

Minutes of the Wilton Select Board Meeting
July 12, 2022

Members Present: Keith Swett, David Leavitt, Phil Hilton, Tiffany Maiuri, Michael Wells, Rhonda Irish

Also Present: Mt. Blue TV, John Masse-Highway Foreman, Ethan Kyes-Wilton Police Dept, Brian Lynch-Wilton Police Dept, Heidi Wilcox-Wilton Police Chief, Lance Adams, Wilton Resident

Item #1- Minutes of the Select Board Meeting of June 28, 2022

Phil/Tiffany m/m/s -To accept the Minutes of June 28, 2022 Vote: Unan.

Item #2- Public Comment

N/A

Item #3- Consideration of Approval of Extension of Liquor License Privileges for on-Premises Establishment -Saltmarsh Farm, D/B/A Calzolaio Pasta Company Tiffany/Phil m/m/s To Approve and accept the Extension of the Liquor License Privileges for on-Premises Establishment for Saltmarsh Farm, D/B/A Calzolaio Pasta Company.

The parking lot will be an extension

Vote: Unan

Item #4 – Cemetery Memorial-Consideration of Oversight Committee

Rhonda- Could it be considered and is requested by Mr. Rice to have an oversight committee for the oversight of the design and construction for the Memorial at the Cemetery. It was discussed to have possible flags and a columbarium as part of the design. It is possible location of the Memorial will be in a different location. It is questioned with the proposal now would be too far in the corner.

Tiffany/Keith m/m/s to establish a committee

Motion Amended as committee to have 2 Select Board members (Phil & Tiffany) 1 Town Manager and 2 Citizens from Wilton.

Vote: Unan

Item#5- Update of Road Issues-Butterfield, Gilbert St South

Rhonda-There was a person that came in in reference to the road closed on the old part of the Butterfield Rd. The Butterfield Rd was closed in November 1965. (See Attachment). There is a turn around at Carolyn Smith's property for the Town. The voters discontinued the older part of road. Lance Adams Property has a gate. The issue is when this road was closed by the public in November 1965, it was 2 months after therefore access was supposed to continue on this road.

Keith-To clarify, the Right of Way exists and is for anyone?

Rhonda-Yes, but there are trees that have grown in. Lance can verify.

Mike-There is a clear Right of Way law in the State of Maine. Back in 65 it would be grandfathered.

Keith- So many towns in the state have discontinued roads. There was a period where we changed the way we discontinue roads. A judge somewhere along the way said that the first way we did it was not correct and so all those roads were continued as rights of ways and that the second way we did it wasn't correct so they continued to remain open too. I believe we have more Right of Ways that public.

David- If the Law says it has to be open for a public way then we have to follow the Law.

Keith-There is a way you can bring the road issue to a town meeting to vote to discontinue the road. If the Landowners own the land, the town has a Right of Way across that land.

David-I don't see any recourse other than to make sure it is open for public access.

Lance Adams- Half of the road has not been used in at least 20 years. Trees have grown. There is no access at this time. He does have ATV's that use his property. He has a gate. It doesn't prevent anyone from accessing.

David- We as a body do not have the right to close it off when the law says it has to be open for public access. He understands that Lance doesn't want to post his property.

Lance-Is there anything from preventing us from bringing up to discontinue public easement process?

Rhonda-Not sure of the process. It was done so many years ago.

David-We could get legal counsel to see what the process is and if it is worth the investment and to see what can be done.

Tiffany- She agrees. If it is grown up and not used, and want to keep your land from being posted, we should get legal opinions.

Mike-There are two different modes of transferring the town ownership of the right of way to landowners. Paul Mills is up to date on the Right of Way Laws and the legality. It might be worth the investment.

David- I believe we have the documentation of when it was done. How do we undo the process to make sure it is right?

Keith- Anything that was on the road map that the Town has currently has the accurate depiction of the Right of Ways. The ones that were discontinued were just a handful and were labeled on the map correctly.

Mike/Tiffany-m/m/s- That the Town of Wilton make a minor investment on the Right of Way Laws and see if they were done correctly.

