

**TOWN OF NEW HAMPTON
BOARD OF SELECTMEN
MEETING MINUTES
TOWN OFFICES
NEW HAMPTON, NH 03256**

April 1, 2010

MEMBERS PRESENT: Selectmen Paul Tierney, Charles Bartley and Kenneth Mertz were present.

OTHERS PRESENT: Town Administrator Barbara Lucas and Fire Chief Drake were present.

CALL TO ORDER: Chairman Paul Tierney called the regular meeting of the Board to order at 6:15 PM.

WORK SESSION:

- Manifests, bills, requisitions, purchase orders and leave request forms
- Building Permit – New Hampton School, Tax Map U3, Lot 15 for installation of solar panel for water heating at Veasey Hall on Dr. Childs Road was moved by Mr. Mertz, seconded by Mr. Bartley and approved by the Board.
- Building Permit – Theodore & Kathleen Catineau, Tax Map R13, Lot 11 for installation of a modular home on Old Bristol Road. This was reviewed and motion to approve was made by Mr. Bartley, seconded by Mr. Mertz and approved by the Board.
- Current Use Application – 1625 Summer St. Ltd. Partnership, Tax Map U8, Lots 1 & 1B on Route 104. Mrs. Lucas verified with the appraiser the category was appropriate for the lots, and the motion to approve was made by Mr. Mertz, seconded by Mr. Bartley and approved by the Board.
- Misc. Correspondence – None except as noted below.

NANA's request for its funding (previously approved by voters) was authorized by the Board.

Gordon Nash Library's funding of \$15,000 was approved by voters and will be authorized at a future date.

*Fire Chief Drake
6:15 PM*

Chief Drake's requisition for Minotaur Pagers was presented, with quotes. He discussed the models that have come out since, and working within the parameters of the approved warrant article, discussed his preferences. The Board approved the requisition.

Mr. Mertz asked about Metrocast service at the Fire Station. Chief Drake said he was just starting to discuss the option of moving their phone service and internet into a bundled package. This will be further discussed by the Chief and Mrs. Lucas with Metrocast.

A gas detector requisition was discussed. The Chief is trying to get another unit for the Ambulance unit which is sometimes the first responder at a scene. Currently there is one unit at the station. A new unit that was marked

by Campton and received in error is being offered by the company at little over cost. The Board was agreeable.

A requisition for a \$750 wood constructed gear rack for 9 self contained units. Currently gear is cramped and comingled currently. This is a start but 25 to 30 will be needed over time.

Repairs to the Forestry unit which requires a clutch. Parts are \$460 consistently between the quotes. The work was proposed to be done by department staff at Lang's garage at department rates. The Board was agreeable to the plan.

Chief Drake looked at the grant process requirements for the truck replacement and stated it did not look good for a new engine. His recommendation is to go for a replacement for the Forestry truck which is more in keeping with the grant requirements. Mr. Tierney asked the Chief to come back to the Board when he is ready to make a recommendation and they will vote at that part.

The Chief also advised of a grant opportunity for a two-year agreement for a full time position, and he would like the Board to consider a medic position. There is no

The opportunity for a regional grant for training or vehicle or personnel or equipment will be coming up. The region would be determined by the grant writer.

Ambulance will be needing replacement batteries. Also, the equipment grant has come in.

Requisition for \$740 dollars for 10 pails of fire fighting foam through DRED.

*CNP Appraisals
Mary Moses
Re: Wes and Janan Hays
Seminole Avenue
Tax Abatement Appeal
7:30 PM via Telephone.*

Pam Vose received a phone call from the Hays when Mrs. Lucas was not in the office. They indicated they were unhappy with how they were treated at the last meeting. They subsequently spoke with Mrs. Lucas and expressed they felt rushed, that they were not given respect, and that the Board was condescending toward them. They felt the Board's decision was made before they came to the meeting. Mrs. Lucas said she was sorry they felt that way, and that was not the intention of the Board. Mr. Hays talked to his appraiser with regard to the comments made by Ms. Moses. He asked if the Hays could meet with Ms. Moses to get clarification of the values CNP presented. \$529,200 is the valuation the Board offered as a final resolution.

Mr. Bartley made the suggestion that any further discussion should be in writing and not verbal. This will be taken under consideration by the Board.

Ms. Moses called in at 7:30 PM and spoke with the Board via speaker phone. Regarding the Hays' rejection of the Town's offer, she wanted to know how the Board would like her to proceed. Currently the Hays

assessment is at the 555K figure in the system. The last figure offered to the Hays of \$529,200 included adjusting the waterfront portion of land. The method of coming to that figure affects five other abutting properties which would need to be adjusted in the system.

