Select Board Present: Francis Muzzey, Omer C. Ahern, Jr., and Palmer Koelb

Call to Order:
Chairperson Muzzey called the meeting to order at 5:04 p.m. Forty-three people present.

Motion. O. Ahem made a motion to seal the minutes of the previously conducted nonpublic session. P. Koelb seconded the motion. F. Muzzey voted yes. P. Koelb voted yes. O. Ahem voted yes. Motion passed.

Pledge of Allegiance.

Privilege of the Floor. O. Ahem asked for an opportunity to speak and took a moment to thank everyone for all the cards, prayers and kind wishes he received during his hospitalization and early stages of his recovery.

Highway Department Budget Report (All present were given a copy of the budget)

First Warrant Article for York Rake Broom.

F. Muzzey informed the Highway Road Agent, P. Manson, that he had gone through his budget extensively and noted that in addition to his budget, P. Manson was proposing two Warrant Articles, one having to do with a York rake broom. He asked P. Manson to describe the issue.

P. Manson referenced the information about the broom that he had printed off and given to the Select Board and explained to those present that the Town was in dire need of a broom to tow behind the truck. He described it as a 2-speed hydraulic broom costing “$16,000 and some change”. The broom is interchangeable. It comes off with two pins and a 10-foot York rake goes on it. It takes 10-15 minutes max, to go from a broom to a York rake.

P. Koelb commented that the Town used to have a York rake. P. Manson agreed and said the Town has an old one which was worn out and needed axles, which can be replaced, stating that he intended to use the old York rake behind one of the bigger trucks, because it is a manual one. He added that he had used it all year but that it had not been used in about five or six years.

F. Muzzey said that previously the Town had a broom that went on the front of the backhoe. P. Manson said it was down at the shop but was not something to sweep the roads with. At best, it held maybe two wheelbarrows and sweeps the debris into a little container. P. Manson said he did not know the Road Agent who had bought it but it was something that might be used in the Town Common to pick up material as you go instead of sweeping it off the road.
F. Muzzey asked if it was more desirable to use a broom that swept debris off the side of the road if the Road Agent had to go back to pick it up. P. Manson explained that they do not pick up debris off the road, it is normally swept off the side of the road.

F. Muzzey then informed everyone that he had presented P. Manson with a rewording of the Warrant Article and invited him to take his time to look over it.

P. Manson then discussed raising of the Highway’s main budget by $8,000 and explained why he wanted to take the $8,000 out of a particular line item. He informed the Board that his goal in 2020 was to ditch all the paved roads and some of the gravel roads that got ditches. Since P. Manson does not have a broom, he would have to rent one, which was why that line item was so expensive. That line item (4312.04.0) was also for roadside mowing and similar maintenance.

Second Warrant Article for Paving.

F. Muzzey discussed the second warrant article to appropriate $135,421 for the purpose of paving Red Oak Hill and a portion of the road in front of ‘King’s Lumber’ (about 400 feet of rough-going), and added that when appropriated, $45,421.00 would come from the Road Paving Capital Reserve Fund and the rest was to be raised in taxation. P. Manson added that he intended to use $50,000.00 from line item, 4312.09.

P. Manson informed the Board that he had obtained pricing for paving this year and that he understands it is expensive, but it is necessary. He said the road would last a long time if it is graded and compacted the right way, with a two-inch base coat and a one-inch topcoat. F. Muzzey asked if the road would have to be re-sealed in another year or two and P. Manson said no since it would have the base and topcoat. P. Manson added that if the road was not paved, it would have to be turned into a gravel road at some point and he estimated the cost of that to be about $40,000.

F. Muzzey said that there were only two other items that he had questions about: Salaries for Highway Employees (“the top item”) and Magnesium Chloride.

Magnesium Chloride. F. Muzzey informed the public that there had been a presentation about the use of Magnesium Chloride during a previous Select Board meeting and stated that his only reason for questioning the amount (line item 4312.09X) was because he thought it might need to be doubled.

