

**Board of Selectmen
8 December 2008
Minutes**

5:18 p.m. - Chairman Don Guarino called the meeting to order. Present were Chairman Guarino, Selectmen Rachel Hatch and Betty Ann Abbott, Town Administrator Tim Warren and Clerk Lois Dionne.

After attendance, everyone stood for the Pledge of Allegiance.

5:19 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Hatch moved to Enter into Non-Public Session as per RSA 91-A:3, II(a) - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Abbott seconded. Motion passed 3-0.

The Selectmen discussed a Selectmen's office personnel issue.

6:00 p.m. - Out of Non-Public Session

Selectman Abbott moved to come Out of Non-Public Session. Selectman Hatch seconded. Motion passed 3-0.

Energy Committee Warrant Article – Energy Committee members, Amy Russell, Nate Abbott and Sue and Dick deSeve, and Town Assessor George Hildum were present to discuss the warrant article the Energy Committee wish the Selectmen to support at Town Meeting.

The Committee had submitted a draft warrant article for tax exemptions for residents who install alternate energy systems. The warrant articles would give tax exemptions to residents who install, Solar Energy Systems, Wind-Powered Energy Systems or Wood-heating Energy Systems as described in State RSAs. The Selectmen asked to have George Hildum review it before they made a decision whether or not to support the article. George reviewed the article, suggested some changes, and they all were here tonight to discuss the article.

Nate Abbott asked George Hildum if there were any contributory valuations in our inventory for this kind of system in Gilmanton. George replied that there were none he was aware of. Nate said if someone had a system built in 2004, it wouldn't qualify. The

12-08-08 BOS

only ones that would be affected would be those built after Town Meeting, if the article were to pass. Nate explained that the articles the energy commission is proposing is something that has been on the State books for thirty years, and they felt it is something we should have on the Town books so we don't lose this benefit for the residents. He said either the Selectmen or the Energy Committee should go to the assessor once a year to determine the ongoing impact of these measures on the tax rate, and if it looks like it is costing the town money, we could get rid of it. Nate said this is an initial incentive, not for the town to pay anybody anything, but to afford the opportunity to exercise the right the State gave us not to tax these types of things over and above what they are already assessed.

Chairman Guarino asked if the State does this, why the Town has to duplicate it. Nate said the State RSA gives the Town the right to do this, but it doesn't happen until the Town does it. George said it is an enabling legislation and a local option; if it weren't a local option, it would be unfunded, but mandated. He said there are fifty-three towns in the state that have one or more of these exemptions in place on their books.

Selectman Abbott asked what the committee is going to tell residents at town meeting when they ask what this exemption would cost the town. Amy Russell replied that it shouldn't cost the taxpayers anything. George said it would be unrealized. He said if someone should put in a solar system for heat and hot water, and it cost them \$30,000, that amount would not be added into the assessment of their property.

There was more discussion about how the assessment would be figured on a new home that included solar energy, etc. George said if you built a "green room", the whole room would not be exempt. Living space is not exempt, only the cost of the solar system that was installed would be exempt. Nate said George felt the article should be clear that the exemption would never be more than the initial cost of the system. George suggested some wording change to the article, to make the article clear as to whether the exemption is cost or contributory value to the assessment.

The Energy Committee will be meeting Thursday, will revise the article and send it to the Selectmen for their approval.

Town Revaluation – George Hildum was asked to explain the revaluation that Gilmanton is required to have done next year. Chairman Guarino asked why the revaluation was so expensive. George explained that in 2003, the State decided that all towns should have a town-wide revaluation every five years because of a lawsuit against the state over property taxes once we had gone to statewide property taxes, and the constitution says we have to have a revaluation every five years. He said starting in 2003 the Department of Revenue of Administration (DRA) had told all the towns which year, between 2003 and 2007 they would have to do their first reval, and be subjected to assessment review; the DRA goes into every town once every five years to review their assessment practices; Gilmanton's started in 2004. George said the Supreme Court had

12-08-08 BOS

said that the reval they do every five years did not mean they had to go out and inspect all the properties. He said this time they would be doing an update, so do not have to do inspections; the total will be about \$96,000, approximately \$29 per parcel. If they had to do a complete reval with inspections the cost would be over \$200,000, approximately \$75 per parcel. George said he would go out and physically inspect and measure all sales within the last two years because they form the basis of the evaluation tables that need to be updated from 2004. George said one reason for the high cost is that in 2006 the assessing standards went to the legislature and added more requirements; starting in 2007 any revaluation would have to be done in compliance with uniform standards of professional appraisal standards, which means more report writing and documentation to the DRA for review and have information available for taxpayers to understand how they arrived at the values.

