

The Selectmen Meeting Minutes  
Monday, September 8, 2014

Present: Chairman Rideout; Selectmen Darcy; Gallagher; Morel and TA Collins.  
Selectman Ebbighausen was absent.

6:00 p.m. Chairman Rideout called the meeting to order.

Selectmen reviewed the Manifests and Meeting Minutes.

Selectman Darcy made a motion to approve the Meeting Minutes of August 25, 2014, Public, as amended and Non-Public, Selectman Morel second. Motion passes unanimously.

Selectman Darcy made a motion to table the Meeting Minutes of August 5, 2014, for lack a quorum, Selectman Gallagher second. Motion passes unanimously.

Selectman Darcy made a motion to approve the Manifest of August 25, 2014 and September 8, 2014, Selectman Morel second. Motion passes unanimously.

Selectman Morel made a motion to approve Tax Abatement for Thicket Hill, 48 Gunner Way, in the amount of \$320.70 plus interest for 2013, vacant lot, Selectman Darcy second. Motion passes unanimously.

Selectman Darcy made a motion to approve Veterans Tax Credit #090814, Selectman Morel second. Motion passes unanimously.

Selectman Morel made a motion to have Chairman Rideout sign the following Open Container/Alcohol Permits, Selectman Darcy second:

- Family Party at the Hinsdale Community Center on September 13, 2014, from 11:00am to 6:00pm.
- Wedding at the Heritage Park Pavilion on June 27, 2015, from 7:00pm to 11:00pm.

Motion passes unanimously.

TA Collins discussed the Jeopardy Warrant for The Church of Jesus Christ LDS in the amount of \$16,872.07. It was not billed for the second billing of 2013. During the update, the code was overridden; therefore a bill was not produced. They will be billed for the full year 2014 in the fall billing. Selectman Gallagher made a motion to bill The Church of Jesus Christ LDS as TA presented, Selectman Morel second. Motion passes unanimously.

TA Collins shared a thank you letter that was received from the Brattleboro Police Department, thanking Police Chief Faulkner for participating in the Police Chief search for the Town of Brattleboro.

TA Collins discussed a letter of concern regarding Pine Grove Cemetery up keep. Weather permitting TA Collins suggested the Selectmen view Pine Grove at 6:00 next week.

TA Collins informed the Selectmen that MRI Salary Study 'quick off' was today. TA Collins gave the Selectmen the power point presentation for their review. MRI completed interviews with the Department Heads and employees. MRI has two systems they use; 23% increase with grades and

grade/step system, having a low, medium and high for each level. This would be more like a type of merit system. MRI is comparing Hinsdale to ten similar communities.

TA Collins attended a TAP (Transportation Alternative Program) meeting on Thursday. The application process is a quick pace. Application deadline is September 26<sup>th</sup> at 4:00 p.m. Cannot be filed via email, must be in electronic format – hand delivered is best. TA Collins will also need to take a class to be certified through DOT as a LPA (Local Public Agency) Certification, so she can administer Federal Grants. The training is October 7<sup>th</sup> & 15<sup>th</sup>.

Chairman Rideout asked the public if they had any comments.

Mrs. Ramsey had questions pertaining to the water and sewer box and shut off.

- How did it get there?
- How come replacing the shut off did not come up when she bought the house.
- How many feet from the road is it.
- Why has it not been replaced before?

TA Collins informed Mrs. Ramsey that the shut off is near the end of her driveway and the driveway would need to be dug up to look at the condition of the box. The Town requests residents to obtain a driveway permit so the shut off can be addressed prior to the modification of placement of a new driveway. If it needs to be replaced the shut off would be raised for access in case of a leak. The Selectmen asked Mrs. Ramsey for her list of questions so Dennis Nadeau, Water and Sewer Superintendent, could answer them. There was also a short discussion about culverts near Jeff and George streets. The Highway Superintendent will look at these.

Ron Nichols, Representative from Rescue Board of Trustees, addressed the board to establish contact information. He informed the Selectmen that the contract has not been received yet. TA Collins informed Mr. Nichols that the contract is usually sent prior to budget season for review, and then is sent in. Mr. Nichols asked if the board would like him to come in on a monthly or quarterly basis. The Selectmen felt coming in on a quarterly basis would be a good way to keep an open line of communication.