Salaries for Highway Employees. Resident and Town Moderator, Steve Welch asked the Board if there was enough money in this budget to allow the Road Agent to have enough employees to do the job that he needs to do. F. Muzzey said that the question fell under the salaries and personnel and would probably require a separate meeting with Paul alone for a nonpublic session because he would be talking about personnel. Another resident pointed out that at this point they would only be talking about numbers, not people. S. Welch said his personal thought was that the Board ought to let P. Manson come to the Town Meeting with that budget and if the payroll is to be cut, then the Board ought to let the Townspeople decide it, not the Select Board.
The Chairman acknowledged O. Ahern, who said that when he ran for office, he ran for office saying, “We have to be careful with the people’s money.” He said that the taxpayers pay a lot in taxes and that his priority was the taxpayers. O. Ahern has been involved with budgets in several different settings and said that we need to differentiate among needs, wants and desires, pointing out that the Road Agent had done an amazing job with the budget that he had to work with and that he understood that the previous Select Board had cut the highway budget pretty significantly. He said P. Manson had done a tremendous job with what he had and even turned back a surplus to the Town as of the first of January. O. Ahern said he agreed 100% with all those present who feel the Road Agent has done a tremendous job and has no problem at all with what the Road Agent was doing with the town roads. He also added that he (O. Ahern) was one of the ones who had voted for the third highway employee.

O. Ahern informed everyone that the situation was such that P. Manson had done a great job with less money than what the previous Road Agent had. At this point a resident made a comment about the Board needing to do what the Town’s people would like done with that money. O. Ahern continued and said their job and obligation was to look at the numbers, talk with the Road Agent and present a budget to the Town Meeting and then the Town Meeting will make its decision, a unique process of New Hampshire Town Meetings. The Townspeople, with the help of the Town Moderator, will be able to discuss their concerns, make motions to add things back in, make motions to take things out, but that the Select Board, as he understands it, has an obligation to present a total complete budget for the Townspeople to consider. There will be Warrant Articles that people are going to present and those are all going to be considered and discussed by the Town.

The Chairman acknowledged resident, Ray Welch, and invited him to speak. R. Welch said with all due respect, the Board does have a duty to present the budget, but would argue that the man who should choose that budget is probably the one who designed the budget and the one who is going to have to work with that budget. He said if Mr. Manson believes that he needs three people, he probably needs it since he maintains the roads every day, adding that the reason P. Manson was hired was for his expertise in roads. R. Welch also pointed out that previous to Mr. Manson taking the Road Agent position, the Highway Department operated with two full-time employees and a full-time Road Agent, which he knew to be a fact. F. Muzzey commented that they did half the job and R. Welch agreed and asked if P. Manson was doing such a great job, why not reward him? F. Muzzey reminded R. Welch that they were just discussing the budget and reviewed the Warrant Articles. Another resident pointed out that F. Muzzey had said that he one of the things he had an issue with was the top item and asked where would that come in (for discussion). F. Muzzey agreed and said the Board hadn’t talked about the numbers or where those numbers came from or what it involves.

B. Dubois asked F. Muzzey if after the Board meets with the Road Agent and he presents what he thinks he needs for money, and the Board presents the article for what the Board feels the Road Agent needs for wages for the employees working with the Road Agent, and if the public at the Town Meeting, don’t feel there is enough money in there for wages and think maybe the Road Agent needs or that there should be a third full-time person in the Highway Dept, can the Townspeople make a motion on the floor? F. Muzzey said absolutely. Another resident clarified that the public can do that, but with a caveat: the public can dictate how much money is put in
that budget but cannot dictate which line item that will serve. B. Dubois elaborated further on the
Highway Dept budget and asked if he gets up at the Town Meeting and says for “x” number of
dollars the third person we have should be a full-time employee, and the public is in agreement,
could the Board say okay we’ll add the money but we’re not going to hire a third person. We’ll
put the money somewhere else?