Chairman Guarino asked about the process for valuing a property in a depressed market. George said that is equalization, and explained how the process is done, and the reval is needed to bring properties to 100 % of market value. George said that as of April 1, 2009 he would physically do a full field review, which means he would physically drive by and view all properties in town from the road, but would inspect and measure only the sales for the last two years. He said the next reval that would be done in five years (which would be the tenth year since the last complete reval) would have to be a complete reval, where all the properties in town would have to be physically inspected and measured.

FYI's & Other Business

Canaan Road Upgrade – Tim received a fax from Kimberly Mazzitelli who, along with her husband, had requested permission to upgrade a Class VI Road, Canaan Road, to allow them to obtain a building permit. The property is on the Gilmanton/Belmont town line, and the Mazzitellis felt it would be beyond their means to bring the Class VI section of Canaan Road from the end of the Class V section up to their property to a Class V standard (this would include paving of the road). The Mazzitellis asked permission to access their home from Belmont, and only have to upgrade 200 feet of Canaan Road, which would give them the necessary frontage to obtain a building permit. The road (Maple Street) in Belmont that would access the Mazzitellis property is also a Class VI road, so they were told to speak with the Belmont Board of Selectmen to find out what Belmont would require of them, and then if they wished to proceed, the Belmont & Gilmanton Boards of Selectmen could meet to discuss details. The fax Tim received from Mrs. Mazzitelli said Richard Ball from the Office of Land Use in Belmont had recently sent her a letter outlining their requirements, and she needs a letter from the Gilmanton Board of Selectmen stating that they are considering the Mazzitellis' request to build providing they meet the Town of Gilmanton's conditions.

After consideration of the request that the Board of Selectmen send a letter, the Selectmen decided they would rather speak with the Board of Selectmen in Belmont first

12-08-08 BOS

to find out what Belmont's conditions were. Chairman Guarino will contact the Belmont Board of Selectmen before anything else is done.

Letter – Belknap County Commissioners - Tim had a letter and a copy of the recommended 2009 budget from the Belknap County Commissioners. The letter stated that after the review of all requests submitted to them, they had a budget that would present a slight reduction in the County Tax burden. The general fund is down, while the nursing home shows a slight increase; there would be a 3.45% decrease in the budget overall. A more detailed analysis of the budget will be sent. There was a very brief discussion of the budget.

Metrocast – Cable Rates – Tim informed the Selectmen that we had a letter from Metrocast stating that there would be an increase in cable rates in 2009.

Rite-Aid Credit Card – Tim informed the Selectmen that last week he had received a letter from Rite-Aid saying our credit card was in the mail, and we should be receiving it shortly. He said he had called Rite-Aid and told the girl who he was, and asked her to cancel the card. He was told he was not authorized on that account; he asked who was, and was told she couldn't give him that information. Tim told her he was the only one who could authorize the card, and asked who had signed it. He was also told he couldn't get that information, and to fax a letter to them telling them who he is, and request that the card be cancelled. Tim sent a letter explaining he was the person who would authorize a card, and asked them not to issue one to the Town. Today, Tim received the credit card in the mail with no name on it. A brief discussion ensued in which it was felt the card might have been a gimmick, sending cards that nobody had requested. Selectman Abbott felt Tim should call the Attorney General. Tim will hold onto the card to see what happens.

Feasibility Study Invoice – Tim had an invoice for the engineering services for the feasibility study committee. He said they used about 1/3 of the money appropriated, and the remainder of the money would be returned to the general fund.

Treasurer's Position – Tim informed the Selectmen that he had received two resumes and letters of interest for the treasurer's position. He will make appointments for them to meet with the Board of Selectmen and Harold (Town Treasurer).

Health Insurance – Tim said he had received a call from an insurance representative asking if there would be any changes in the health insurance for next year. He said he was told there were some changes that could be made that would save the Town some money. He said the co-pay for the prescription plan is currently \$10-\$20-\$30. If the \$30 co-pay were increased from \$30 to \$45, the savings on a single person plan would be \$20 per month, for a two-person plan, the savings would be \$30 a month and for a family plan, the savings would be \$45 per month. The only drawback if we change is that retirees, who currently pay \$1 per prescription, would have to pay the three-tier co-pay.

