

MINUTES
Selectboard Meeting
Monday, May 2, 2016 Town Meeting Room 6:00
PM

Selectboard: Ed Thorson, Russell Smith, Joy Nowell

Town Personnel: Dennis Pavlicek, Town Administrator; Pam Bryk, Administrative Assistant; Henry Thomas, Fire Chief; Norm Bernaiche, Assessor.

Public: Susan Warren, David Blohm, Tanya McIntire.

1 Public Input

a) Chief Henry Thomas

Thomas spoke of the incident from 2 weeks ago with the tractor trailer. He had discussed it with all the staff involved and learned it was a nonemployee who said he was yelling. It does become very loud in the fire house with compressors going and other equipment running. No fire personnel had any problem with the loud voices, no personnel was being yelled out. Thomas said the previous boards have never gotten back to anyone on situations that were brought to them. Thomas wanted to make sure that the individual knows it isn't a poor work environment.

Thomas wanted to let the Board know that yesterday they received a call that a subject was down inside of a house. The police department were first on the scene and couldn't gain access, the fire department arrived and Thomas expedited the rescue and had the door pried open. Thomas yelled police, fire as they entered. They searched the whole house and nobody was there. He left a note on the door stating the fire and police were in the home. Under RSA 154 we are covered. It was an emergency situation, it was 132 Newell Road and a friend called in stating that the subject was down. There were 3 cars in the yard. Smith said you had to go in, you can only look in so many windows. Nowell said it was a concerned citizen that called it in.

2 Presentations/Appointments**a) Susan Warren - The Fells**

Susan Warren, Executive Director of the Fells came in to update the Board of what is happening at the Fells. Warren spoke of the first phase of the Masterplan where the Fells redid the first veranda, a new roof, rock garden, and updated the kitchen. The next part of the Masterplan includes 8 projects with only 3 being done in 2016. The three projects include a new upper parking lot, stabilization of the lake shore cottage and the wild flower trail. The work is done by volunteers and young people, it is used as an educational process in history, horticulture, and ecology. In 2017/2018 the other phases will include changing the nursery location and to have a educational/event pavilion. Also they are updating their website and phones. Warren said for the three projects being done in 2016 the cost will be \$1.2 million. They are in the silent phase now for fundraising and have raised \$800,000 already. They will go to the public at the end of May. Warren said the plan is to have no debt for any of these projects. Warren said Joe Thompson, the Landscape Director is going to the planning board on May 17th to discuss the new parking lot and the changes in landscape and plantings. Warren and Thompson also have an upcoming meeting with June Fichter from LSPA in regards to the plans at the Fells. Warren said the biggest project this year is the parking lot, it will be 86 spaces and the old parking area will be turned back into a "fell" which is an upland rocky pasture. Thorson said the new parking area is a positive thing especially the entrance will be bigger and easier for the fire department to come through if they needed to. Warren also told the Board regarding the cottage restabilization, that the Preservation Alliance has looked at it. Also the USA Fish and Wildlife and the NH division of Historical Resources has been there and is supportive of the changes. The Board thanked Susan for coming in. Treasure the Fells.

b) Tanya McIntire

McIntire first inquired if the town would ever consider using credit cards for tax payments. Pavlicek said that decision is up to the tax collector. There is a transaction fee and that would be built into the cost of the taxpayer. Thorson said the recreation department is instituting it now. Smith said we should look into doing online payments. Thorson said we should be encouraging the acceptance of credit card payments. Pavlicek said he would bring it up to Linda Plunkett.

McIntire said in 2013 that her and husband ran into some hard times and that is when we got behind in our taxes in Newbury. If there is anything that the town can do to help. McIntire is looking forward to

catching up this year with her payments. She said there will be a lien going on her house and if the Board could think about giving her some kind of break.