F. Muzzey responded to say that it was not likely, but that he was right. B. Dubois asked for a
yes or no response and asked again if he made a motion, the Board didn’t necessarily have to
hire a third person. F. Muzzey said it was true but not likely. P. Koelb assured B. Dubois that the
Board tries to follow the wishes of the Town at the Town Meeting. B. Dubois went on and
referenced the night they all discussed the hiring of the third person (Select Board meeting on
Oct 15, 2019), and when O. Ahern said he was not really in favor of it, but he still listened to the
many people who spoke in favor of it. B. Dubois then paraphrased what O. Ahern said about this
being why America is the greatest country in the world because we have a Democracy and that
he, as an elected official, was going to listen to the taxpayers – the constituents. If the people
want a third person, then he was going to vote for a third person and B. Dubois applauded O.
Ahern for making that decision. At that, B. Dubois summarized to the Board that he understood
from what the Board had just said, that if such a motion is made, the Board does not have to but
will probably go with what the Townspeople have requested. The Board said yes.

F. Muzzey informed everyone that they were listening to the first of three presentations of the
budget. The second is a hearing required by law, 14 days before the March meeting and the third
will be right at the Annual Meeting floor and that S. Welch will be sure to call on B. Dubois.

F. Muzzey then discussed with the public when the budget meeting should take place and said
the Board would inform the Town of that date. He then acknowledged S. Welch and invited him
to speak.

S. Welch asked everyone to keep in mind that when they vote on the Highway budget, they vote
a bottom line on this budget, whatever that number happens to be. He added that, as evidenced
by this past year, money got pulled from different line items when P. Manson had to replace a
truck. Since that can happen, the townspeople needed to keep that in mind also. The public votes
a total budget, not the items one by one. The only way that anything can change would be to
specifically vote out a line item. It would take a full vote from the Town. If the public votes out a
line item, the Town cannot fund it any other way. Resident A. Patten (?) asked if it was true that
the public cannot reduce a line item, they can only zero it. S. Welch said he believed so but
would have to check. F. Muzzey added that from his experience, when money has been raised in
a budget, there has always been a good faith effort to budget items where they go.

F. Muzzey acknowledged resident, Donna King, who asked about the budget hearings and when
they would be posted on the Town website so that people could plan their schedules. F. Muzzey
replied that State Law states that the latest date the Town could have the hearing was February
14th, but that the budget hearing had not been posted because the Board had not decided on the
exact date yet and that they have to notify everyone about the hearing seven days before the
hearing. A discussion ensued about when would be the best date to schedule the budget hearing,
so that it does not interfere with the Presidential Primary.
F. Muzzey acknowledged fellow Board member, O. Ahern, who said that an issue of concern was the hiring of a third person for the Highway Dept. When it was presented to the Board by the Road Agent, it was basically for the employee to be there for the winter and to make sure the roads were plowed, especially during the week when the school buses would be picking up the children. He referenced the incident that occurred with one of the buses last year, which influenced his decision. O. Ahern stated that in his review of the minutes, the request for the third person was basically during the wintertime. He said that part of his thought process was the understanding that the third person would not be a full-time employee for the entire year. The Board asked the Road Agent to look at other possibilities, such as sub-contractors. O. Ahern said that he would still like the Road Agent to explore these options. He said that P. Manson and highway employee, John Corso do a great job in the summertime when things are not quite as hectic, but he believes the need is in the wintertime to make sure the roads are safe for the school buses.

F. Muzzey asked P. Manson what the hourly wage (something about numbers 2 and 3?). P. Manson said that combined it was $37/hour. P. Koelb asked if that number represented wages or cost. P. Manson replied that it was wages.