Ms. Moses suggested that method be applied to the five other properties, as well as the Hays, for 2010. The Board could then apply the adjustment to the Hays for 2009 and abate the adjustment for the Hays' 2008 taxes. While the Hays may feel this is insufficient, the matter can still go before the BTLA.

In Ms. Moses opinion, the adjustments made to date are fair, and are very supportable before the BTLA. Ms. Moses noted she would support this action regardless of who submitted the documentation. She also noted she had spoken with colleagues and the owner of CNP regarding this matter and they concur. There are always a small portion of persons who despite all efforts by towns, will need to hear an explanation from a third party. She commended the Board for the lengths they have gone to try and resolve this for the Hays short of the BTLA hearing, and she noted she would be happy to meet with the Hays to try and explain it again, but she was doubtful it would change their minds regarding the differences between a real estate appraisal and a property tax appraisal.

Ms. Moses did ask if there is a meeting with the Hays, could their questions be put into writing before the meeting. If they have some adjustments from their real estate appraiser, Ms. Moses would like to have that in advance to avoid going off track without preparation. Mr. Tierney thanked Ms. Moses for her assistance and he would discuss all this with the Board and get back to her promptly.

Mr. Bartley reiterated his view that any further communication with the Hays be in writing. Mrs. Lucas's recommendation was that the Hays meet with Mary Moses and Mrs. Lucas but not with the Board. If they feel portions of their appraisal were misinterpreted, those items should be submitted before the meeting. Mr. Mertz agreed that their questions should be prepared in advance, to be fair with Ms. Moses so she can prepare a thorough response, but he also felt a face to face meeting where they could ask questions of the materials presented was preferable to written letters. The Board stated if there is a whole new litany of issues that come up perhaps the meeting would need to be adjourned, but in the course of answering questions other questions could arise which would be stifled by doing this in writing. Mrs. Lucas stated she felt Mr. Hays was sincere that he wanted to ask questions and be listened to. His purpose was not to negotiate.

Mr. Tierney summarized the Board's proposal:

1. A meeting be set between the Hays, Mary Moses of CNP and Mrs. Lucas. For the preparation, if the Hays have any information that would affect their appraisal report, that information must be submitted in writing in advance from their appraiser stating how it was misinterpreted.

2. Questions the Hays don't understand and questions they want to ask must be provided at least a week before the meeting to allow CNP's preparation of a response.

Mr. Bartley asked if after the meeting it is still not resolved, how long would these discussions proceed? Mr. Tierney suggested they could continue up to the BTLA hearing date. The Board has a responsibility to its citizens to be sure they understand these procedures, and there is no time limit.

Mrs. Lucas noted that at the proposed meeting she and Ms. Moses have no authority to suggest or offer any negotiation on behalf of the Town. This was confirmed by the Board.

Mr. Mertz made a motion that a meeting of the Hays, Mrs. Lucas and Ms. Moses be set up with the guidelines outlined by Mr. Tierney. It was seconded by Mr. Tierney. The motion passed.

Mr. Tierney then turned the discussion to the valuation figure. Mr. Mertz stated that as discussed with Ms. Moses, the figure was fair and not arbitrary. Mr. Mertz made the motion to make the change to the Hays property valuation to the \$529,200 figure for 2010, and adjustments for 2009. CNP would adjust the five other properties for 2010. This was seconded by Mr. Bartley and the motion passed. Mrs. Lucas will prepare the abatements for the next meeting.

Mr. Bartley asked if any action was necessary to address the Hays comments on the way the Board treated them. Mr. Tierney stated that after the proposed meeting of Ms. Lucas, Ms. Moses and the Hays, he will consider a letter for the Board's review stating the Board never intended a negative tone at the last meeting, but he also noted the Hays were correct that the decision of the Board was made before they appeared that night.

Mr. Boucher submitted a requisition for the 2002 Mac plow truck to repair or replace manifold, gasket and studs. The quote from Winnepesaukee Truck was \$640.31, Lang's quote was \$1,000, and McDevitt was 942.71. Mr. Boucher submitted a requisition for work to be done by Winnepesaukee Truck. This was approved by the Board and will come from the Maintenance Budget.