David-Specifically to the Butterfield Rd? It becomes a big can of worms if you go into every one

Keith-There was a year change.

David-It would be worthy to get legal counsel. Get a broad description of what we have.

Vote: Unan

Rhonda-What should we do in the meantime?

David-Leave the gate open. Until the Laws or Right of Ways change.

Tiffany-It needs to be open, unfortunately.

Rhonda-She will do a letter that specifies that the gate is to remain open.

Rhonda-Gilbert Street South- It is suggested to close off for plowing. To close properly, we need to go to the Attorney and this will need to go to Town Meeting or a special Town Meeting.

David-His concern-doesn't the town water line go through there?

Tiffany-It is discontinued.

Rhonda-There have been two winters that have not been plowed. There appears to be no issues.

Keith-Because of the Right of Way, I don't think we should be blocking it

John-It is not blocked now.

Keith-Until we can get it completely shut off, if people want to use they should be able to .

John -We put a Road closed sign.

Mike-Is this a safety issue?

Keith-If the Right of Way exists, we need to follow the Law

Mike-If it is a safety issue it should be closed.

Rhonda-We will go to the Attorney too, so it is closed properly.

Item # 6- Highway Dept-RFP for gas tanks

John Masse-The Gas Pump is not working all of the time. The internal pipe has a small hole. We need to dig this up next year. We would like permission to dig this up now. It is on the schedule for next year. We need to do something to bring this back to standards.

Rhonda- It would come out of the Capital Account. The one ton has received no bids. The fuel tank and the one ton might end up swapping cost.

David- Let's address the gas tank issue and deal with the one ton later.

Rhonda-It looks like there is enough there in the capital funds

Tiffany-It wouldn't hurt to proceed with the RFP

David-Do the RFP for the underground tank

Tiffany/Keith-m/m/s To do an RFP for Above and Below ground gas tanks for the Highway Department

Vote: Unan

Item #7- ARPA funding-Public Safety Hazard Pay

Tiffany-The concern is the condition of the police officers working and being able to retain officers. We looked at what Farmington had in place at the time. Delays have taken place.

The proposal or intention would be for 62 months. The difference between Wilton and Farmington at an hourly rate. 95 percent are going through 62 weeks and the guys are working approximately 42 hours week. (See attached spreadsheet). The figures in column M would be comparable to Farmington. We would be competitive to Farmington. Not sure if things have gotten better.

Heidi-No, Things are not better. We have no prospects and are understaffed. Some of the prospects have not worked out. Families are paying a price. Keeping our guys are crucial to our Town.

Tiffany-Part of it is not all about the pay. We need good candidates. Maybe shift some of the responsibilities.

Heidi-There is a need for criminal investigation. It is very time consuming. We need resources and time.

Tiffany-This would be a weekly stipend. \$160.00 for entry level. \$200.00 for Senior Officer/Detective/Sargeant and \$300.00 for the Chief. \$73,160 total financial cost and a total of 62 weeks. Retroactive to April

David-It is a contract issue because you want to be competitive with Farmington. Demographically Jay is more aligned with Wilton. The tax base and population. It is really a contract adjustment pay.

Mike-What are the vacancies in Jay?

Heidi-One down out of seven

Mike-Farmington is down 3

Heidi-We are down by one

David-We gave every employee Hazard Pay at the end of 2021. We are looking at the competitiveness with Farmington. This needs to be in the correct context.

Tiffany-I believe the reason the increases have gone up because the recognition that it is becoming a more hazardous job. It is hazard pay. There is a shortage compounded by not having enough years of being able to go in to the Maine Criminal Justice Academy or graduate. The job is becoming tougher and tougher.

Heidi-There are more domestic calls. The job is always hazardous. It is more escalated.

Keith-He has couple of concerns. In reference to pay increases in the past, we have looked at a number of other towns. We are looking strictly at what Farmington did and that's all we are looking at now. It is different from what we have done in the past. The other piece that bothers me is I don't argue with the value of the police department, but I would argue the value of the other employees in the Town of Wilton and this is the first time I recall that we are taking one department and we are only looking at only doing for this one department instead of looking at the town as a whole.