The Chairman acknowledged resident, Kay Bailey who said she wanted to ask a question that she did not see in the budget nor did she know if it would be in a warrant article. She said she did not want the Highway Department to lose sight of the bridges. P. Manson assured her that he had not. K. Bailey asked the Fire Department Chief, Jeff Ames what the current situation was with the bridges. J. Ames said the process is in place and that to his understanding, working with the Board and having just worked with Paul Hatch from the State on Friday, January 3rd, the information has to be put out for the Engineers for a design of the bridge. From there, the Select Board and Road Agent need to look at the information and make a choice as to who the Town would use for the construction.

K. Bailey asked if the Town needed anything in the budget for that – a warrant article? P. Manson said that the next step was for the Town to put out a request for qualifications for a company to design the bridge but that the chances of anything happening with the bridges in 2020 is zero. K. Bailey asked if there was money in the budget for the design. P. Manson said that money would not be coming out of the Highway Dept’s budget and was not sure what budget item the Board would use for that. ??---> F. Muzzey clarified that it did have to do with P. Manson for the simple reason that he would have to have the authority to spend, so the money would have to be in his budget. He mentioned $12,000 in the Highway budget.

P. Manson brought up the two bridges that need to be rebuilt: Saunders Hill and Ellsworth Hill because they’re rotting. K. Bailey asked what happened to Rowentown and Frescoln Bridges and said that those were the two bridges she was referring to because the Town is getting funding for those. J. Ames said that is in process. The Select Board has new information and needs to get that information to the design engineers of the bridges, which is good to do during the winter months. Once the Board gets the information back in, they can work with the Road Agent as to what direction they want to go for a bridge. He agreed with P. Manson in that he does not think it will happen during this next incoming year, but there is a process in place. K. Bailey asked if the
Town would lose the funding and J. Ames replied that as long as the Town keeps going with the process, we will not lose the funding.

F. Muzzey reminded everyone that the Town has a 75% reimbursement from the Federal Emergency Management Agency (FEMA) and 80% of the remaining balance from the State, if we’re in that program, adding that the Town’s bridge replacement cost could be approximately $5000 per hundred – a deal for replacing bridges. P. Manson added that it was for the Frescoln Road Bridge only.

P. Manson said that if the Board was going to put money in his budget for that, a good guess for the design and other associated fees, depending on the request for qualifications that the Town puts out, would be $40,000 for an engineering company to design it and build it.

F. Muzzey asked P. Manson if he felt the Board had presented his budget to the extent that he hoped they would. P. Manson said he thought so. F. Muzzey then asked the public if there were any other questions because if not, they needed to move on to other business. There were none, so he wrapped up the Highway budget briefing and reminded everyone that keep their eyes and ears open for when the hearing is because it will give them another opportunity to question and critique and it will be the last time the Board can change the whole budget before the Town Meeting.

A resident asked what the budget was for legal fees for the Town and what it cost to have a lawyer come out to the Town. F. Muzzey said that the Board had not gotten the bill yet. The resident said that it was an expensive item for taxpayers.

D. King asked if the Board had done its office budget yet and F. Muzzey said yes and that the Municipal budget was the first one presented – three to four weeks ago. The other budget from the Town Clerk/Tax Collector had not been presented yet.

The Chairman acknowledged a resident who informed everyone that the school budget hearing is February 6th at 6:00 p.m. at the school.

F. Muzzey answered D. King’s question and said that the general municipal budget so far presented was $257,307.00 and expects another $57,475.00 to be added on to that for the Town Clerk/Tax Collector, which is pretty much a zeroing of the budget because it did not go up that much.

The Chairman asked if there were any other questions. There were none.

P. Manson informed the Townspeople that unfortunately the third highway employee had given his notice and would be leaving on Friday. A resident asked why he was leaving the job and another resident said it was because he expected steady hours. P. Manson agreed.

The Chairman acknowledged another resident (Jenna/Jennifer?) who said she wanted to speak on P. Manson’s behalf and add to the fact that the Town has well over 40 miles of road of dirt road.
and requires year-round maintenance – winter, spring, summer and fall. She said the Town requires a full team - full staff of three people that need to take care of these roads.

