

TOWN OF FRANCESTOWN
OFFICE OF SELECTMEN
27 MAIN STREET • P.O. BOX 5
FRANCESTOWN, NEW HAMPSHIRE 03043-0005
BOARD OF SELECTMEN MEETING MINUTES

October 14, 2013

Selectmen Present: Chair Betsy Hardwick, Scott Carbee, and Abigail Arnold

Staff Present: Town Administrator Michael Branley

Also present: BJ Carbee, Lisa Bourbeau, Polly Freese, Betty Behrsing, Charlie Pyle, Lawrie Barr, Dennis Orsi, Ron Cheney, John Arnold, Katie Gadwah, Jim Barker, Dave Marazoff and others unknown to the minute taker.

CALL TO ORDER: Betsy called the meeting to order at 6:40 p.m.

Appointments

1. Assessor Dave Marazoff – Dave stated based on a land use change tax application from Crotched Mountain Rehab Center, subsequent meetings and follow-up he has discovered that in 2011 they constructed a wastewater treatment facility in Francestown. He said there appears to be no agreement with Francestown nor has the foundation applied for exempt status therefore the facility has been added to the tax roll for 2013. Scott asked if there was ever a building permit pulled for the facility. Dave stated that there was a building permit taken out in 2009. Mike stated their thought is with the former building inspector working in both Greenfield and Francestown at the time that there may have been confusion and in the end it was never given to the assessor to finalize. Scott asked and Dave responded that the value is slightly less than the cost information Crotched Mountain provided. Mike said this new value will not be on the regular tax warrant but on a supplemental warrant and a letter will be going to them informing them of the new value.

Items to Sign

1. Payables Manifest for October 14
2. Payroll Manifest for October 14
3. Equalization certificate for the Department of Revenue Administration
4. Land Use Change Tax Application for Map 1 Lot 11
5. Land Use Change Tax Application for Map 1 Lot 9-1

Appointments (continued)

2. Francestown Village Water Company – Dennis Orsi President of the Water Company. Dennis stated he had asked the Board for the rational of the decision and realized he should have been more specific and asked if there was a legal rational on the decision. Dennis stated the origin of the water company was a public health issue due to the close proximity of houses. Dennis asked why the organization's exemption was denied after having it for 10 years while FIHS and the Old Meeting House had their exemptions granted and while Francestown Village Water provides more on a monetary basis to the Town than the other organizations do. Dennis asked if the Town had a legal opinion and asked for a copy of it. Dennis stated that they provide a charitable contribution to the community and in speaking with a consultant they said it is common not to tax private water and septic companies because the value is in each individual home that it supplies to. Dennis said he is not sure that charitable is the right form to go by but the focus should be what the prior exemption was based on. A discussion ensued regarding appropriate forms for which the exemption could be granted. Dave read the definition of Charitable from State Statute 72:23-1 and explained his reasoning for denying the exemption based upon State Statutes and Regulations. Dave stands by his decision and feels it should now go to the Board of Tax and Land Appeals if the water company does not agree. Scott said he did not agree with this and feels the Board of Selectmen are the assessors and should make a judgment now before going to the Board of Tax and Land Appeals. Dennis said his second issue is that the land is being assessed as a buildable lot and he feels it is not. Dave said it is their right to appeal the assessed value. The value it currently has was placed on the property prior to his employment with the town (but was never challenged because it was in exempt status) and because the town is not currently going through a revaluation it was not reviewed this year.

Jim Barker answered the 4 criteria Abigail had given the water company. His answer to #4 is that the finances for water company are strictly for the operation of the company, #3 is the land is used for the stated purpose, #2 he asked how many people would have to be served in order for it to be considered "the public"? he said any member of the public that is downstream from the tanks is eligible to apply for water, #1 in the conventional sense of the word charity they are not charitable, however they are a benefit for the people that they supply and it is a community benefit. Jim said that it is clear that by having the Francestown Village Water Company in existence, that the town is better off than it would be if they didn't exist.

Betsy said she does not feel she is qualified to say that they meet the requirements that are stated in the RSA and is not comfortable making a decision to go against the law, town counsel or our assessor.

Abigail said they have no personal interest in taxing the water company and the bottom line is that it did not meet the criteria for property tax exemption.

The water company asked for a copy of the legal opinion and it was given.

New Business

1. Scott stated the Household Hazardous Waste Day was very successful.
2. Scott stated he and Mike met with Adrian Pinney, Paul Lawrence and Deb Rogers last week regarding the Library well. Adrian gave 3 solutions for the discharge of water, one through the septic system, another with a perimeter drain at the bottom of the elevator shaft and lastly a straight 20 foot run to the outside wall from the filtering system. All in attendance agreed the best solution was the straight 20 foot run. Adrian will be preparing figures and submitting them to the Library Trustees who will bring them to the Selectmen at a joint meeting.
3. Scott stated he and Mike met with Phil D'Avanza to determine what is wrong with the weight box for the bell and the findings concluded there is chafing on the rails. The solution is to remove the rocks and have Phil come back and repair the box. They inspected the 3 faces and the east face has deteriorated significantly. Abigail asked if Maureen had been able to apply for a grant to help fund this project.
4. Scott stated he attended the SAC meeting last week they asked how Frankestown voted on the LGC money. He said he was informed that there are no projects the school is looking to use the money on and need to know if the town wants the money applied to the tax rate or to leave it encumbered. Scott said a letter was sent to the town that requested the Board's vote and Frankestown was the only Town not to respond. Mike stated he did not know of any letter.
5. Mike said John Arnold has done research about the plastic bags at the transfer station and he has worked out an arrangement for volunteers to take them to Shaws at no cost.

Administrative Update

1. Mike said he met with Executive Director Tim Murphy from the Southwest Regional Planning Commission and they would like the town to rejoin. If the Town did not want to join SWRPC, Tim suggested the Town consider joining another region since we are on the border. Betsy stated she thought joining the Southern Region made sense for several reasons. The Board agreed to have Mike explore joining another region.

Correspondence

1. Letter from New England Forestry Consultants regarding a timber harvest where they will be using Nichols Road. Betsy asked Mike to send an email back to Dennis to contact Gary regarding this.
2. Bank Reconciliation Summary for August.
3. Letter from Project Lift asking for 2014 funding.
4. Letter from Big Green Recycling regarding a new facility.
5. Copy of a thank you letter to the Camirands.
6. Mike's Weekly update 10/11/13
7. Package of information received from Crotched Mountain regarding their facility.
8. Copy of a recommendation to the ZBA from McLane, Graf, Raulerson & Middleton regarding Crotched Mountain Ski and Ride.

NEXT BOARD OF SELECTMEN MEETING: October 21, 2013

ADJOURNMENT: Betsy Adjourned at 8:30 p.m.

Respectfully Submitted by Wendy Brien-Baker

Approved on November 25, 2013

Board of Selectmen Chair Betsy Hardwick

Selectman Scott S. Carbee

Selectperson Abigail Arnold