Burdick asked if the percentage of health benefits was included in the costs. FD Merrill clarified that health insurance was not tied to salary. Chairman Burdick inquired about the tax rate impact. He estimated that if they proceeded with the bonuses for salaried

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employees, it would cost \$604 per tax bill next year. FD Merrill provided the tax rate impact, showing that next year would see a decrease of -0.01 cent, followed by a -0.11 cents impact in the subsequent two years. The tax rate impact was based on the new reevaluation assessment. Discussion ensued. Town Administrator Katie Phelps provided information received from Chief Killary regarding turnover at the Police Department. Since he started in 2009, the Police Department has lost a total of 21 officers, with all but three leaving for higher-paying opportunities. Selectwoman Carey pointed out that shortly before Chief Killary was hired in 2009, the board had made adjustments because there had been significant turnover. The turnover showed the need for salary adjustments in order to attract officers. Chairman Burdick was in favor of the updates and appreciated the estimated year-over-year costs. He noted that it provides the town with the ability to budget more effectively and also gives townspeople an idea of what the costs will be like every year. TA Phelps mentioned that it also helps staff plan for the future as well. Selectwoman Carey added that it could also assist with retention, as people will be able to project their expectations. She noted that it was a problem this year because people didn't know until public hearings. FD Merrill mentioned that the percentages also represent the total increase, which includes the years where there will be a 5% longevity increase for certain staff members. She provided the Board with a spreadsheet that listed all the employees and explained that the amounts bolded indicated the longevity year. Discussion ensued. Chairman Burdick was in favor of doing the bonus plan for salaried employees on the 5th years as a retention plan. He noted that hourly employees have the benefit of overtime pay whereas salaried employees do not. Selectwoman Carey expressed her concern that bonuses should be awarded to employees who go above and beyond to provide exceptional work. FD Merrill noted that the bonuses would be for retention. Chairman Burdick explained that the purpose of retention bonuses was to reward employees for their years of service and to provide them with an incentive to stay longer. Selectman Bevans inquired about salaried employees comp time. TA Phelps mentioned that typically comp time is earned at time and a half, similar to overtime. FD Merrill explained that an employee must work 26.67 hours of overtime to get to the 40 hours comp time and then they are maxed out. She noted that if an employee rolls over their 40 hours of comp time into the next year, they must use it all before accumulating more. Selectwoman Carey asked what would happen to the compensatory time if an employee left employment with the Town. FD Merrill stated the comp time would have to be paid out. Public Works Director Dean Hollins mentioned that he used to get a bonus for working a certain number of hours. It was never specified how it was calculated but it was decided on by the Select Board at that time and the Town Administrator. He noted that he gave up his pay raise for the bonus to happen and it lasted a couple of years. PWD Hollins said that after taxes, the bonus was essentially what his pay raise would have been. Discussion ensued. The Board was in favor of the retention bonus for salaried employees on their 5th year anniversaries and a 2.9% annual increase. Selectman Bevans was not in favor of the compensatory time plan because it defeated the purpose of being salaried. He noted if they are eligible for overtime then they should be hourly. TA Phelps noted that in previous years, they were told to cut overtime costs. PWD Hollins said that was why many positions switched to salary—to reduce overtime costs. Selectman Bevans agreed with overtime for hourly employees, but for salaried employees, he believed they should flex their time. For example, one week they may work 45 hours, and another week they may work 35 hours. TA Phelps asked if FD Merrill had researched if other towns offer compensatory plans for salaried

employees. FD Merrill did not research into other towns. Selectman Bevans proposed a flex-time plan where employees can take time off to compensate for time worked in excess of a regular scheduled week, but without receiving time and a half. Selectwoman Carey expressed her concern for the salaried employees who cover multiple roles due to staffing shortages. She stated those employees should be appropriately compensated. FD Merrill stated she could track the compensatory time in the system at a one hour for one hour rate. FD Merrill amended the proposal to include the flex time plan instead of the compensation plan.

Selectwoman Carey motioned to approve the updated wage schedule which includes a 2.9% increase for staff annually, with the exception of longevity years; longevity awards of 5% every 5 years; retention bonuses for salaried employees based on length of employment on a 5-year increment and a flex time pool option for salaried staff. Seconded by Selectman Bevans. All in favor. None opposed.

