

BOARD OF SELECTMEN REGULAR MEETING
Minutes of 02/07/11
5:30 p.m.

Selectmen:

Charles G. Palm, Chairman
Colette Worsman, Vice Chairman
Peter F. Brothers
Miller C. Lovett
Nathan J. Torr

Town Manager:

Phillip L. Warren

Recording Clerk:

Karin Landry

Call to Order: Chairman Chuck Palm called the meeting to order at 5:30 p.m. He introduced the Board, Town Manager, and the Recording Clerk, and made announcements pertaining to fire exits, listening assisted devices, the use of microphones, and cell phones.

ACCEPTANCE AND/OR CORRECTION OF MINUTES:

11 -03 Minutes of the January 24, 2011 Workshop, Meeting and Non-Public Meeting.

Selectman Torr motioned to approve the Minutes of the January 24, 2011 Workshop, Meeting, and Non-Public Meeting. Seconded by Selectman Worsman.

The Town Manager will amend the Minutes of the Regular Meeting to reflect the year 2011 at the top of page one, and the correct spelling of resident Luanne Breen's last name on page three.

5-0. All in favor. Motion passed unanimously.

TOWN MANAGER'S REPORT:

The Interlakes School District Superintendent requested that the Roundtable meeting tentatively scheduled for February 23 be postponed until after Town Meeting. The School District committee has expressed concerns that the meeting might lead to a discussion that is right for Town Meeting, but not right for that venue. Selectman Worsman suggested that the meeting be scheduled prior to March 31, the crossover date between the House and Senate for Bills, because proposed changes identified at the Roundtable meeting can be addressed most effectively where the Bills originate. The meeting will be tentatively scheduled for Wednesday, March 16 at 6 p.m., barring any scheduling conflicts. Once the availability of the facility is confirmed by the Town Manager, Selectman Worsman will notify Representative Bob Greenmore and Senator Jeannie Forester of the change in date.

The Solid Waste tipping contractor has presented an offer to extend the Town's contract for the delivery of Solid Waste to the facility for a longer term. The current contract contains a renewal clause, and the contractor has made an offer to renew the contract at the current price, which is \$424 a trip, through December 31, 2011. As of January 1, 2012, the price per trip will increase 3% to \$436, and remain in effect until January 31, 2016. At the request of Selectman Brothers, the Town Manager will provide the Board with a copy of the current contract and the offer letter. Chair Palm requested that Director of Administrative Services Brenda Vittner prepare a summary of expenses in the past (i.e., the number of

trips), so the Board will have an indication of what the year to year effect will be once the new contract rate is in effect.

To date, snow removal has been performed at approximately two and a half times normal operation. The Town Manager does not have a total cost for snow removal at this time, as he is awaiting bills from the contractors that haul the snow. He thanked the Public Works and Water and Sewer departments for the long days and hard work they have put in. There has been a minimum of breakdowns and no injuries. The Town Manager has received a lot of positive feedback on the job that has been done to date.

The Town Manager has been advised by counsel that a hearing must be held on the petitioned ballot articles. There are two petitioned ballot articles that have been submitted, one for the Library and one for SB-2. The hearing has been scheduled for Monday, February 14, at 5 p.m. at the community center.

VISITOR'S AND RESIDENT'S COMMENTS:

None

SELECTMEN COMMENTS: (Reports on Committees 2nd meeting each month)

Selectman Worsman reported that the Belknap County Delegation is in the process of interviewing candidates for County Attorney. Three prospective candidates came before the Delegation today to present their qualifications and share what they would like to do for Belknap County. A decision will be made once a background check has been completed on the two candidates selected by the Delegation. In addition, she reported that the County budget question and answer period will be held this Thursday, February 10, at 6 p.m. at the County Complex. The proposed budget is up over \$2 million, and all residents of Meredith and Belknap County are encouraged to attend.

Selectman Torr congratulated the Winnepesaukee Playhouse and the Halperin and Pankhurst families for the recognition they received at the New Hampshire Theatre Awards held on Friday night. The Playhouse was honored with 11 awards for 2010, including Best Community Play and Best Community Musical.