Another resident (A. Patten?) asked to add on to what Jen said and informed the Board that several times last winter, he had ended up going out with his own plow and sand trucks to maintain the icy roads and to help get trucks up to the mill. He said the Town had three people working last winter and they had a hard time keeping up with the roads.

The Chairman asked if anyone else had a comment and B. Dubois said he seconded what Jen said. With the dirt roads and flash flooding over the past several years, the Town really has to keep up with them – filling in the potholes, grade them out and really stay on top of them.

The Chairman said the Board needed to move on to other matters and asked if he was being disrespectful to anybody. P. Manson and others said no. P. Manson then excused himself. The Chair informed everyone that it was not the end of the meeting, just the presentation of the Highway budget. P. Manson thanked everyone and the residents applauded him. O. Ahern said it was good to see everyone there and thanked them for attending.

Administrative Business.

Motion. O. Ahern made a motion that the Board approve the refund request as presented by the Tax Collector, Deb Ziemba, to the Board for a Veteran’s Tax Credit to be refunded to the individual. P. Koelb seconded the motion. All voted yes. Motion passed unanimously.

The Board reviewed an application for a Driveway Permit and informed everyone that when the Board receives this application, the first thing they need to do is send the Road Agent out to investigate the need for a culvert and to see if there is approximately 200 feet of visibility in both directions, in order to accommodate safety. As a result, the Chair recommended waiting to sign the request until they received the Road Agent’s input.

The Board reviewed a request for an abatement of a $10.00 penalty fee for a resident who had not returned the PA-28 Inventory of Taxable Property form on or before the due date of April 15, 2019. The Board discussed how the possibility of extenuating circumstances may prevent someone from returning the form by the due date, but none were presented to the Board. J. Ames informed the Board that he was penalized one year when he accidentally returned his inventory late and it would set a precedent if the Board made an exemption. The Board discussed this and agreed.

Motion. O. Ahern made a motion that the Board not approve the abatement request. P. Koelb seconded the motion. All voted yes. Motion passed unanimously.

The Board reviewed two invoices relating to groundwater testing where the landfill used to be (now the Transfer Station) – one from McGibbon Environmental, LLC for $990.00 and one from Eastern Analytical for $862.00. O. Ahern was concerned whether the charge was a violation of Article 28-A of the NH Constitution and whether the State Government was imposing an obligation on the Town, Municipality or County, after a certain date, that the State should be
funding. O. Ahern suggested the Town call to the Dept of Environmental Services (DES) because the Town wants to cooperate with the State and make sure all the environmental needs are addressed. The Board decided to hold off paying the invoices until the appropriate phone calls could be made, in order to clarify the reason and necessity for the testing.

The Board reviewed two approvals from DES for Individual Sewage Disposal Systems (ISDS).

The Board reviewed an email from a resident asking the Town to furnish a letter to a bank stating that the Town has no zoning laws. The Administrative Assistant (AA) said she had a template for a standard letter from the Town stating that Wentworth has no zoning laws and could easily generate a letter to the resident. The Board said yes. O. Ahern asked the AA and the Board if they minded if he reached out to the resident via telephone and no one objected.

The AA informed the Board that she had received several similar requests in the past along with requests asking about the location of certain floodplains in Town, which she had spoken with F. Muzzey about the previous week.

The Chairman acknowledged that the Board had received seven emails from residents complimenting the Highway Road Agent’s job performance.

**Old Business.**

Cell Tower Complaint. The Chairman reviewed the complaint the Town had received from William and Debra (sp?) Allen, Vivian Bates (sp?) and Randall Kimball regarding the Cell Tower being built next to their property. F. Muzzey summarized the assistance he had provided to the Allens and the Board’s advice that these residents seek independent private legal counsel since the Town has no authority on the matter.