Lastly McIntire said that Blodgett Landing assessments are high and also they have to pay their portion of the sewer loan. She asked what the procedure was to pay off their portion of the sewer bond or getting help from the rest of the town to pay it off. It is like we are double taxed, we have to pay for the sewer access and then pay for the sewer bond. She said she knows it is a state mandate we have to have the sewer to protect the lake. Pavlicek said there was an article once a few years ago about the town paying for a portion of the sewer but no one came to speak for the article so it was passed over. McIntire can't she is a non-resident tax payer. Thorson said the argument with that is if the rest of the town is supposed to pick up the cost for Blodgett sewer why isn't Blodgett picking up the cost for the other residents when their septic systems have to be pumped out. McIntire asked if there was a way to divide it up and pay it off. Pavlicek said the bond was for \$3 million and we received a grant for 50% and our portion was 1.4 million. The amount of interest is less than 1%. The bond issue is for 20 years. \$250,000 is budgeted each year for Blodgetts which includes maintenance and full time and part time employees - \$100,000 is the bond and \$150,000 is for running it.

McIntire thanked the board and left. Smith asked the Board what do you want to do. McIntire has two houses and one lot and does not live here in town. The Board agreed to not set precedence and agreed to keep her tax bill as is and there will be no reduction in interest. Pavlicek will send letter to McIntire. Thorson said we do need to approach the credit card scenario.

- d) Norm Bernaiche
Maureen Clement - unmerger of lots

Bernaiche came in to talk about the Clement unmerger of lots. Bernaiche had a memo with his recommendation and this is similar to the Kellsey situation. My recommendation is to unmerge them all but that will create a mess. The house was built in the middle of many of these lots. The other option is to deny the unmerger and then Clement can bring it to the Zoning board if she chooses. Smith said in our regulations it states that a non-conforming lot can not be made more non-conforming. Bernaiche said there is the unmerger law that will expire in 2016. Bernaiche said the tax map shows all the lots and some weren't separate lots, they were deeded with the original lot. Clement acquired some lots through the quiet title process. She acquired all the lots in three different deeds. Smith said we should send it right to the

zoning board and have them handle it. Bernaiche agreed that was the right thing to do. Bernaiche said it is his opinion to unmerge all of them or do nothing, but you have to consider where the house is. Clement would have separate lots that will have the septic, well, living room, garage, etc. Bernaiche's recommendation is to unmerge them all or deny it. If Clement chooses she can appeal to the Zoning Board. Nowell made a motion to deny her request, Smith seconded the motion, role call vote was taken - Nowell - yes, Smith - yes, Thorson - yes.

3 Regular Business

a) Approval for Reassessment Plan Agreement

Bernaiche brought forward a petition from the State of NH Board of Tax and Land Appeals - DRA vs. Town of Newbury regarding the PSNH property. In 2008 Bernaiche met with a representative from PSNH and they made a collective decision not to appeal the Newbury value, it was agreed on \$5 million. There were not a lot of changes so they saw no reason to spend money on a new appraisal. 65 towns including Sunapee were sued by PSNH and NHEC. We will look at the company's numbers that are at 4.7 to 4.8 million. Bernaiche said that the company is not appealing but I am not an utility expert and I can't report that 5 million is the right number. Department of Revenue with this petition will let us value anew on September 1, 2016. We will go to the Board of Tax and Land Appeals with this joint agreement saying we will value anew. Bernaiche's recommendation is to let it go to the Board of Tax and Land Appeals and agree on the amount for September 1, 2016. The Board agrees with Bernaiche.

**b) Departmental Review Sign-Off Sheet
Planning Board**

Thorson signed the Planning board's departmental review sheet for the construction of a parking lot at the Fells.

31. Correspondence

31.1. Police Cruiser

Cruiser has been ordered and we are getting the 2017 cruiser for the 2016 cruiser price. We are also going through Irwin who does do the state bid. Our total savings will be \$1200.

31.2. Planning Board Notice

The Board received a notice of a lot line adjustment for Schilke.

31.3. Elm Research Institute email

There was a new Liberty Tree Program, the Board is not interested.

31.4. Kearsarge Regional School District Letter

Pavlicek had the fiscal year payments 2016 and 2017 for the school. We are paying \$25,500 per student.

31.5. State of NH Department of Revenue Administration

Equalized value is down \$50 million, there were not enough arm's length transactions last year.