NEW BUSINESS:

11-04 SB-2 Petition

The Town has received a petitioned Warrant Article to adopt the provisions of RSA 40:13, known as SB-2. It will take 60% of the vote for SB-2 to pass at this coming election. The petitioned Article specifies that the ballot election will continue to be held the second Tuesday in March.

In an effort to help residents better understand the implications of SB-2, resident Lou Kahn highlighted the provisions of SB-2:

- If SB-2 is adopted, all warrant articles are placed on the ballot.
- Under SB-2, a deliberative session, where articles are discussed, amended, and voted on, must be held the first week of February. Articles cannot be deleted at the deliberative session. As a result, a budget has to be adopted nearly a month earlier than with Town Meeting.
- The Governor signed a Bill today outlawing the practice of gutting articles to read only "To See" at a deliberative session.

- The proposed Town budget can be amended up or down at the deliberative session, however; it goes on the ballot as it comes out of the deliberative session.
- If the vote on the budget on the second Tuesday of March fails, the default budget that is presented at the deliberative session goes into effect. A default budget does not include non-recurring items, so debt service that is worked off cannot be replaced unless a bond issue is approved by ballot vote. This provision could hinder expenditures on facilities, roads, and the replacement of equipment.
- If a budget is voted down, a second round of budget meetings can be held. Under this option, the Selectmen would propose a revised budget that would have to go to deliberative session, where it could once again be amended.
- If SB-2 is adopted, a petition could be made to push the schedule for budget considerations further out. Because the budget cannot take effect until it is approved by ballot vote, there is the potential for being five to six months into expenditures without an approved budget.
- Under SB-2 bond issues would be on the ballot, but would require a 60% vote as opposed to the 66 2/3% vote required by secret ballot at Town Meeting.

Selectman Lovett raised concerns with being forced to have an 18-month budget during a transition to SB-2, as well as being forced to change the fiscal year to accommodate the voting schedule.

Selectman Worsman is concerned with having a default budget that theoretically prevents future expenditures on capital expenditures that the Board is being flexible with now, such as road maintenance. Mr. Kahn pointed out that the capital improvements committee argues that dollars should be available to work on roads, facilities, and equipment replacement as debt service wears down. If a default budget is adopted for several years, it would put the Town in the position of having a budget that shrinks year by year.

Selectman Torr expressed concerns with the effects of a default budget being adopted for a number of years in a row.

Chair Palm pointed out that the Board has been cautious about holding back on capital expenditures too far because there are roads and water and sewer mains that are deteriorating. The Chair perceives that advocates of SB-2 are attempting to control the budget. He pointed out that registered voters have elected officials who represent their views on the budget and expenses. There has been no net increase in the amount to be raised from taxation at the local level over the past three years. The Board has demonstrated that when times are rough they can make the appropriate adjustments.

It is Selectman Lovett's sense that those who support SB-2 want to cut the budget and control expenses, but the consequences of adopting SB-2 might be a larger budget for the first year. It could take several years to put a lower budget into effect. The Board believes they have already done that.

Selectman Brothers pointed out that one of the petitioners wrote an editorial that indicated that the premise of the SB-2 petition is not only to control the budget, but more importantly to give those who cannot attend Town Meeting a voice in the deliberations. Although those who are out of Town can vote by absentee ballot at Town Meeting, they have no vote on the total appropriations. He believes that the Board has worked responsibly with the planning and ongoing assessment of the budget throughout the year. The Board made a willful decision to fund capital projects very extensively when the economy was strong, which allowed them to keep the town portion of taxes level over the past couple years. Long-term

planning played an integral part in allowing the community to get through difficult times because it had better than average infrastructure, and new capital projects did not need to be supported with additional funds during the years when the economy was so difficult. When constituents are unhappy with elected officials, they typically let them know about it, and Mr. Brothers cherishes that piece of the process.

Resident Rhetta Colin inquired if there is a history of Towns that have adopted SB-2 reverting back to the conventional Town Meeting. Although Mr. Kahn has not researched the matter, he believes there have been a few that have done so, and a few that have proposed going back, but didn't do so. Ms. Colin also inquired about attendance at deliberative sessions. Mr. Kahn explained that while literature seems to show that deliberative sessions in SB-2 communities are sparsely attended, it is easy for a small group of people to amend a warrant article at a deliberative session.

