

**BOARD OF SELECTMEN WORKSHOP**  
**Minutes of 08-01-11**  
**4:15 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 Worsman called the meeting to order 4:15 p.m. She introduced the Board, Town Manager, and the Recording Clerk, and made an announcement pertaining to emergency exits and the use of cell phones.

**W 11-19      Revenue Expenditure Update**

Director of Administrative Services Brenda Vittner provided Revenue and Expenditure Reports through the end of June 2011, and a comparison of revenues and expenditures through the end of June for 2010 and 2011. Both the revenue and expenditure reports are on target, at approximately 50% expended and 50% collected. The next update will take place soon after the end of August. That report will include revenues received from the state during July and August. Ms. Vittner reported that the welfare/general assistance line item that was budgeted at \$130,000 is approximately 50% expended, which is good considering the amount of traffic that has been seen. To date, \$42,000 has been used for rental assistance and the remaining was split between electric, propane, and gas assistance. The Board posed questions and commented on the reports:

- A neighboring community is doing a pilot program for accepting credit cards in payment of taxes, and its success is being monitored. Under the program, a fee is paid by the taxpayer to the third party that is managing it.
- Revenues from demolition and recycling seem to be on the increase since 2009, which could be an indicator that taxpayers are in a little better shape.
- The county is considerably underpaid at this time because the bill is not due until December 17.
- Municipal/administration has spent 61% of the budgeted amount for the year because a number of line items such as insurance and regional agencies are paid for in one lump sum during the first half of the year. Items that trend such as personnel and health insurance are on target.
- In 2011, the Town hasn't sold any of the properties it has acquired. The long list of properties owned by the Town has not been reviewed since 2008, when approximately six properties were auctioned. The Town Manager does not recommend disposing of the property that was acquired on Barnard Ridge Road last year because the excess acquired from the sale of any property disposed of within two years of acquisition must go back to the prior owner. Unless a property is a nuisance to a neighbor, the economy does not dictate disposing of it at this time. A property on Neil Shore Road has been identified for potential sale once the market improves.

- The Town Clerk's office, which is a huge source of revenue, is just over 50% compared to 52% at this time last year.
- More new cars are being registered than last year, and the motor vehicle line is at 50%.
- Dog licenses are coming in much higher than what was budgeted.
- Building permits for single family homes and driveway permits are down significantly.
- The new commercial building permits line has been corrected from \$11,000 to \$2,000.
- Planning and zoning revenue are down approximately \$3,000 for the year.
- The police department SRO program payment was received early this year, so the line is above what was budgeted.
- Cemetery revenues are considerably ahead of schedule.
- A new vendor is purchasing woodchips and revenues are up.
- Parks & Recreation programs are at 37% of the budgeted amount because July and August are the biggest revenue months. When fees for the use of the community center were increased last year, it was anticipated that the revenues would decrease; however, doing so mitigates the heavy use and resulting depreciation of the facility.
- Safety grants from the state typically are received during the last half of the year.
- Propane is near what was budgeted. Propane prices are up significantly.
- Heating oil went out as a group bid with the Town of Gilford and a number of school districts and a favorable price has been locked in for the upcoming season.
- Ms. Vittner will investigate what is included in the donation expenditure line of \$5,900. When a donation is received, there must be an expenditure line to go against it, and more than one donation is included in that line. Selectman Lovett anticipates that the bill for fireworks, which will fall under the donation line, will be quite a bit less than what was budgeted.
- The general liability for the police department is \$3,000 over what was budgeted. This is a timing issue as well as a result of the new vendor breaking down the premium for each line.

Dialogue ensued regarding how the town proposes to absorb the change in pensions. Ms. Vittner explained that when the Retirement System receives the actuarial calculations including the reforms that were voted in this past session it is anticipated the amount the town will be assessed will be at or below what was budgeted. It is anticipated that the increase will be no more than \$45,000, and that amount will be absorbed. No changes will be effected until the town has received written notification from the New Hampshire Retirement System. The only other unknown is the rooms and meals tax, which history has shown to be received on December 31 at 11:59 p.m., generally in the amount stated. The state has made it clear that will be no more than in 2010.

Selectman Brothers thanked the Chair for the time she spent reviewing revenues, as they are a very important part of the total overall budget.

The Chair thanked Ms. Vittner for an exceptional job in keeping the budget in line and assisting the Board with the original estimates.

The Town Manager and Ms. Vittner are not aware of any pending items that could change or alter the budget for the remaining six months of the year.

#### **W 11-20 Cable TV Franchise Agreement Consortium**

The Town Manager reported that a consortium of the municipalities of Alton, Belmont, Franklin, Gilford, Gilmanton, Laconia, Meredith, New Durham, Northfield and Tilton have expressed a

desire to proceed negotiating the Cable TV Franchise Agreement as a group and are now considering an Intermunicipal Agreement (IA) and shared counsel agreement to do that. Each community will negotiate its own separate franchise agreement with the provider. There are no provisions in the IA that will bind Meredith to the agreement of another community. The IA will allow the municipalities to share the procurement of counsel who will provide legal and strategic advice including response to Metrocast letters, advising the municipality in the cable TV Franchise, advising them on legal, technological, and competitive changes since we negotiated our last agreement, advising them on legal deadlines, providing legal advice, and offering a la carte legal services on individual legal matters of unique concern to particular municipal members. A Board of Directors will be comprised of representatives from each municipality appointed by its respective executive body, and will serve for a three-year term at this time. The role of the Board is to make decisions on behalf of members related to carrying out the purpose of the Agreement. The Board will not have the authority to make any decisions on behalf of the legislative bodies of the municipalities. They will not replace the governing bodies. They may carry out the purpose of the Agreement and will have the ability to negotiate and execute a contract with appropriate vendors or individuals for the services of the group, not the franchise. Pursuant to RSA 91-A, the legal services bill will be divided among the municipalities. There is a provision whereby the Agreement can be terminated at the end of calendar year 2014. Municipalities can withdraw not later than one year before the end of the initial or any subsequent term of the Agreement, and shall be responsible for its portion of fees and costs until the completion of that term. The Agreement has not been reviewed by town counsel Walter Mitchell because it was approved by counsel for the City of Franklin.

