

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

January 21, 2010

MEMBERS PRESENT:

Selectmen Paul Tierney and Kenneth Mertz were present. Selectman Bartley will not be attending tonight.

OTHERS PRESENT:

Town Administrator Barbara Lucas was present.

CALL TO ORDER:

Chairman Paul Tierney called the regular meeting of the Board to order at 6:00 p.m.

WORK SESSION:

Work began on processing manifests, bills, requisition, purchase orders and leave request forms.

The Police Chief's Explorer required work and was taken to Meredith Ford and was found to need ball joints, 2 tie-rods, 4 bearings, an ABS sensor and a set of winter tires, plus labor. The estimate is \$1,200. This was approved by the Selectmen.

A request for reimbursement for mileage to training in Concord was approved by the Selectmen.

After reviewing quotes from three printers, the Town Report printing estimate of \$1,440 from Elan Printing was approved by Selectmen.

A previously discussed purchase order for winter chains for Highway Department vehicles was approved by the Selectmen.

APPOINTMENTS:

*Robert Pollock
6:30 p.m.*

Mr. Pollock did not appear, however, he did submit a letter to the Town offices expressing interest in serving as an alternate either on the Conservation Commission or Planning Board. Because of Mr. Pollack's scheduling conflict in the fall, he was recommended as an alternate for the Conservation Commission.

*Wes & Janan Hays
Mary Moses, CNP
6:45 p.m.*

The Hays went before the BTLA for an abatement which had previously been denied by the Town. In an attempt to resolve the situation before appearing before the BTLA, the Selectmen met with the Hays and a representative from CNP, the firm doing Town assessments.

Ms. Moses presented copies of her report which were distributed to all present. She invited questions at any time as she went through it.

Mrs. Hays referred to other property values and claimed their value was

greater despite the unfinished condition of their property. Mrs. Moses explained that the valuation process. She explained that not every property will be assessed by physical examination inside and out, and the previous assessor used a different system. The system used now is standardized, utilizes computer modeling and is the method widely accepted not only through New Hampshire, but across the country.

The Hays asked if assessments are based on market value, how a property in their neighborhood could have its land valuation from 2003 go down while theirs went up. Mrs. Moses explained how the assessments are figured by her company, with formulas and standards that use market values as a component. The system is a standard used across the country with factors that look at the unique components to neighborhoods across the state and within the town. She noted she was not familiar with the system utilized by the previous assessor, Mr. Morrill.

Mrs. Hays brought up neighboring properties and Mr. Tierney noted that the discussion was not about other properties but the factors outlined in the letter the Hays received from the Town's assessors.

Mrs. Hays noted that she did not understand how they had a higher valuation than did a referenced property that was complete. She acknowledged their property was slightly smaller. Mr. Tierney noted their size difference was 1,200 square feet larger. Ms. Moses added it was almost the size of a stand alone home. Mrs. Hays noted that her second story was only half floor and was not a wrap around. Ms. Moses explained the notations of square footage, noting the difference between living area and gross area.

Mr. Hays noted numbers on the real estate appraisal they had done. Ms. Moses noted the figures she came up with for "replacement cost new" were lower than as noted on their real estate appraisal.

Regarding the property, the Hays noted that the town appraisal did not give sufficient reduction for the wetlands. Ms. Moses point out the deductions she figured in for the correction regarding a well which had been previously noted and she outlined individual deductions for each parcel within the whole property.

The Hays contended that the size of their land is different than noted on their deed. Mrs. Lucas noted that CNP goes by the tax maps and there can be differences with deeds. Mr. Tierney stated the town can ask about the mapping and get clarification on the lot size. Mrs. Lucas noted that the survey is the same. Contacting Cartographic Associates would not change the information on the maps. Only a new survey could change the maps.

The Hays brought up another property and Mrs. Moses noted that her calculations, based on information Cartographics provided, gave her an adjusted home site value. She noted the other property is being figured differently, without the adjustments the Hays received. She noted that when models are set, substandard lots are handled differently than standard lots. A

land curve to establish land values for the substandard lots is developed and she pointed out how the land value for the other property is figured at a higher rate.

Mr. Tierney summarized that an offer is being made to reduce the building value to \$188,800 as well as an adjusted land value of \$342,000 for a total assessed value of \$530,800. Mrs. Hays stated that she believed this meeting was an explanation of the town's point of view, but their arguments were not completely aired. She stated she believed a fair valuation would have come to \$518,000. Mr. Tierney noted that if the offer by the Town was rejected, the matter could come before the BTLA.

Mr. Tierney asked if the land acreage question for Cartographic Associates would make a difference. Ms. Moses noted the difference would not make a significant difference in the overall value.