Selectman Brothers expressed concerns with every small item being placed on the ballot as an individual warrant article. It could cause problems with processing the ballots, and discourage voters from voting on all articles.

At the Board's direction, the Town Manager will post an article on the Town website that was written by Mr. Kahn a few years ago, and updated through today, setting forth the components of Town Meeting and SB-2, as well as a form contrasting Town Meeting, SB-2, and the Peterborough Charter form of government.

11-05 Warrant and Ballot

The Town Manager presented the 2011 Meredith Town Warrant.

Article 1

To bring your ballots for:

Selectman	One (1) for Three (3) years
Town Clerk	One (1) for Three (3) years
Treasurer	One (1) for Three (3) years
Trustee of Trust Funds	Two (2) for Three (3) years
Library Trustees	Two (2) for Three (3) years

(There is at least one person for every position that is open. There is a contested race for Treasurer and Town Clerk.)

Article 2

Shall we adopt the provisions of RSA 40:13 (known as SB-2) to allow official ballot voting on all issues before the Town of Meredith on the second Tuesday of March?

(Petitioned by 25 or more registered voters or 2% of the registered voters in town, whichever is less)

(Passage requires an affirmative 3/5 majority ballot vote)

Article 3

Shall we permit the public library to retain all money it receives from its income-generating equipment to be used for general repairs and upgrading and for the purchase of books, supplies, and income-generating equipment?

(Approved by the Library Trustees)

(Article 3 was submitted by the Library Trustees. It was on the Town Meeting Warrant last year, but it was made known to the Town Manager shortly before Town Meeting that it needs to be on the ballot as opposed to the Warrant. The Article will be discussed at the public hearing scheduled for February 14. Library Trustee Duncan McNeish explained that income generated from equipment rental, donations, and lost and damaged books is placed in a checking account on a monthly basis, generating approximately \$5,000 to \$6,000 each year. The Trustees have been advised by counsel that they must obtain permission from the citizenry to use the money for its intended purposes - to offset operating expenses and capital items, including special events, celebrations, and the summer reading program. The use of the funds is determined by the Board of Trustees at the request of Library staff. The revenues are included in the revenue report to the Town and provided to the auditor.)

Article 4

To see if the Town will vote to raise and appropriate the sum of Twelve Million, Three Hundred Forty-Four Thousand, and Seventy Seven Dollars (\$12,344,077) for the necessary operational expenses of the Town for the ensuing year's budget. This amount does not include all of the amounts raised and appropriated in subsequent warrant articles.

(Recommended by the Board of Selectmen 5-0)

Article 5

To see if the Town will vote to create an Expendable Trust Fund under the provisions of RSA 31:19-a, to be known as the DPW Equipment Replacement Fund, for the purpose of equipment replacement and upgrade for the Highway Department and to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) toward this purpose from the General Fund and to appoint the Board of Selectmen as agents to expend.

(Recommended by the Board of Selectmen 5-0)

(The Department of Public Works does not have an ETF at this time, and has never had an ETF in the past.)

Article 6

To see if the Town will vote to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) to improve various town roads that are eligible for 2 to 1 matching funds from the State Aid Reconstruction Program, contingent upon the receipt of Forty Thousand Dollars (\$40,000) of that amount from the State, with the balance of Twenty Thousand Dollars (\$20,000) to be raised by taxation.

(Recommended by the Board of Selectmen 5-0)

(This Article appears on an annual basis.)

Article 7

To see if the Town will vote to raise and appropriate the sum of Thirty Five Thousand Dollars (\$35,000) to be added to the Waterfront Infrastructure Trust previously established. The Board of Selectmen are agents to expend.

(Recommended by the Board of Selectmen 5-0)

Article 8

To see if the Town will vote to raise and appropriate the sum of Twenty Four Thousand dollars (\$24,000) for the public access fees and equipment replacement expenses and to fund this appropriation by authorizing the withdrawal of the amount from the Cable Franchise Fee Special Revenue Fund.

(Recommended by the Board of Selectmen 5-0)

(The Town Manager was tasked by the Board to investigate the cost of hiring counsel to guide the Town through the RFP process for a cable franchise contract. The following day, the Town Administrator for the Town of Gilford reached out to communities having similar Metrocast renewals to inquire if they would like to participate in a joint process. The Town Manager responded that the Board wishes him to investigate obtaining counsel and issuing an RFP from outside vendors. A preliminary meeting will be held the last week in February to investigate whether the matter can be looked at on a regional basis.)