TA Phelps asked the Board about the 2024 Budget plan and when they would like the Department Heads to start presenting them. FD Merrill noted she will not be at next week's meeting. She was waiting on HealthTrust to finish the Personnel budget. PWD Hollins mentioned in reference to the solid waste budget, that they usually receive a bill for the new tipping rate fee before they're notified for the tipping rate fee. He said they may not have a number for the budget. Chairman Burdick asked to find out what the average increase has been over the year. PWD Hollins stated he has a scale of what was proposed last year. It has been a huge increase every year. No further discussion.

TA Phelps presented an update from Police Chief Killary. The movie night organized by the Police Department was a big success. He expressed gratitude for all the volunteers that helped organize the event. He received a lot of positive feedback. There was an incident with a dog bite involving a staff member a dog. The staff member suffered minor injuries. It was referred to Human Resources Director Merrill for an incident report and the staff member received medical care the next day. Police Chief Killary does not expect any follow ups on the case. No further updates.

TA Phelps noted the Planning and Community Development office will be closed on Wednesday October 4th until 2pm for training.

TA Phelps noted that the 200th Bicentennial Celebration for Merrimack County will be held Saturday, September 30th from 11am to 2pm at the Merrimack County Nursing Home. The Select Board will be presenting a plaque to commemorate the event.

TA Phelps presented a draft Request for Proposal (RFP) for Information Technology for review. The Town is not in a contract with their current IT provider, so they wanted to ensure that IT services were still competitive. TA Phelps asked for suggestions from the Board. Selectman Bevans noted that Workers Compensation was not \$1M. He suggested moving the \$1M liability up in the proposal and including Workers Comp separately. Selectwoman Carey suggested that the liability coverage should be \$2M. TA Phelps will reach out to Primex for their suggestions.

TA Phelps asked the Board if she can move forward with the RFP after Primex provides recommendations. She noted they had a request to complete it by October 25th to ensure vendors have adequate time to put together a proposal. The proposal included a cybersecurity section for regular staff awareness training. Selectwoman Carey inquired whether it included the review of the town systems. Selectwoman Carey suggested editing the line to focus more on cybersecurity review and updates as well as the training. Chairman Burdick suggested, in reference to hardware, that the town should look into docking versus having laptops and desktops. He said that with a docking system, there would be one piece that can be utilized across the board, and it requires fewer licenses.

PWD Hollins gave an update on the Public Works department. He received a phone call yesterday regarding an individual doing paving work on Merrill Corner Road, which is a Class VI town road. PWD Hollins assessed the situation and found that the individual was paving their driveway in addition to another 1,000 feet of Merrill Corner Road. He spoke with the homeowner about Class VI roads and the process for doing work on them, which led to a visit to the town office. They tried to find maps and paperwork but could only locate the property deed. PWD Hollins said the owner was under the impression that he owned the section of the road by his driveway and that the town had an easement to use the road. PWD Hollins stated it doesn't work like that on a Class VI Road. PWD Hollins went back to the owner's property to resolve the issue. There was an agreement with regard to road maintenance between the landowners. He said some owners were included in the agreement, while others were not. PWD Hollins noted it was not an agreement with the town. PWD Hollins explained the process of how Class VI roads work and the proper way to address it. RSA 231:21-a outlines the provisions for governing Class VI highways. In this case, the Town of Boscawen has control of the road so an individual would need to come to the Select Board or Road Agent for approval. PWD Hollins felt that the property owner didn't understand that it was a Class VI road. The owner was under the impression that with the easements in his deed, he owned a portion of it. PWD Hollins informed the owner that allowing him to pave his driveway and the part of the road he maintains was a compromise. The project had already started, and the money had been paid out. PWD Hollins told the homeowner that they were not allowed to affect the other property owners on the road because those owners would need to pay for the maintenance of the sections that they maintain. The day after, PWD Hollins received a call from a landowner on the road that was out of town during that time. PWD Hollins explained to the landowner what was going on and the landowner wasn't thrilled but understood the owner maintained from that point. PWD Hollins went to assess the road the next day and spoke with the paving crew. They stated they were waiting on another hot top delivery and were going to pave another 100 feet. PWD Hollins contacted the owner who stated they were paving up to his boundary line. PWD Hollins noted the boundary line had nothing to do with where the road maintenance ended. It was based on where the owner maintained the road up until which was at the neighbor's gravel area. There was a lot of back-and-forth discussion with the owner about him owning the road. PWD Hollins said the deed that was pulled from the Registry of Deeds had no reference to owning the road at all. There was only reference to some utility poles having an easement. PWD Hollins assessed the owners boundary pin. The owner stated that they would need to hire someone to assess the actual location of the boundary pin. However, the owner was confident that the ribbon in the tree at the boundary pin indicated that it

