

BOARD OF SELECTMEN REGULAR MEETING
Minutes of 04-04-11
5:30 p.m.

Selectmen:

Colette Worsman, Chairman
Peter F. Brothers, Vice Chairman
Miller C. Lovett
Nathan J. Torr
Herbert R. Vadney

Town Manager:

Phillip L. Warren

Recording Clerk:

Karin Landry

Call to Order: Chair Colette Worsman called the meeting to order at 5:30 p.m. She 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 -12 Minutes of the March 21, 2011 Workshop and Meeting.

Selectman Torr moved to accept the minutes of the March 21, 2011 Workshop and Meeting. Seconded by Selectman Vadney.

Selectman Torr offered corrections to Page 3 of the Meeting minutes as follows:

Vote to elect Collette Worsman as Chair: 4-1. Motion passed. (Selectman Torr opposed)
Vote to elect Peter Brothers as Vice Chair: 5-0. All in favor. Motion passed unanimously.
Appointment to Local Energy Committee: Nate Torr, Primary; Peter Brothers, Alternate

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

TOWN MANAGER'S REPORT:

- A notice will be posted on the website that the transfer station will now segregate vegetable based salad and cooking oil because the town can get a better rate for recycling it for use in the biodiesel process. Residents of Center Harbor and Meredith can drop off containers of oil at the recycling building at no charge.
- Transfer station permits will be on sale as of May 1. As part of this year's permit process, applicants will be required to sign a release that includes the rules for use of the facility, and releases the town from liability.
- RFP's have been advertised and posted on the website for asphalt paving, flowers, and the Cattle Landing Docks. The Town Manager will submit bid tabulations to the Board once they have been received. The scope of flowers and asphalt paving have not been expanded this year. The Town will rely on the contractor to design and build the Cattle Landing Docks.

- The Town Manager's office has been working with Glacial Energy, an aggregator of energy service, to negotiate better rates for electricity. Glacial can offer the Town a savings of approximately \$6,500 in annual electrical costs. The program is available to municipalities and political subdivision groups. The larger the group is, the greater the savings. The Town of Moultonborough is interested in joining in on the plan, and the Town Manager will approach the school district to see if there is any interest in joining in. Selectman Worsman inquired if withdrawing from the Coop will have an adverse affect to homeowners in the community. The Town Manager will investigate the matter. Selectman Brothers inquired if energy can be put out to bid. The Town Manager explained that energy rates are not conducive to the bid process because of the product and options available. Selectman Lovett served on the nominating committee of the Coop for a number of years, and in his experience they will favor anything that will reduce costs for the consumer.

- The Town Manager was notified by the Department of Safety of a change in issuing special use permits. The Fire Marshall's office distributed an informational bulletin setting forth requirements for carnivals, festivals and fairs. While the Town currently meets some of the requirements for tents and membrane structures, the new requirements include a provision that all solid fuel cooking equipment served by hoods and duct systems shall be separate from all other exhaust systems. In addition, processors producing smoke or grease laden vapors in fixed mobile and temporary concessions such as trucks, buses, trailers, pavilions, and tents must be equipped with fire extinguishing equipment and a commercial exhaust hood. The only exception is for open sided tents that house cooking equipment and are not occupied by the public. The new requirements do not pertain to barbequing. Dialogue ensued regarding the hardships the new requirements will place on vendors and nonprofit groups. The Town Manager will supply the information to the Greater Meredith Program, who coordinates various events in Town, and will notify the Laconia Bike Week Association.

- The Town Manager updated the Board on what is happening in the legislator. The Town Manager will forward the legislative bulletin from LGC to Selectman Vadney until he is placed on the email list.

- HB 457. Interest Rate Tax Collections. The Town Manager agrees that reducing the interest rate would reduce the burden on those that have fallen behind on taxes, but is concerned that doing so will result in cash flow problems. The Town of Meredith has a high collection rate, and he believes that is partly due to the fact that there is a penalty interest rate attached if taxes are not paid on time.