Article 9

To see if the Town will vote to discontinue the Water Treatment Disinfection Change Fund created in 2007. Said funds, Eighty One Thousand, Seventy Six Dollars and Forty Nine Cents (\$81,076.49) as of December 31, 2010, with accumulated interest to date of withdrawal are to be transferred to the Town's General Fund.

(Recommended by the Board of Selectmen 5-0)

(The Fund was created because it was believed that the present method of water disinfection was going to be unacceptable in the future. This has not proven to be true. While the current process works, there are other needs in the Water and Sewer Department, including the groundwater source study. The Capital Improvements Committee has recommended discontinuing the fund and depositing the money in the Groundwater Source Study ETF. There is language in the Article that would prevent it from proceeding if Article 10 does not proceed. The following language will be included in Article 9 in the final Warrant: "Article 9 is contingent upon the affirmative passage of Article 10.")

Article 10

To see if the Town will vote to raise and appropriate the sum of Eighty One Thousand, Seventy Six Dollars and Forty Nine Cents (\$81,076.49) for deposit into the Groundwater Source Study Expendable Trust Fund previously established from the Town's General Fund. The Board of Selectmen are agents to expend.

(Recommended by the Board of Selectmen 5-0)

(The following language will be included in Article 10 in the final Warrant: "Article 10 is contingent upon the affirmative passage of Article 9.")

At the request of the Chair, the Town Manager will bring the changes to Articles 9 and 10 to the attention of Town Counsel, who previously reviewed the Warrant.

Selectman Worsman motioned to approve the Articles as read, with the additional modifications discussed at this table. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.

Selectman Brothers took a moment to personally thank his fellow Board members and Administration for the tremendous amount of time and effort that went into the crafting of Article IV in particular, and the remaining Warrant Articles, as stated and approved by the Board. He sincerely appreciates the hard work and the process that seems to be working very well.

11-06 Consider Abatements

At a previous Workshop, the Board spent a fair amount of time considering a request for abatement from Haynes Management Inc., property U15-7, the Citizens Bank building located at 66 NH Route 25. The original abatement was denied because the property owner did not provide the details requested by the Town before the deadline. The decision was then appealed to the Board of Tax and Land Appeals. The property is fairly unique, and the value is not based on a sales comparative approach, but an income approach. An interior inspection was not performed until December of 2010. While most of the lower level of the building is finished, it has remained unrented, despite several attempts to do so, for a little more than the past five years. The overall value of the property was increased by approximately \$500,000 for the finished basement. Based on the interior inspection and the income approach, Assessor Commerford recommends that the 2009 assessment of \$1,318,500 be revised to \$772,600; representing an abatement of \$6,845.59 for 2009, and \$7,261.44 for 2010. The owner of the property has agreed to the revised assessment.

Selectman Brothers motioned that in the matter of the 2009 and 2010 abatement request for U15-7, Haynes Management Inc., \$6,845.59 be abated for 2009, and \$7,261.44 be abated for 2010. Seconded by Selectman Lovett. 5-0. All in favor. Motion passed unanimously.

11-07 Village Pathways Committee Nominee

Village Pathways Committee Chair Liz Lapham recommends the appointment of Janice Roberts as a member of the Committee. The Board was provided with a volunteer application completed by Ms. Roberts. The Town Manager asked the Board to appoint Janice Roberts as a regular member of the Meredith Village Pathways Committee based on the recommendation of the Chair.

Selectman Brothers motioned to appoint Janice Roberts as a regular member of the Meredith Village Pathways Committee. Seconded by Selectman Lovett. 5-0. All in favor. Motion passed unanimously.

The Chair thanked Ms. Roberts for her willingness to serve.

OLD BUSINESS:

None

ADJOURNMENT:

Selectman Brothers motioned to adjourn the meeting at 6:50 p.m. Seconded by Selectman Worsman. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Phillip L. Warren, Town Manager

Charles G. Palm, Chairman

Colette Worsman, Vice Chairman

Peter F. Brothers

Miller C. Lovett

Nathan J. Torr