O. Ahern asked Chief Trott to recount the chain of events beginning in December 2018 when Industrial Tower and Wireless, LLC. (ITW) first briefed the Select Board as a courtesy (due to no zoning in the Town of Wentworth) up until the present time when the complaint was filed. F. Muzzey said all the parties had acted pleasantly and that he had spent several hours with the Allens trying to help them find information on the subdivision and other relevant documents.

F. Muzzey agreed with the other Board members that the Town had done their due diligence and did not need to do anything further except send the residents a courtesy letter informing them that the Town had made some phone calls and had not had much success in finding the answers to the questions they asked, but have been told that it was not a matter of enforceability by the Select Board. P. Koelb said he would refer the residents to the deed and F. Muzzey said he had done that. There was further discussion about whether it was clear in the deed whether the property was residential or not. O. Ahern identified some of the legal processes that might be involved and agreed with the Chairman emphasizing that if the company (ITW) went to the right State Agencies and got permission then there might be more to this matter, unknown to the Select Board; therefore, it might be necessary for the affected residents to do their due diligence on the matter.
One resident reminded the Board that a similar situation arose when residents spoke out against
the building of the Dollar General, but due to their being no zoning in Wentworth, it had been a
moot point, much like this issue. Another resident acknowledged that the point remained that
this was not a Select Board issue. F. Muzzey agreed but said that the residents did deserve to
receive a response from the Board and asked the AA to draft a letter for the Board to sign at the
next meeting.

Reports of Town Officials.

Administrative Assistant.
Tanya Vela announced that all of the Select Board Meeting Minutes from 2019 were now
available in a binder in the Select Board office, adding that many are in draft form, but all were
available to the public. The Select Board decided not to post the Minutes online until they were
finalized and signed by the Board, which they planned to do in the coming weeks. F. Muzzey
informed everyone that T. Vela had been given the challenge to complete all the Minutes by
Friday, January 10th, and had thought that the task might be insurmountable due to all that
needed to get done, but she had worked until 11 pm the night prior and completed the task by
Monday, January 6th. O. Ahern added that T. Vela had worked the past 5-6 nights in a row and
the Board congratulated her on getting the job done.

Public Comments.
None.

Motion. O. Ahern made a motion to enter nonpublic session per RSA 91-A:3, II (c) Matters
which, if discussed in public, would likely affect adversely the reputation of any person, other
than a member of the public body itself, unless such person requests an open meeting. This
exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine,
or other levy, if based on inability to pay or poverty of the applicant. P. Koelb seconded the
motion. F. Muzzey voted yes. P. Koelb voted yes. O. Ahern voted yes. Entered nonpublic
session at 6:44 p.m.

Motion. O. Ahern made a motion to leave nonpublic session and return to public session. P.
Koelb seconded the motion. Motion passed.

Public session reconvened at 6:48 p.m.

Motion. O. Ahern made a motion to seal the minutes of the just finished nonpublic session
because it is determined that divulgence of this information would likely affect adversely the
reputation of any person other than a member of this Board. P. Koelb seconded the motion. F.
Muzzey voted P. Koelb voted yes. F. Muzzey voted yes. O. Ahern voted yes. Motion passed.

The Board discussed scheduling a meeting to finalize their revision of the Employee Handbook.
The AA said she would look at her calendar, speak with L. Franz and P. Manson and obtain three
dates for the Board to choose from. F. Muzzey commented that he would appreciate L. Franz and
P. Manson’s input, but does not want to impose on their time if they have other work to be done.
The AA said she would also reach out to the Deborah Ziembba and Randy Rugar but that R.
Rugar had not been able to make it in the past due to work. She also reminded the Board that D. Ziembba was working by herself and had a lot on her plate.

Motion. O. Ahern made a motion to adjourn the meeting. P. Koelb seconded the motion. All voted yes. **Meeting adjourned at 6:59 p.m.**

Respectfully submitted by:
Tanya Vela
Administrative Assistant to the Select Board