- Retirement Reform. While the Town Manager agrees that changes need to be made and compensation needs to be defined more tightly, he is concerned that making changes for employees that are already in the system will open up a legal challenge to the legislation. He believes that it is wiser to make changes to the system for those hired after a date certain.

- Excavation Tax. The DRA will relinquish all control over the excavation and timber tax. The changes in the excavation tax will have no impact to the Town, but the change in the timber tax will. The Town would have to determine the value of the lumber (stumpage rate) and there is no provision that states how an appeal process would be handled. If there is a dispute, the matter is heard in Superior Court, and the Town will be responsible for legal fees. In the past, the DRA assisted with the enforcement of the tax, and there hasn't been any compliance issues.

Selectman Brothers encouraged everybody to review the Bulletins and take the time to let their views be heard.

Selectman Lovett inquired about reported changes in General Assistance. Chair Worsman explained that the changes to General Assistance are specifically directed to Medicaid. A

measure was added to protect Towns from being responsible for costs should a hospital give uncompensated care to an indigent individual, which would be considered significant downshifting. She also explained that there are currently two workers for every worker who is retired, and if changes are not made the retirement system, it is likely that the retirement system will not be solvent when our workers reach retirement age. While the goal of the House was not to increase taxes on the general population, the budget must still go before the Senate, Committee of Conference, and the governor before being adopted. Selectman Lovett is concerned with how preventing downloading of costs to cities and towns will affect human services.

VISITOR AND RESIDENT COMMENTS:

None

SELECTMEN COMMENTS:

None

NEW BUSINESS:

11-13 Appointments to Boards and Committees

The Town Manager proposed the reappointment of Don McFarlane to the Conservation Committee for a three-year term.

Selectman Vadney moved to accept the appointment of Don McFarlane to the Conservation Committee for a three year term. Seconded by Selectman Torr. 5-0. All in favor. Motion passed unanimously.

The Town Manager proposed the reappointment of Ed Touhey to the Planning Board for a three-year term.

Selectman Lovett moved to accept the reappointment of Ed Touhey to the Planning Board for a three-year term. Seconded by Selectman Vadney.

Dialogue ensued regarding staggering the terms of appointments to avoid facing a situation where there are not enough interested applicants to fill the positions. The Town Manager will get a listing of terms from each of the Boards, and implement a procedure to stagger terms beginning next year.

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

The Town Manager proposed the appointment of Elizabeth Lapham to the Planning Board for a period of three years. Ms. Lapham has been serving as an alternate on the Planning Board since November of 2008, and will replace Herbert Vadney.

Chair Worsman moved to accept the appointment of Elizabeth Lapham to the Planning Board for a three-year term. Seconded by Selectman Vadney. 5-0. All in favor. Motion passed unanimously.

The Town Manager proposed the reappointment of John Dever, III as a regular member of the Planning Board for a three-year term.

Selectman Brothers moved to accept the reappointment of John Dever, III as a regular member of the Planning Board for a three-year term. Seconded by Selectman Vadney. 5-0. All in favor. Motion passed unanimously.

11-14 Execute Ambulance Contract

The Agreement to extend the business relationship with Stewart's Ambulance through June 30, 2012 was discussed at length at a recent Workshop. The Town Manager highlighted terms of the Agreement:

- Equipment remains the same
- Personnel remains the same
- Insurance items upgraded to market values
- Compensation is 1.4% over current pricing, increases thereafter by the Consumer Price Index with a 4% cap.
- Formula of fixed pricing remains the same
- Provides for a fuel surcharge if prices rise above a certain level
- Stewart's cannot suspend service if the bill is not paid in full when a portion is in dispute
- Agreement codifies the current arrangement for our firefighters and household member
- Addresses how Towns will meet to discuss items
- Addresses how contract would be terminated
- Contract is subject to appropriation
- Sale or transfer of stock beyond a modest amount requires negotiation with Town

The Town Manager asked that the Board authorize the Chair to sign the Agreement with Stewart's Ambulance, and requested the appointment of two Board members to the Intermunicipal Agreement (IMA) Board for one-year terms. The appointments are not required to be from the Board of Selectmen, but the appointees should represent the Board in this matter. The Town Manager volunteered to serve on the IMA Board.