Jon Fostyck came before the board to discuss problems with water run off on Tower Hill Road. The culvert that was put in seems to be helping the problems but the damage has already been done to his property. The Selectmen informed Mr. Fostyck he would need to be on the Agenda for further discussion regarding this issue, so that all parties involved can be notified and be present at the meeting for discussion. Further discussion was had regarding flooding on other State and Town Roads.

6:40 p.m. Review and vote to support or oppose the policies for the upcoming New Hampshire Municipal Association.

## **General Administration and Governance**

### Action Policy Recommendations

1. **Right to Know Costs and Specificity Required.** Discussion regarding when the town charges and when they do not. Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Selectman Morel – Nay. Motion passes.
2. **Regulation of Weapons in the Workplace.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
3. **Welfare Lien Priority.** Discussion regarding tax liens being priority, welfare lien would follow

after the mortgagee. Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

#### Priority Policy Recommendations

4. **Cross-Border Liability.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
5. **Consultation with Counsel Expansion Under RSA 91-A.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.
6. **Petition Signature Requirements.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
7. **Clarifying What Information Is to be Included in Town Reports in SB2 Towns.** Discussion. Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
8. **Public Notice Requirements.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
9. **Amended Warrants in SB2 Towns.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
10. **Long-Term Storage of Records.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
11. **Building Plans under 91-A.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
12. **Municipal Departments and MV Information.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.
13. **Blue Lights on Fire Department Vehicles.** Discussion regarding distractions. Selectman Darcy made a motion not to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.

#### Standing Policy Recommendations

14. **Counting Absentee Ballots.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
15. **Swearing in Town Officers.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
16. **Human Resources Record Retention.** Discussion regarding length of time records are to be retained now. Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Selectman Morel – Nay. Motion passes.
17. **Modifying the Adoption, Revision, and Amendment of Municipal Charters.** Discussion wording for clarification. Selectmen would like to obtain HB 422 and HB 379. Selectman Darcy made a motion to table until HB422 and HB 379 can be reviewed, Selectman Morel second. Motion passes unanimously.
18. **Consolidated Policy on Collective Bargaining Items.** Discussion regarding arbitration against municipalities and non-union v. union employees. Selectman Darcy made a motion to support NHMA's recommendation to Oppose, Selectman Gallagher second. Selectman Morel – Nay. Motion passes.
19. **Contracted Services and Bargaining.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Selectman Morel – Nay. Motion passes.
20. **Maintenance and Policing of State-Owned Property.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
21. **Supervisor of the Checklist Sessions.** Selectman Darcy made a motion to not support

NHMA's recommendation, Selectman Morel second. Motion passes unanimously.

22. **Municipal Recreation Programs.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Selectman Morel – Nay. Motion passes.

23. **Requirement to Hold Elected Office.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Chairman Rideout and Selectman Morel abstained. Vote: 2-1-2-abstained. Motion fails. Selectman Morel motions to table for more information, Selectman Darcy second, Motion passes unanimously.

24. **Appointment of Town Clerks and Town Clerk/Tax Collectors.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

25. **Warrant Article Language; Adoption by Reference.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

26. **Perambulation.** Discussion regarding getting adjoining towns to work together to get this done. Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.

## **Finance and Revenue**

### Action Policy Recommendations

1. **Tax Rate Setting.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Selectman Morel abstained. Motion passes.

2. **Use of RSA 83-F Utility Values.** Discussing regarding PSNH suing all towns. Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

3. **Real Estate Income and Expense Statements on Appeal.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.

### Priority Policy Recommendations

4. **Clarification of Elderly Exemption.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

5. **Separate Ballot Boxes for Bond Votes.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.

6. **Expanding 120% Limitation.** Discussion regarding how much the budget can go over or under and the Budget Committee's decision. Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.

7. **All Public Real Estate Taxable if Used by Private Occupants.** Discussion regarding Keene State College being a good example of being Town land but has franchises within the facility. Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

8. **Pollution Control Exemption.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.

9. **Prorating Disabled Exemptions.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

10. **Penalty for Failure to Submit Current Use Information.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

11. **Recording Fees for Elderly Deferrals.** Discussion regarding when this would occur. Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.

12. **Flood Control Payments.** Selectman Morel made a motion to table until more information is

obtained, Selectman Darcy second. Motion passes unanimously.

#### Standing Policy Recommendations.

13. **Downshifting of State costs and State Revenue Structure.** Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Darcy second. Motion passes unanimously.