Mr. Tierney told the Hays that if their surveyor had documentation for a difference in the lot size, it should be sent to the Town for review. He suggested leaving this discussion as it is and to bring the matter up when the survey done by the Hays was in hand. Mr. Tierney noted the question was 1.7 acres versus 1.4 acre size of the property. Mr. Hays noted the upper land was just under an acre and would therefore be valued at a different rate.

Ms. Moses stated that there was still time because the BTLA gave all parties until March 2nd to come to some understanding if possible..

Mr. Mertz asked if, with the exception of the land size, the Hays found the rest of the explanations offered tonight were acceptable. Mr. Hays stated he did not agree with the kitchen judgment, nor did he agree on other items. Mr. Tierney said the Hays should speak with their appraiser and surveyor as soon as possible to get the information to the Town and then another meeting will be set. The Hays were agreeable to a second meeting.

After the Hays left, Ms. Moses addressed the Board. She noted that she felt the case was strong and that perhaps the only way to explain so the Hays understood was to go to the BTLA for a third party judgment. Mr. Tierney noted that the Hays were concentrating on market value or at what price the house would sell at if it were on the market as is. Ms. Moses concurred. She advised that there were flaws in the real estate appraisal the Hays presented and she did not believe the Hays understood. As an example, she noted their realtor's appraisal shows no floors, no kitchen and no plumbing or heating. However there are floors, a bathroom, kitchen, plumbing and heating which function and it should have been noted at some completion percentage.

Ms. Moses pointed out another error in the land value portion. The realtor arrived at the land value using a cost approach. This means they started with the raw land value and then note improvements on a separate line. These would normally include any septic, well and excavated area like a driveway. Ms. Moses pointed out that on that line their assessor noted the barn and

shed and never noted any value for the septic, etc. So a much higher number should have been noted which would bring the total value pretty close to the figures she presented in her appraisal, if not higher.

Ms. Moses expressed her feeling that they may still have to go to the BTLA but the town's position is very strong. Mr. Tierney noted that at the next meeting if there is an adjustment for the land, CNP figures would be adjusted accordingly and a new offer would be made to the Hays. If the Hays still feel the Town's offer is not sufficient, it would be appropriate to point out these flaws in their assessment information.

With the economy the way it is, Ms. Moses noted that her firm is inundated with abatement issues. She noted that they see a lot of appraisals by other people that are dated and/or poorly done and as a result they have spend a lot of energy scrutinizing their own work, so she feels comfortable with the research she presented tonight.

The Board thanked Ms. Moses for her attendance. Mr. Mertz added the discussion added to his understanding of the assessment process.

DISCUSSION ITEMS:

DRA review of Warrant Article Wording

The DRA provided minor wording changes to the Pre-Review of the Warrant Articles. The Selectmen reviewed these and had no issue with the changes.

Conflict of Interest Ordinance Draft Proposal

The draft Conflict of Interest Ordinance was reviewed by the Selectmen. The motion to send the Ordinance forward to Deliberative Session and Town Meeting was moved by Mr. Tierney, seconded by Mr. Mertz and the vote passed unanimously.

Evacuation/Trench Permit Draft Proposal Work

A draft Excavation/Trench Permit from the Town of Plymouth was submitted by Mr. Boucher because statute requires written permission from Selectmen for work on town roads and New Hampton does not currently have such paperwork. Copies will be made and this item will be reviewed more fully next week with Mr. Boucher.

DRA – Equalization Ratio

The DRA notice of assignment of the Equalization Ratio was received. This information provides an indication of any disparity between assessments and values, noting the ratio was 100.2%. Indications are the Town is in very good shape with its assessments versus values. Mrs. Lucas noted that it was found the town did not have sufficient numbers of valid sales in 2009 so the DRA pulled some sales from previous years as per the standards for their formula. She advised the Board she would be contacting DRA as time permitted to better familiarize herself with how this system works when there are not sufficient valid sales in a given year.

Plowing Complaint

A complaint was received at the Highway Department indicating that plowing at the Elementary School has created issues with line of sight coming out of Wolfe Den Road. Mr. Boucher has resolved the matter.