Dialogue ensued regarding appointments to the IMA Board. The Board supports the appointment of the Town Manager to the Board, if his schedules allows. Selectman Lovett volunteered to serve on the Board. Selectman Vadney suggested that the appointment is a good opportunity to find a capable person in the community who might enjoy serving on the Board and would bring back independent thinking or an independent position. The Chair appreciates Selectman Lovett's willingness to represent the Board, and believes there is an advantage to having a Selectman serve on the IMA Board, but does not wish to overwhelm Board members with outside commitments.

Selectman Brothers motioned that the Board authorize the Chair to execute the Agreement for Ambulance Services as presented, and that the Board appoint the Town Manager and Selectman Lovett as the Board's IMA Board representatives for a one-year term. Seconded by Selectman Torr. 5-0. All in favor. Motion passed unanimously.

Selectman Brothers expressed appreciation for the efforts of former Chair Chuck Palm, the Town Manager, and the Fire Chief in renegotiating the contract for ambulance services.

11-15 Execute WRBP Advisory Board Memorandum of Understanding

The Winnepesaukee River Basin Project (WRBP) Memorandum of Understanding (MOU) was thoroughly discussed at a previous Workshop. The member communities that participate in the Program have identified that the Advisory Board as it exists today has no authority. With

significant expenditures on the horizon, member community managers and administrators met with Senator Ray Burton and asked for his support for an enhanced Advisory Board. Since the only way to do that is to enact legislation, the managers decided that some type of stop gap legislation is needed. The MOU states that any expenditure of \$50,000 or more would require a comment be attached to it from the Advisory Board when it goes before the governor or Council for signing. In addition, it includes language on the flow metering cost program, the ownership inventory study, a management study to be enacted, and a capital improvements program to be put in place. Under the terms of the MOU, the DES and member communities would work together through the Advisory Board to enact legislation pertaining to the Advisory Board. Member communities are taking action on the MOU at this time. The goal has been to craft the agreement, gain support among the member communities, and then submit it to the DES for review and comment. The MOU is a cooperative document and does not have the full force of law. It is expected that parties that sign the MOU will participate in it.

The Chair expressed appreciation for the time and effort that has been dedicated to the matter by the Town Manager, staff, and member communities.

Selectman Vadney inquired if the legislation would change the Advisory Board to a different type of entity with more authority. The Town Manager explained that the group will still serve as an Advisory Board, but the legislation will lock in a procedure to put very specific terms in place that require consulting the Advisory Board on matters such as the capital budget, ownership issues, etc.

Selectman Torr moved that the Board authorize the Town Manager to execute the WRBP Advisory Board MOU. Seconded by Selectman Lovett.

Selectman Lovett inquired if there has been an interest by other communities or the DES in signing the MOU. The Town Manager explained that the matter is coming before the Boards of member communities this week, and there has been some success in communities that have had a first reading. He does not know how DES stands on the MOU. Selectman Torr is pleased that the member communities are taking a stand in the matter, and not allowing decisions to be forced on them.

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

OLD BUSINESS:

Selectman Torr requested that a second workshop be scheduled on the health ordinance for sewage along Lake Waukegan. The Town Manager will schedule the workshop for the first meeting of June, so all residents along the Lake have the opportunity to attend.

The Town Manager announced that the Board will move into a non-public session under RSA 91-A:3 II (a) personnel.

ADJOURNAMENT:

Selectman Torr moved to adjourn the meeting at 6:40 p.m. Seconded by Selectman Lovett. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Phillip L. Warren, Town Manager

Colette Worsman, Chairman

Peter F. Brothers, Vice Chairman

Miller C. Lovett

Nathan J. Torr

Herbert Vadney