14. **State Revenue Structure and State Education Funding.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

Selectman Darcy made a motion to support NHMA's recommendation to the second part, Selectman Gallagher seconds. Motion passes unanimously.

15. **New Hampshire Retirement System (NHRS).** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

16. **Utility Appraisal Method.** Selectman Gallagher made a motion to support NHMA's Recommendation to Oppose, Selectman Darcy second. Motion passes unanimously.

17. **Modifying Post-Municipal Appeal Deadline Date.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

18. **Charitable Definition and Mandated Property Tax Exemptions.** Selectman Darcy made a motion to table until more information can be obtained, Selectman Morel second. Motion passes unanimously.

19. **Telecom Company Property Tax Exemption.** Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Gallagher second. Motion passes unanimously.

20. **Collection of Statewide Education Property Tax.** Selectman Morel made a motion to support NHMA's recommendation "No Position", Selectman Darcy second. Motion passes unanimously.

21. **Negotiated PILOTs for Water System Property.** Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Darcy second. Motion passes unanimously.

22. **State Budget Cap.** Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Gallagher second. Motion passes unanimously.

23. **Budget Year Conversion.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

24. **Management of Trust Funds.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

25. **Minimum Vote Required for Bond Issues.** Discussion regarding the **proposed** increase. Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Darcy second. Motion passes unanimously.

26. **Mandatory Tax Liens.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

27. **Tax Bill Information.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

#### **Infrastructure, Development, and Land Use**

##### Action Policy Recommendations

1. **Restoration of Full General Revenue Funding for Municipal State Aid Grant (SAG) programs.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.

2. **Municipal Use of Structures in the Right-of-Way.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

3. **Regional Water Quality.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

#### Priority Policy Recommendations

4. **Diversion of Highway Funds.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
5. **Site Evaluation Committee and Local Input.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
6. **RSA 162-K: Authority for Inter-municipal Cooperation.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
7. **Solid Waste Revolving Funds.** Discussion regarding towns adopting money for Transfer Station into revolving funds. Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
8. **Clarify Establishing Highways.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.
9. **Water Fund.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

#### Standing Policy Recommendations

10. **Adequate Highway Funding.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
11. **Alternative Funding for Transportation.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.
12. **Conservation Investment.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
13. **Environmental Regulation and Preemption.** Selectman Gallagher made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously. Discussion regarding the Town wanting to maintain our regulations.
14. **Underground Utilities.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Morel second. Motion passes unanimously.
15. **Energy, Renewable Energy and Energy Conservation.** Selectman Darcy made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
16. **Open Space Retention and Sprawl Prevention.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Gallagher second. Motion passes unanimously.
17. **Sludge/Biosolids.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.
18. **Current Use.** Selectman Morel made a motion to support NHMA's recommendation to Oppose, Selectman Darcy second. Motion passes unanimously.
19. **Complete Street.** Selectman Morel made a motion to support NHMA's recommendation, Selectman Darcy second. Motion passes unanimously.

#### **Floor Policies**

1. **Town of Hinsdale:** The modification of RSA 41:18 to read "Each town shall have a deputy town clerk..." Selectman Darcy made a motion to support the proposal, Selectman Gallagher second. Motion passes unanimously.
2. **Town of Hinsdale:** The amendment of RSA 41:9-b, V to add "and officials elected to non-volunteer positions in the municipality". Selectman Darcy made a motion to support the proposal, Selectman Gallagher second. Motion passes unanimously.

3. **Town of Hudson:** “To allow municipal library budgets to appear as a separate warrant article on the Town Meeting SB2 ballot”. Selectman Darcy made a motion to support the proposal, Selectman Morel second. Motion passes unanimously.

4. **Town of Barrington:** “An increase in the amount of a public project before it requires mandatory obtaining of a performance bond so the local governing body could elect to waive the performance bond for any project under \$75,000.00 in RSA 447:16. The proposal would allow the governing board on a case by case basis between \$35,000 and \$75,000 the option to waive the performance bond or to require it”. Selectman Darcy made a motion to table until RSA 477 can be reviewed, Selectman Gallagher second. Motion passes unanimously.

5. **Town of Hinsdale:** The amendment of RSA 75:1 so that the last sentence will read, “The Selectmen shall receive and consider all evidence that shall be submitted to them relative to the value of property upon request, including rental income and expenses, the value of which cannot be determined by personal examination”. Selectman Darcy made a motion to support the proposal, Selectman Gallagher second. Motion passes unanimously.