Another requisition for the 1996 International Dump Truck repairs to the front motor cover and gasket was presented. The first quote totaling \$3,243.00 was from ???. The Liberty Truck quote was \$4,477 and Lang's quote was \$7,500. Mrs. Lucas noted that the leak has been an issue previously and they have tried to patch it, to no avail. This was approved by the Board.

Mr. Boucher provided a requisition for the triangle outside the Town Offices in the amount of \$12,400 for a water fountain and pool, brick pavers, plantings and granite curbing – Happy April Fool's Day!

Highway Department

Justin Bernier is a new employee and is being deployed for combat training for a month with the National Guard. The leave slip has been approved by Mr. Boucher and submitted to the Board for approval. Mr. Tierney suggested extending his probation period by one month to accommodate his service time. The leave slip was approved and the Board approved the extension of probation

Mr. Boucher advises he has a part time seasonal employee for consideration by the Board. David Boynton has a CDL and is a retired postmaster for Meredith. He expressed interest in doing the cemeteries this summer. The motion to approve his hiring was made by Mr. Mertz, seconded by Mr. Bartley. The motion passed.

Robert Poole was supposed to do the cemetery work last year, but Mr. Boucher utilized him at the transfer station during the summer. Mrs. Lucas will check on Mr. Poole's employment status.

The Fire Chief requested approval of hiring Stephen L. Heath as Firefighter I, II, CDL. The motion to approve his hiring was made by Mr. Mertz, seconded by Mr. Bartley. The motion passed.

Franklin Savings Bank

A draft letter to the bank asking to extend the line of credit for 60 days was reviewed. Motion to approve was made by Mr. Mertz, seconded by Mr. Bartley. The motion passed.

*Abatement Requests
David Prutzanni
Straits Road
Tax Map r-6, Lot 7*

CNP was asked to look at this property, which they did on April 1st. CNP revised the assessment made in 2008 (which had not included viewing the interior) and now recommended reducing valuation from \$233,950 to \$165,763. Mr. Bartley made a motion to accept CNP's recommendation, seconded by Mr. Mertz, and approved by the Board.

*Delegation of Deposit
Authority*

The Town Treasurer has the only authority to deposit for the Town and usual procedure has the Town Clerk/Tax Collector appointed as a delegated authority to do so. This was moved by Mr. Mertz, seconded by Mr. Bartley and the motion was approved.

Mrs. Lucas is also going to check with Gylene Salmon, the Treasurer, to see if Eileen Brassard should get authority as well.

*Department of Safety
Dept. of Motor Vehicles*

Notification of a Bonded Retail Vehicle permit request, dated 3/25, was received on behalf of Kevin and Cheryl Drake and New Hampton Auto LLC and sought the Board's input. The permit would not provide or allow dealer plates for Mr. Drake. Mr. Mertz had spoken with Mr. Drake who explained this permit would allow him to go to vehicle auctions and to buy and sell. He also apologized for not making the Board's last meeting. The permit application was reviewed for compliance with Town ordinances and the Board signed indicating the DMV could approve the permit.

George Sansoucy

Mr. Sansoucy's contract for \$6,000 to perform 2010 updates for Public Utility properties was reviewed. This was approved by voters as part of the

budget. The motion to approve was made by Mr. Mertz, seconded by Mr. Bartley. The motion was approved.

*New Hampton Delta, LLC
Route 132
Site Plan Status*

Attorney Brian Ray sent correspondence dated 3/30, on behalf of the owner, Rob Pearlman. Because of family illness, the owner was unable to be at the meeting, but authorized the attorney to request the matter be added to the Planning Board agenda as an informational meeting request to discuss compliance issues at the property. Mrs. Lucas will place the matter at the next Planning Board meeting.

Bruce Garant

Mr. Garant spoke with Mrs. Vose and advised the two vehicles in question were waiting for parts and would be worked on before the end of April. Mrs. Lucas noted this information is different from his previous explanation. The Board will ask Mrs. Lucas to draft a letter thanking Mr. Garant for the update, but pointing out the disparity with previous discussions and the fact his property is still not in compliance.

Mr. Mertz brought up his intention to ride around town with the Police Chief to document any properties with excessive numbers of non-road worthy vehicles, but time constraints preclude Mr. Mertz from being able to do this before leaf-out obscures viewing. Mr. Tierney and Mr. Bartley decided to split the time required.

*112 Main Street
"Daniel Smith Tavern"
Apartments*

A newspaper advertisement notes three bedroom units for rent at that location. Town approvals were based on two bedrooms only as the bonus room does not have a fire egress. Mrs. Lucas recommended a letter to the owners asking them to cease and desist from advertising as 3 bedroom units. She will also speak with the Fire Chief regarding any other outstanding issues which had been discussed previously with the owners. A letter will be drafted for review by the Board.