- Transfer Station Access* Selectmen received information regarding a trespass issue on Transfer Station/Highway Department property after hours. Mr. Tierney made a motion to send a letter to the subject, seconded by Mr. Mertz and the motion passed.
- Department of Safety
LEOP Work* Mrs. Lucas has sent a letter to the Department of Safety Grants Management Unit confirming that the LEOP work is complete. The Selectmen thanked Mrs. Lucas for her work on this matter.
- H1N1 Clinic* Information on the H1N1 Vaccine Clinic on January 23rd was received and reviewed by the Selectmen. Mrs. Lucas, Fire Chief Drake and several of his EMT's will be working at the clinic.
- Philip Wolfe, Jr.
Zoning Non-Compliance* An addition to a property after the assessment was not brought before the Town. The owner is subdividing the property and there appears to be an encroachment on the abutting property. A letter will be drafted that advises he is in violation by building without a permit and that it appears to be in violation of the zoning setbacks. It will outline the steps necessary for the owner to resolve the matter as well as consequences if it is not resolved.
- Stevens/Grant Property
17 Fairway Drive* Mr. Grant responded to an earlier letter from the Selectmen advising the vehicles that had been removed and noting an estimated time for others to be removed. The Board asked this item be added to their agenda in a month for an update.
- Leave Request Form* Mrs. Lucas provided some recommended changes to a leave request form for town employees. One amendment was suggested by the Board which Mrs. Lucas will include and the form will be brought before the Board again. The form will be in compliance with the Employee Manual.
- Opening at the Highway
Department* The Selectmen have discussed the opening at the Highway Department. The position has been posted.
- Meeting to sign the Warrant
Articles and Budget* Mrs. Lucas asked the Board to meet on Monday to sign the Warrant and Budget. The meeting will be at 2 p.m. on Monday on January 25th.
- OTHER BUSINESS:**
Town Report Printing The Town Report must be available the Tuesday prior before the Town meeting (March 2nd). Mrs. Lucas advised she has asked the printers to have it available the Friday before that, which gives one day of grace in case there are any issues with printing. She noted that the information must be to the printers by the Friday after the Deliberative Session, the 5th of February. Most of it will be at the Printers on the 3rd with changes resulting from the Deliberative Session to them by the 5th.
- Selectmen Vote on Warrant
Article Recommendations* The Selectmen discussed and voted regarding the notation of the Board of Selectmen recommendation for appropriations for each of the appropriation Warrant Articles. Below will be noted the number of the article as listed on the **2010 Town Warrant**, and an abbreviated notation as to the content of each Warrant Article. Readers can access the complete wording on the town

website or at other postings (at the Fire Department, The Town Offices, or Post Office). The full wording will provide the information as to whether appropriations will come from the operating budget or from other sources such as grants, and it will note if there will be any effect on taxes.

8) \$20,000 in the Town Bridge or Replacement Fund: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

9) \$12,000 in the Town Vehicle Repair Expendable Trust: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

10) \$32,645 to purchase and equip a new Police cruiser: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

11) \$4,200 for 3 computers and software to replace existing workstations in the Police Department: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

12) \$112,170 for certification training costs and wages related to Firefighter Level 1 and Level 2 for Fire Department personnel: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

13) \$95,560 for Firefighting and Emergency Medical Services personal protection equipment: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

14) \$53,000 for a Vehicle Exhaust Extraction System for the Fire Station: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

15) \$26,000 for upgrades and repairs to the Fire Station, specifically bay lights, repairs to the side wall, and installation of a fire/burglar alarm system: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

16) \$24,500 for an Emergency Generator and fuel supply for the Fire Station: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

17) \$21,700 for Fire Department equipment, specifically Stryker ambulance cots and 10 pagers: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

18) \$11,000 for necessary repairs to address safety issues with electrical wiring at the Fire Station: Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded. The vote passed.

19) \$3,860 for Forestry personal protective equipment for Fire Department personnel: Mr. Tierney moved to recommend the appropriation and Mr.

Mertz seconded. The vote passed.

20) \$15,000 for support of library operations at Gordon Nash Library: Mr. Tierney stated he is a trustee for the Library, and deferred to Mr. Mertz for a review of the ethics code to determine if Mr. Tierney could vote on a recommendation. Mr. Tierney reviewed the ethics code and noted while he was nominated by the Board, he receives no remuneration for his service; he has no relatives working at the Library, and he is not an abutter. After discussion because Mr. Bartley was unavailable this evening, the suggestion was made to hold off until the Monday meeting. In the interim Mrs. Lucas will contact the Town Attorney and clarify any issue of possible conflict of interest. While Mr. Tierney has offered to recuse himself, the question of a quorum requires tabling this matter until the Monday meeting.

21) \$973.00 for the American Red Cross Granite Chapter. Mr. Tierney moved to recommend the appropriation and Mr. Mertz seconded but asked for discussion on this item before voting. Mr. Mertz was not comfortable that the wording of the article might indicate a fee of 45 cents per resident, which is not the case. He understands it was intended to be illustrative, but it is not clear in its wording. After discussion, the Selectmen asked Mrs. Lucas to contact the author and suggest re-wording which might be done at the Deliberative Meeting if not before. The vote to recommend the warrant article was passed by the Selectmen.

PUBLIC COMMENT:

None was heard.

ADJOURNMENT

It was moved by Selectman Tierney to adjourn, seconded by Selectman Mertz. The vote passed and the meeting adjourned at 8:52 p.m.

Respectfully submitted,

Kristin J. Harmon