6. **Town of Hinsdale:** “Legislation for a penalty for failure to submit requested information relative to the value of property as described in RSA 75:1. The penalty shall be 1% of the assessed value of the property”. Selectman Darcy made a motion to support the proposal, Selectman Gallagher second. Motion passes unanimously.

7. **Town of Gilford:** Amending RSA 41:9 to add a new paragraph VI to read, “A Town may, by vote of the governing body, impose a standard fee of no more than ten dollars (\$10.00) and/or require reimbursement for actual postage or shipping costs for any mailing that is provided as a convenience to the public except where such fees or mailings are otherwise prescribed by law. The monies collected in this paragraph shall be transferred to the custody of the treasurer for deposit into the municipality’s general fund.” Selectman Morel made a motion to table until RSA 41:9 can be reviewed, Selectman Darcy second. Motion passes unanimously.

8. **Town of Barrington:** Changes to RSA 674:41: “to allow as a local option greater flexibility so a landowner who has been through the process once for a building permit for a residence or other building permit, obtain approval from the Governing Body to build, and filed the necessary indemnification for that building, the owner of that property does not then have to go through the entire procedure for additions and accessory structures, decks, etc, if the building permit is not an expansion of use that might increase the community’s exposure of liability”. Selectman Darcy made a motion to Oppose the proposal, Selectman Morel second. Motion passes unanimously.

9. **Town of Fitzwilliam:** ( Concerns and proposed changes in response to Judge Kissinger’s ruling March 17, 2014 that determined RSA 12-E preempts all local ordinance with regards to mining). To enhance the local taxpayers and residents input in the State process of regulating mining within its boundaries. Mining is distinctly different from other activities that serve the public good such as utilities in which the state preempts local regulations. We would suggest a similar relationship between local and state regulation as described in RSA 483 B:3, II, (Shoreland Protection) which states: “When the standards and practices established in this chapter conflict with other local or State law and regulation, the more stringent standard shall control”. Selectman Gallagher made a motion to table until RSA 12-E and RSA 483 B:3, II can be reviewed, Selectman Darcy second. Motion passes unanimously.

Selectman Darcy discussed with the Selectmen a conversation he had with Chuck Hildreth, who uses the Meeting House for Boy Scouts. There needs to be a schedule when the Meeting House is in use either by the Boy Scouts, Girl Scouts, Selectmen or anyone else.

Selectman Morel wanted to mention that the Selectmen will be meeting at the Meeting House next Monday, September 15, 2014. Selectman Morel also mentioned a workshop needs to be scheduled for the June employee reviews, and BOS members need to receive forms for the TA review.

TA Collins mentioned the Auditors will be in the last week of September.

Selectman Morel mentioned a joint meeting needs to be scheduled between the Selectmen and the Budget Committee. TA Collins will see if September 29, 2014 works.

Selectman Morel mentioned Oak Hill looking for a Tax Abatement, payment arrangement or reduction, as discussed at the last meeting, Tax Collector James MacDonell said Oak Hill was unable to attend tonight's meeting but he will be meeting with them.

Selectman Gallagher informed the Selectmen that an Alternate of the Conservation Commission will become a Full Member. Lisa Bomba is no longer a member and Sarah Bomba will be replacing her.

Selectman Gallagher discussed the Police Department Project meeting. Frank Podlenski, Highway Superintendent, is performing prep work at the site and having someone come in for compacting testing.

Chairman Rideout discussed the HCIDC meeting. Solar Farms, Elderly Housing, Assisted Living and Nursing Home are some thoughts of how to develop the land.

8:30 p.m. Selectman Gallagher made a motion to enter into Non-Public under RSA 91:A-3, II, (b) – Hiring, second by Selectman Morel. The vote is as follows: Darcy – I; Gallagher – I; Morel – I; Rideout - I. Motion passes unanimously.

8:32 p.m. Selectmen returned to regular session.

Selectman Gallagher made a motion to make a conditional offer of employment to Timothy Richmond as Police Officer. The conditional offer is based on passing a background check, second by Selectman Darcy. Motion passes unanimously.

8:32 p.m. Selectman Darcy made a motion to adjourn, second by Gallagher. Motion passes unanimously.

Respectfully Submitted,  
Alicia A. Marshall  
Secretary