SEA

In response to Sherry Blanchard's email of 3/30, Mrs. Lucas provided a summary overview of approved contracts for SEA and found a difference of billed dollars for preliminary engineering. Sub consultants were billed by SEA under preliminary engineering, and were noted separately by Mrs. Lucas. Corrections will be made and resent to Ms. Blanchard.

DirecTV

The Board was advised of a letter from the Town attorney dated 3/29, regarding the valuation of the properties as filed by DirecTV legal counsel. He will get a copy of that filing and forward it to the Board.

Central Street Bridge

Glenn Lavoie, Winterset, letter regarding outstanding issues. Mr. Tierney noted they still need to speak with SEA for their input. With the Board's permission, Mr. Tierney would like to contact SEA for the information and work out the details for the future meeting with both SEA and Winterset. This was approved by the Board.

Logging Operation Extension

Kathryn Knott-Garon sent correspondence dated 3/31 asking for an extension for her logging operation because of the heavy rains. This was approved by the Board.

*NH DRED
Fire Warden Appointment*

The Deputy Forest Fire Warden appointment notification to Kenneth Torsey was not received. A follow-up discussion with Jen Little of DES indicated they will re-issue the appointment, but it was confirmed that Mr. Torsey was registered as a Fire Warden. The Board will follow-up again in two weeks to make sure the notification has been received.

*Fire Department Grant
Awarded*

The Board acknowledged the award of a grant for more than \$188,000 to the Fire Department. The Board commended Chief Drake's work to procure the much needed funding.

Metrocast Map of Coverage

Mrs. Lucas was commended for her work reviewing the map provided by Metrocast of coverage in New Hampton. A number of issues were noted for correction and clarification. Once this is done it will be discussed with Metrocast's technician and the map will be corrected before it is posted on the Town website and public hearings for the franchise renewal are scheduled.

*Brad Rodenburg
Jackson Pond*

Mary Moses of CNP noted work at the location and advised the Board and provided pictures. This may be non-permitted construction. Shoreline protection issues could also be involved. If necessary, a letter will be drafted to the owner. Pictures will be provided to NHDES for their follow-up regarding Shoreland Protection rules.

Permit Form Review

The Occupancy Permit, Posting Permit and Building Permit form formats and requirements to be provided with the application forms were reviewed and approved by the Board.

Recycling Committee

Dominique Vasquez has asked to serve on the recycling committee. The Board will send her a letter of appointment. This committee has not been active in some time. More volunteers are needed.

Mr. Tierney noted he viewed the information on the Town website regarding the volunteer positions available and thought some information was missing. Mrs. Lucas will review the website to ensure all the information discussed with the Board is posted.

*Fire Department Inquiry re:
Possible Use of Metrocast
Phone Services*

This matter has been discussed previously with the Chief and will be followed up.

*Tilton Realty Trust
Route 132 North*

Notification was received that Meredith Village Savings Bank Trustees voted on 3/31 and will be reissuing Tilton Realty Trust's letter of credit. A building permit was approved pending this action by the Bank.

*New Hampton Cemetery
Association*

The Charitable Organization Financial Statements from the Association were received in order to claim tax exempt status. Forms BTLA A-12 and BTLA A-9 required the Board's signature. The motion to approve their tax exempt status was made by Mr. Mertz, seconded by Mr. Bartley. The motion passed and both forms were signed.

For a future agenda, Mr. Tierney asked the Cemetery Association be added to discuss funding and finances.

Jeff Sawin
757 Coolidge Woods Road.

Regarding Mr. Sawin's Tax Appeal of 2009, documentation and two appraisals have been submitted by Mr. Sawin. The motion to forward the info to CNP for review was made by Mr. Mertz, seconded by Mr. Bartley and the motion passed.

Web Site Use Policy

Some information is available but not a great deal. The Board previously discussed which organization links could be posted on the Town website. An email and suggestion regarding Sharon Vermont's policy was discussed. They have lost and found, trade pages, and other items, but maintenance and liability issues are brought into the discussion. Mr. Bartley had questions regarding the effort put out versus the return. Mrs. Lucas noted that she is sending out the New Hampton Connection to 500 addresses, which could be as many as 1,000 people. Mr. Mertz would like to pursue development of a web policy. The Sanbornton website was discussed. Mr. Tierney noted that it is really a vehicle to get information out to citizens and more information could require a webmaster.