12-08-08 BOS

After a brief discussion, the Selectmen agreed to keep the plan as it is.

Lakes Region Planning Commission (LRPC) – At a prior meeting Tim had informed the Selectmen that the Planning Board did not want to fund the LRPC, as they didn't feel they derived benefit from it. They had not wanted to fund it last year, but the Conservation Commission got their maps from them, so wanted to keep it. Tim said the Conservation Commission has since found an alternative method of getting the maps printed for a nominal fee.

A brief discussion ensued, and the Selectmen agreed to drop the funding for LRPC.

7:00 p.m. – Public Input – No one was present for public input.

Letter – Hammond Brown – Property Damage – Last summer while taking care of the bat problem at the Old Town Hall, the contractor doing the work had made ruts in Hammond Brown's lawn with his machine. Mr. Brown had been in touch with the Selectmen regarding the damage to his lawn, and the Selectmen attempted to get the matter settled. Repairs were made to Mr. Brown's lawn, but not to his satisfaction, so the Selectmen withheld money from the contractor until he resolves the matter. Tonight Tim had a letter from Mr. Brown in which Mr. Brown said he had contacted the contractor who indicated that he was not willing to undertake anything further to mitigate the damage to the lawn. Mr. Brown asked that the Selectmen commit to the implementation of a process that would guarantee that repairs would be undertaken and completed in the spring.

The Selectmen discussed the matter, and felt the Town should not be an intermediary in the situation, and felt a letter should be written to the contractor informing him that we would give Mr. Brown enough money from the amount we had encumbered from him (contractor) to get the lawn fixed.

Window Painting – Academy Building – A lady, who said she was a local artist joined the Selectmen's meeting, and asked if they would consider letting her paint the windows in the Academy Building for the holidays. She said she has done this in other buildings, and had pictures of some of the windows she had done. She was asked if she would expect payment if she was allowed to do the painting, and she replied that she could do it for nothing. There was discussion about the type of painting she would do, as the Academy Building is in the historic district. She will make a sketch for a painting for the windows in the front door, and bring it in for approval.

Hazardous Waste Canister – Last week Justin Leavitt made the Board aware of a container that had been left among the propane tanks at the recycling center. He said it has been around a couple of years; they haven't been able to dispose of it because it didn't have a readable label (they felt it was a pesticide container). Justin asked to have

12-08-08 BOS

pictures taken of the canister so he could send them to DES for possible identification, or else we would have to pay Safety Clean or Clean Harbor to dispose of it. They took pictures of the container, and through the remnants of the label on the canister, were able to confirm, through the New Hampshire Dept. of Agriculture, that the cylinder had contained LETHAIRE JR-4, a pesticide, which was registered with the EPA in 1972. Identification of the canister will allow for disposal of the canister at the next Hazardous Waste Disposal Day for Gilmanton, which will save \$800, the cost that it would have been to have to have Safety Clean or Clean Harbor dispose of it.

Engineering Stamp – Year-Round Library Building Plans – Chairman Don Guarino read a letter he received in response to a phone conversation with Bob Flanders, Code Enforcement Officer, this morning regarding the Year-Round Library. He said the conversation with Bob had been in response to a conversation he (Don) had with Henry Page, while he was at the Corner Store. Don said that Mr. Page told him that a public building is required to have an engineer's stamp for its set of plans. He said because the question had been brought to him, he had spoken with Bob.

Don read the letter into the minutes (copy attached). Bob's letter indicated Lee Dugal had issued that original building permit in 2006. There is a foundation plan on file drawn by TFM Structural Engineers, Portsmouth office. Bob said he has a copy of the engineering sheet for the mezzanine section. He said he and Chief Lockwood have inspected the building together, and have found it to be ready to receive a certificate of occupancy, which was issued on December 8, 2008. Bob's letter indicated that Henry Page had come into the office and they had discussed the building, and Bob had told Mr. Page that he had no reason to doubt the structural integrity of the building, and Mr. Page had responded that he wasn't concerned about the structure either. Tim Warren stated that it is his understanding that the foundation plan does have a stamp.