31.6. Police Department - Cell Phone Use

The Board received a memo back from Chief Lee which included responses from all officers on use of their cell phone. Nowell said they are not really using them that much, the use is minimal. Thorson said they are using their own and should have a stipend. Thomas made a comment that fire department members use their cell phones also. If you are doing it for one department you should do it for all. Thorson said the police officers use their phones at scenes and the fire department doesn't. Thomas said that they do and it is used for town business, communications and they have an app for fire location. Thorson said that he has to disagree with Thomas. Pavlicek said the police department is full time and you can give a stipend for incidental usage. If you wanted to do something for full time and something for part time. Smith said let's discuss this in non-public session as a personnel issue.

31.7. Attorney General Department of Justice

The Board received information on upcoming seminars.

31.8. Thank you

The Board received a thank you note for the gift for administrative assistant day.

31.9. EMS Announcement

The Board received an email from Bruce King, President and CEO New London Hospital, stating the Paul Riley was leaving and Tim Monahan will be the Interim Director of Ambulance and EMS Services. Tim is also a member of the Newbury Fire Department. Nowell would like to send a letter as a Selectboard stating the we are in support of Tim in this position. The Board

agreed.

31.10. Safety at Wild Goose

The Board received an email from June Fitcher regarding information that might help with Wild Goose. The Board looked at it and will keep it for future use.

31.11. Dump Sticker

The Board had received a request from a landscaper about using our transfer station when they are working for clients in Newbury. Pavlicek had talked to New London who does have a special permit for that but they have to get one for every house they service and how long they will be there. Thorson said it would be too hard for Churchill and Maryellen to monitor what is coming in. Smith said you would have to check each truckload to make sure what was coming in and did it come from Newbury. Nowell said if they are working on your property, couldn't the resident come in and ask the town for a temporary dump pass for them. Pavlicek said they could and we would issue a temporary one. The Board was not in favor of giving permits for the transfer station for landscapers/contractors working here in Newbury.

31.12. Transfer Station

It was brought to Churchill's attention that some people have been going into the dumpsters taking out metal, cooper and other things and this could become a liability. Thorson suggested making a ruling that you can't go inside the dumpster. Smith said once it is in the dumpster it belongs to the town. Have some signs put up, no dumpster picking.

32. Approve Payroll/Payables

32.1. Payroll/Payable April 30, 2016

The Board approved and signed the April 30th payroll and payables.

33. Acceptance of Minutes

33.1. Selectboard Minutes of April 18, 2016

The Board approved and signed the April 18th Selectboard minutes.

34. Other Business

34.1. Tax Warrant

The Board approved and signed a timber tax warrant for Keane, 7 Red House Road, map/lot # 031-344-471 in the amount of \$114.81.

The Board approved and signed a timber tax warrant for DeRoche, South Road, map/lot # 035-251-252 in the amount of \$510.09.

34.2. Current Use

The Board approved and signed a current use application for Nelson, 497 Newbury Road, map/lot # 047-490-041.

34.3. Land Use Change Tax - Hill

The Board approved and signed a current use penalty in the amount of \$4700 for Scott Hill, 205 Stoney Brook Road, map/lot # 026-098-137.

34.4. Intent to Cut

The Board approved and signed an intent to cut for DeRoche, South Road, map/lot # 035-251-252.

34.5. Exemption Application

The Board approved and signed a solar electric exemption application for Azodi - Kazeroony, 211 Route 103, map/lot # 050-638-385.

4 Non-Public Session

Per RSA 91-A:3, II, a-e

- a) Thorson made a motion to go into non-public session under RSA 91-A:3,II a and c at 7:39 p.m.. Smith seconded the Motion. Role call vote was taken - Smith - yes, Nowell -yes, Thorson - yes.

Smith made a motion to seal the minutes indefinitely, Nowell seconded the motion. Role Call vote was taken - Smith - yes, Thorson - yes, Nowell - yes.

5 Adjournment

- a) Meeting adjourned at 8:01 p.m.

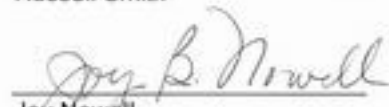
Selectboard
May 2, 2016

Smith made a motion to adjourn, Thorson seconded, all in favor.

Ed Thorson, Chair



Russell Smith



Joy Nowell