Crystal and Ken Avery
Timber Cut

Information indicates there has no been logging at the Avery property. A bond is required before they can cut and the current Intent will be expiring soon.

Cartographic Associates

A letter from Cartographic Associates was received which outlined their services. Mrs. Lucas noted they have done the tax maps for the Town and she would like to discuss the next step of utilizing GIS with Cartographic to see if this is feasible and cost effective. The Board agreed.

Woodlands Credit Union

They are open in Plymouth and have offered direct deposit services to the Town. The town would have a difficult time setting up a direct deposit arrangement with a variety of banking organizations.

LEOP Meeting held on 3/24

A follow up meeting as required for the LEOP grant. The group reviewed existing operations, found some missing pages. There needs to be a directory for easy access of emergency numbers in the front of the book. A second meeting will be scheduled in about six months. It was discussed to add an appendix to identify poles and which service covers which poles. The meeting was well attended.

Policy for minimum timber tax bonds

Opening an escrow account involves a charge of \$1.00 per month on any balance under \$100.00. The motion to make any timber tax bond a minimum of \$100 was made by Mr. Bartley, seconded by Mr. Mertz and the motion passed.

Building Permit Fees

This item was tabled to a future meeting. Selectmen will review other towns in the interim.

Veterans Park

The Garden Club is ready to begin its work at the park. The Highway Department will remove 7 inches within the garden area, provide crushed gravel for the walkway and prepare the area for sand and pavers which will be provided by a landscaping area. There will be a walkway with pavers to go down to the monument. A number of contractors are providing services and materials to the Garden Club.

Mr. Mertz asked if Mr. Boucher could trim some of the evergreens starting to obscure the Town Sign. Mrs. Lucas will relay the request. Also, it was noted the island where the town Christmas Tree is located has a good deal of asphalt debris and sand on it. Mrs. Lucas advised Mr. Boucher is aware and will clean it off. The availability of loam for the area is questionable, but will be asked about.

*Mountain Pond Road
Off Gordon Hill*

Complaints have been received regarding the class VI road conditions on the road after a logging operation had been up there. Mr. Boucher was asked to look at the road and report back on the condition and recommendations.

Straits Road in the area of the recent house fire was in pretty poor shape, per Mr. Bartley. He viewed it the day after the fire. Mr. Boucher will be looking at the area.

Timber Cut Estimate

Regarding a timber cut at the Rodenberg property, the Town Forester who usually does the measurements used for the matrix to develop the number of board feet for timber taxes, advised he was not comfortable doing the measurements. He had bid on the work at that property and was not hired for the job. Mrs. Lucas felt that now that there are only stumps left, the town could look at other properties in that area to come up with an estimate and if this was acceptable, the estimate could be reviewed by the state forester to ascertain if it was a reasonable estimate.

Discussion of the properties in the area and other possible means to get the information were discussed. The Board agreed that in this instance, the use of an estimate with a review by the State Forester was reasonable.

*Complaint Regarding Items
Taken from Mall*

Pat King advised Mrs. Lucas she had taken the time to clean and arrange children's books at the Mall building at the Transfer Station, and was dismayed when the bookshelf was taken and the books dumped. An effort to find another suitable shelf that can be secured to the shed will be discussed with Mr. Boucher.

Notice to Recuses

Mr. Bartley noted that next week his neighbor is coming in to discuss a project. Mr. Bartley asked to be recused. This was fine with the Board.

NON PUBLIC SESSION:

Motion to go non-public regarding to a Comstar hardship application was made by Mr. Tierney, seconded by Mr. Bartley. The motion passed and the meeting went non-public at 9:04 PM.

**RESUMING PUBLIC
SESSION:**

Motion to come out of non-public session at 9:08 PM was made by Mr. Mertz, seconded by Mr. Bartley and passed. The minutes will be sealed for two years.

MINUTES:
2/4, 2/11, 3/3 and 3/11

Motion to approve by Mr. Mertz, seconded by Mr. Bartley. The motion to accept the minutes of 2/4, 2/11, 3/3 and 3/11 passed.

OTHER BUSINESS:

At the next Board meeting, the Selectmen will discuss scheduling some work session meetings.

PUBLIC COMMENT:

None was heard.

ADJOURNMENT:

It was moved by Selectman Bartley to adjourn, seconded by Selectman Mertz. The vote passed and the meeting adjourned at 9:09 PM.

Respectfully submitted,

Kristin J. Harmon

DRAFT