7:30 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Abbott moved to Enter into Non-Public Session as per RSA 91-A:3, II(a) - Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Hatch seconded. Motion passed 3-0.

The Selectmen discussed a fire department personnel issue with Chief Lockwood.

7:50 p.m. – Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session. Selectman Abbott seconded. Motion passed 3-0.

7:51 p.m. – Recess

7:55 p.m. – Back in Session

12-08-08 BOS

Budget Discussion – Tim said they would go over the changes the Budget Committee had made on the Capital Reserve, Non-Capital Reserve and Capital Outlay Accounts that had been presented to them last week.

Selectman Abbott said there had been immediate resistance to the idea of setting up a Capital Reserve Account for Old Town Hall repair, after having been told that the architect from the Feasibility Committee had said we would need to spend \$150,000 for work on the foundation in the next two or three years if we want to save the building. She said the sense was, why are we doing that? There are no plans for the building, it is not used that much, and isn't old enough to get assistance based on its being a historic building. Tim said the feeling had been if the building isn't feasible to be used for a police station, and a new police station would have to be built elsewhere, what use do we have for the building. The Selectmen decided not to establish that account this year.

Capital Reserve Ambulance Fund – Budget Committee recommended increasing.
Capital Reserve Fire Engine Fund – Budget Committee recommended increasing.
Capital Reserve Highway Equipment – Budget Committee recommended decreasing.
Capital Reserve Fire Command Vehicle – Budget Committee recommended decreasing.

Tim said there had also been talk about the \$25,000 non-capital reserve account the Selectmen proposed for repairs to the Academy building; should they establish a non-capital reserve account, or just put it into the operating budget? Selectman Hatch stated that the non-capital reserve account was predominately dealing with the cupola. She said if the money were put in the operating budget, rather than a non-capital reserve account, and the cupola didn't get repaired, and the money expended this year, the money would have to be returned to the general fund. Selectman Abbott said the question had come up as to whether the repair had to be done next year. She said it didn't, but her feeling is that there a lot of people who want to see it repaired next year. Betty Ann added that she had an email from Deb Chase stating that John Funk said if the Town wanted financial help with the cupola, he knew three banks who would be helpful in terms of loans.

Selectman Hatch said the subject of the cupola had come up at the HDC meeting, and George Roberts had expressed concern that although the Town is exempt from needing HDC approval, he hoped the Selectmen would work with the HDC in getting the cupola repaired. She said Mr. Roberts wants to see the cupola put back up next year and in a "wooden state". Rachel said Mr. Roberts hoped the HDC would have some input in who would be hired, to make sure that whoever we hired would be accustomed to working with historic buildings. She said she was unsure if this was the commission's feeling or Mr. Roberts feeling. Selectman Abbott said it would be a matter of courtesy to discuss it with them. There was a brief discussion that composite materials have been used on some historic buildings.

Tim reminded the Selectmen that the Selectmen's budget and Town Clerk's Budget would be presented to the Budget Committee on Thursday night.

12-08-08 BOS

The Selectmen reviewed their budget in preparation for Thursday night. There were some changes made, some increases and some decreases. Tim did not have all the numbers for the Selectmen; they decided to meet at 5:30 Thursday night to review the numbers before meeting with the budget committee.

9:29 p.m. - Enter into Non-Public Session as per RSA 91-A:3, II(a)

Selectman Hatch moved to Enter into Non-Public Session as per RSA 91-A:3, II(a) – Dismissal, promotion or setting compensation for public employees or the investigation of any charges against him, unless the employee affected has a right to a meeting or requests that the meeting be open, in which case the request shall be granted. Selectman Abbott seconded.

The Selectmen discussed a personnel issue.

10:07 p.m. – Out of Non-Public Session

Selectman Hatch moved to come Out of Non-Public Session. Selectman Abbott seconded. Motion passed 3-0.

MOTION – Selectman Abbott moved to seal the minutes of the above non-public session. Selectman Hatch seconded. Motion passed 3-0.

Approval of Minutes – The Selectmen reviewed the minutes of last week's minutes.

MOTION – Selectman Hatch moved to accept the minutes of December 1, 2008 as amended. Selectman Abbott seconded. Motion passed 3-0.

10:10 p.m. – MOTION – Selectman Abbott moved to adjourn the meeting. Selectman Hatch seconded. Motion passed 3-0.

Respectfully submitted,

Lois Dionne
Recording Clerk