The law firm of Donahue, Tucker & Ciandella, PLLC has been identified by the consortium to serve as special counsel, at an approximate cost of \$900 for each municipality. The Town Manager recommends participation in the IA and special counsel agreement with the consortium. If there is a consensus to proceed, the Town Manager's recommendation is to execute the IA. He asked that the Board appoint him as the town's representative on the Board of Directors. Subsequently, a cable advisory committee would be appointed. One of its duties would be to review all the facets of the franchise agreement and make recommendations on that agreement. The recommendations would be brought to the Board of Directors so they can be brought to the consortium negotiation process.

Chair Worsman noted that pages 12-21 are not included in the special counsel representation agreement because they are signature pages. The Town Manager clarified that while the Board of Directors will be able to negotiate clauses of the IA, the governing bodies of the municipalities have the power and authority to sign the IA. The Board of Directors will be subject to the provisions of RSA 91-A, so there is a high probability that the group will retain the services of a recording clerk. The Town Manager will come before the Board of Selectmen to request funding for the recording clerk. He will investigate whether the funding of the recording clerk is a legitimate use of the cable franchise fee. There are sufficient funds in the legal services line item to pay what is forecasted through year end and into the next budget year. Selectman Brothers prefers to charge the expense to the cable franchise fee rather than the general legal fee expense line. Funds have recently been allocated from the cable franchise fee to improve the quality of the audio at Board meetings.

Resident Bruce Reichlin is interested in getting cable down Wall Street and knows that his neighbors also wish to do so, but under the terms of the existing IA, there must be ten new subscribers in a one-mile stretch. Wall Street is 1/2 mile, and there are less than 10 houses. His house is 1.4 miles from the post office, and he cannot get the Selectmen meetings on cable. Mr. Reichlin inquired what the Board thinks ought to be done.

Selectman Brothers wants to be sure the cable advisory committee has significant make-up, is advisory in nature, and doesn't have a single interest by a member. His interest is not to solve one particular neighborhood or event, but to look at expectations going forward by looking at language and identifying areas to be redesigned to be more germane to the greater good.

The Town Manager is willing to write a letter to Metrocast inquiring about its justification for the requirement of 10 new providers in a one-mile stretch. He commented that Mr. Reichlin is one of many citizens with specialized knowledge and an interest in the area that would be a perfect fit for the committee.

Chair Worsman asked Mr. Reichlin to continue communicating with the Town Manager in an effort to address the problem at hand.

Selectman Torr inquired if there are similar situations in Town, and whether it is known if similar situations exist in surrounding towns. The Town Manager informed that there is a similar situation in the Chamung area, and that this is a major issue for every town that is in the consortium.

Mr. Reichlin pointed out that the Town of Meredith has not kept up with the cable services that are available in some nearby communities. The Chair suggested negotiating a contract for a period of time less than 10 years because technology is changing rapidly and the town does not wish to be left behind one more time.

There was an agreement among the Board that it is time to investigate the matter. Selectman Lovett wishes to see the entire town covered and believes it is justified by the fees paid by everyone.

Resident Jim Hughes reminded the Board that there was a policy for the extension of cable service that was adopted soon after cable came into town, and that franchise fee funds were used on the extension on Meredith Neck and Meredith Center Roads. The Town Manager informed Mr. Hughes that he researched the matter, and was unable to find information regarding the policy. Mr. Hughes will make an attempt to provide the date the policy was adopted.

The execution of the IA and shared counsel services agreement will come before the Board for action at its next regular meeting.

### **W 11-21 Outside Agency Application Process Review**

The Town Manager provided the letter and outside agency application used last year for the Board's review. Because the process worked well last year, his intent is to adjust the dates for this year and send them out, and asked for the Board's approval before doing so.

Selectman Lovett is concerned that a proper vetting of the organizations is taking place. The information solicited by the application does not demonstrate whether the share the town is paying is a fair share. At some point, somebody representing all towns must do a complete study of the organizations so that we know that what they are asking of us is a justifiable figure.

Chair Worsman pointed out that Section 3 of the application requests the organization list how each municipality is supporting that organization. The Town Manager will make a point to review that section. He informed the Board that the County has a proposal to fund all the agencies throughout the county versus funding by individual communities. Because Meredith has

one of the more comprehensive applications for outside agencies, the county requested, and the Town Manager provided, a copy of the application for its review. The Town Manager agrees that there is no global vetting of the agencies, and pointed out that doing so would be a large undertaking that would require the assistance of an intern or fellow.

The Chair noted that the form was significantly modified over the last two years, with the ultimate goal that the amount of money the town donates to these organizations provides an equal benefit to the citizens of our town. Selectman Brothers agrees that the process for vetting is improving. There was an agreement among the Board that the expenditure of funds to outside agencies supports citizens that can't do so individually at a cost and efficiency that cannot be afforded by municipalities. The same application process will be followed this year.

*Selectman Torr motioned to adjourn the Workshop at 5:30 p.m. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.*

Respectfully submitted,

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Phillip L. Warren, Town Manager

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Colette Worsman, Chairman

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Peter F. Brothers, Vice Chairman

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Miller C. Lovett

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Nathan J. Torr

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Herbert R. Vadney