Mike- With violence going on, that wouldn't affect the water department, transfer station department, it would affect the police department. I wouldn't see this as 1 to one. Its not across the board.

Keith-We need to compare all departments.

Tiffany-This is Hazard Pay.

Mike-Are there restrictions with ARPA?

Tiffany-I am putting forth the proposal of Hazard Pay and that we retain our police officers and that they have a career path forward.

Tiffany/Mike-m/m/s-For \$73,160 Hazard Pay be accepted as proposed.

Keith-Do the ARPA funds with Hazard Pay have association with Covid?

Mike-We are in different realm right now. Violence is up. It is nationwide. I want a strong police force.

David-I don't think that is the debate. Demographically we are more in line with Jay.

Mike-You would have to do a one on one town comparison.

Tiffany-What is the clearance rate? (This is crime rate compared to others)

Heidi-We do not have this information yet. When she receives this, she will forward on to the Select Board.

David-That information could be used for negotiations. One more tool to use.

Keith-95% is a number you "grabbed", an arbitrary number.

Tiffany- We want the Hazard Pay to be competitive. This is a critical need.

Phil-I feel part of the conversation is Hazard Pay or retention. He thinks we are looking at everyone. We are looking at who's the highest bidder?

Mike-A trained police officer would travel. We are isolating. Our closest competitor is Farmington. We are looking for retention.

Vote: David-No-This is the wrong approach.

Mike-What is the wrong approach? How do we approach?

Keith-This ends up as their raise.

Mike-They will go to another town for more money.

Tiffany-This is a weekly stipend. It would be compounded if it were an hourly stipend. This is something to show on a weekly 42 hours. Part of this is two phased process. Town Meeting and Regionalization.

Tiff/Phil-m/m/s-To move the vote

Vote: 3-2 Passes. David & Keith opposed.

Mike/Tiffany-m/m/s For the Police Chief to receive a stipend for detective

Keith-This is an additional stipend?

David-Heidi receives a stipend for patrol shifts.

Vote: 3-2 Passes David & Keith opposed

(Heidi declined accepting the stipend)

Item #8- Consideration of Appointments

Rhonda- No vote has taken place for voting for the new chair of the Select Board.
Keith/Tiffany m/m/s- To elect David Leavitt as the continuing Chair of the Select Board and Phil Hilton as the continuing Vice-Chair of the Select Board.

Vote: Unan

Committees for Road/Recreation/Cemetery/Police/Downtown/Recycling
Tiffany-She has interest in road committee. Mike would like to preempt and be on Road Committee.

Phil-Police Committee

Tiffany-Recycling Committee

Keith-Cemetery Committee

Mike-Recreation Committee

David-Downtown Committee

Item #9- Town Manager's Report

A. Code Enforcement and Animal Control positions

Charlie Lavin-Code Enforcement Officer is retiring within a couple of weeks. He will help as needed. Gary Judkins started today.

The Animal Control officer has resigned for July 1, 2022. We have an interim at this time. Dexter Bridges. The position of Animal Control Officer will be advertised.

Keith-Hours discussed for CEO?

Rhonda-They are to be determined

Keith-We are expecting five days a week.

Rhonda-Yes, five days a week.

Item #10- Executive Session pursuant to 1 MRSA § 405(6)(A) Personnel

Tiffany/Keith m/m/s To go into Executive Session pursuant to 1 MRSA § 405(6)(A)

Personnel 6:57PM Vote: Unan

Out of Executive Session at 7:52PM

Item#11-Consideration of 2022-2023 Salaries

Tiffany/Keith-m/m/s to allow the Police Chief to create a conditional Detective position, which will be reviewed during negotiations and budget meetings in 2023. Vote: Unan

Phil/Keith-m/m/s To Approve non union wages as presented.

Vote: Unan

Keith/Phil m/m/s To Adjourn

7:55PM