marked their boundary through the woods. The owner believed he owned everything over the road as well. He could not find a boundary pin to verify. PWD Hollins showed the pin on the Avitar map which reflected that the property ran out on the corner of Merrill Corner Road. The road was outside of the owner's boundary. PWD Hollins told the paving company to not go any further with the paving. The owner insisted he was going to pave further. PWD Hollins told him that he was free to do whatever he wanted after he left. However, if they decided to continue paving and the Board of Selectmen chose to override PWD Hollins, the town would then contact contractors to obtain 3 bids for removing the pavement and restoring the road to its original state. PWD Hollins told the owner it would be a cost to him, not the town. The owner agreed to stop at the boundary line. He stated he was going to discuss further with the Select Board. Selectwoman Carey suggested sending the homeowner the RSA, so they understand. She also stated they need to understand that Class VI roads are subject to gates and bars. If there were a situation where the town had to gate the road, the homeowners would have to find a way to accommodate. PWD Hollins clarified that they cannot block the road if they were to gate it. He said a lot of people don't realize a Class VI road falls under a lot of the same requirements as a Class V road other than the town cannot spend taxpayer money to maintain it. Discussion ensued. PWD Hollins noted he stressed to the homeowner that he lived on a Class VI road and cannot prevent people from using the road. Selectwoman Carey said the owners actions were infringing upon other homeowners rights. Chairman Burdick asked when the town acquired Merrill Corner Road. PWD Hollins did not have an exact date but said it had been a long time. Selectwoman Carey suggested sending all homeowners on Class VI roads, the RSA, and requirements of Class VI roads so they understand. PWD Hollins noted the paving did stop at the boundary line. Selectwoman Carey noted as the road agent, PWD Hollins was very clear and concise, and she agreed with his understanding of the law.

FD Merrill presented a follow up on the Public Library discussion in regard to the audit and structure of the library. She said Ms. Bonny John, the Library Director, noted they already addressed the issues listed on the audit report. They have a new treasurer, Ms. Mary Estee, who writes all the checks to the vendors after Ms. John has reviewed and matched up the invoices to packing slips. Once the checks have been written, they are co-signed by a second Trustee and mailed out. The library also employs an independent bookkeeper to maintain their accounts and provide General Ledger balance reports and bank reconciliations each month. In addition, they have a payroll processor that completes their W-2's and quarterly taxes. Selectwoman Carey asked for clarification regarding whether the Treasurer was new and if some of the past issues with items not being entered into the General Ledger would be resolved. FD Merrill will confirm with the Library Trustees.

Chairman Burdick opened public comment at 7:02 PM.

Resident of Boscawen, Mr. Joshua Crawford, asked about Torrent Station. Last week the Board discussed whether the Penacook Rescue Squad accepted the Torrent Station. He asked for an update. Chairman Burdick noted that Penacook Rescue Squad will be having a meeting to discuss further and hopefully comeback with a decision.

Chairman Burdick closed public comment at 7:03 PM.

Non-Public Sessions:

Chairman Burdick motioned to enter a nonpublic session at 7:08 PM under RSA 91-A:3 II(I). Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to exit the nonpublic session at 7:19pm. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Chairman Burdick motioned to enter a nonpublic session at 7:21PM under RSA 91-A:3 II(c). Seconded by Selectwoman Carey. Roll Call Vote. All in favor. None opposed.

Selectwoman Carey motioned to exit the nonpublic session at 7:40PM. Seconded by Chairman Burdick. Roll Call Vote. All in favor. None opposed.

The Board explained that the nonpublic session was for a personnel review and they did not seal the minutes.

Next Meeting: Thursday, October 5, 2023, at 6:00 PM.

Chairman Burdick motioned to adjourn at 7:42PM. Seconded by Selectwoman Carey. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner