

Approved 05/02/2013

I. CALL TO ORDER 6:00 pm in the basement meeting room at the Fremont Town Hall. Present were Selectmen Greta St Germain, Leon Holmes Sr, and Brett Hunter; Town Administrator Heidi Carlson; and Randy Buccini.

St Germain and Carlson explained that they had met earlier this evening with Randy Buccini to discuss options for cable equipment (cameras and microphones and associated items) to be able to move forward with public access broadcasting of public meetings from the basement meeting room. Buccini discussed his consulting fee as well.

Buccini explained to the Board some options about cameras and microphones and that he would put together, including a more moderate approach to the setup, which may be expandable later. Buccini said that it would be better to do as much as possible now to set it up correctly. Buccini said that the optimum situation is to have a committee or employees who will run the cameras for meetings, and Selectmen explained that the franchise fees had been discontinued due to a Town Meeting vote, and that the only money we have access to is the money currently in the fund. It would not be available again unless/until the new contract negotiations. The current cable contract expires in 2019.

Options for equipment include hard-wiring the basement meeting room to start. There is a desire to also have mobile equipment that could be used to tape meetings in other meeting rooms and on nights that there is more than one meeting going on at the Town Hall. Buccini suggested starting with one meeting, perhaps Selectmen, to get the equipment running and figure out a playback schedule. He said you might run one meeting live, and rebroadcast it at other times during the week.

Buccini stressed that the Town will need additional money for equipment updates in the coming years as technology is constantly changing. He said the Board would need to consider putting the franchise fees back into the contract, or perhaps propose future warrant articles when equipment, expansion, or more help is needed to make the equipment run properly.

Buccini left the meeting at 6:10 pm. Selectmen and Carlson rose for the Pledge of Allegiance.

II. ANNOUNCEMENTS

The water chlorination system is installed at the Library and the first set of water samples since the install were taken on Wednesday night and delivered to the State Lab today. Results are pending.

III. LIAISON REPORTS - none

IV. APPROVAL OF MINUTES

Members reviewed the minutes for 18 April 2013. St Germain made some amendments to update the minutes. St Germain moved to accept them as amended. Hunter seconded and the vote was unanimously approved 3-0.

V. SCHEDULED AGENDA ITEMS

At 6:30 pm Mark and Dawn DiManna, Frank Chase and Kim Ferrara from the People's United Methodist Church met with the Board regarding the tax exemption for 2 Frost Lane, parcel 03-054.001-029. Dawn DiManna explained that the church did not know they had to file an exemption for the property which was purchased for a parsonage. She referred to NH RSA 72:23-c and states that she believes that the Board of Tax and land Appeals had no jurisdiction over the appeal because (quoting from the statute) ..."Every religious organization gets the exemption as claimed..."

Dawn DiManna quoted from the NH Statutes, the following two sections (in part):

72:23-c Annual List. –

I. Every religious, educational and charitable organization, Grange, the Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, the American National Red Cross and any other national veterans association shall annually, on or before April 15, file a list of all real estate and personal property owned by them on which exemption from taxation is claimed, upon a form prescribed and provided by the board of tax and land appeals, with the selectmen or assessors of the place where such real estate and personal property are taxable. If any such organization or corporation shall willfully neglect or refuse to file such list upon request therefor, the selectmen may deny the exemption. If any organization, otherwise qualified to receive an exemption, shall satisfy the selectmen or assessors that they were prevented by accident, mistake or misfortune from filing an application on or before April 15, the officials may receive the application at a later date and grant an exemption thereunder for that year; but no such application shall be received or exemption granted after the local tax rate has been approved for that year.

II. City assessors, boards of selectmen, and other officials having power to act under the provisions of this chapter to grant or deny tax exemptions to religious, educational, and charitable organizations shall have the authority to request such materials concerning the organization seeking exemption including its organizational documents, nature of membership, functions, property and the nature of that property, and such other information as shall be reasonably required to make determinations of exemption of property under this chapter. Such information shall be provided within 30 days of a written request. Failure to provide information requested under this section shall result in a denial of exemption unless it is found that such requests were unreasonable.

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. – *Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.*

Heidi Carlson had advised the closing attorney that an exemption would need to be filed if the Church was purchasing it for an exempt use, when calling to get taxes. Mark DiManna said that they never got that information. There was also some expressed miscommunication between the church and the man who was filing the paperwork.

Dawn DiManna explained that the Trustees did not realize they had an annual responsibility to file certain forms to keep their exemption on the Church, and any other properties in good standing. Carlson explained that the Town would generally not have any concern or question about the Church building itself, but that a single family dwelling purchased would be vastly different. The last parsonage was taxable for many years because it became a rental property maintained by the Church.

Selectmen stated that in good faith, they did accept the application when it was submitted in July and did grant the exemption for the property for the balance of the 2012 tax year and moving ahead. The Board explained that in this situation, the amount of tax principal that the Church does not pay, ends up back to the rest of the taxpayers on the tax rate for next year.

Dawn DiManna explained that they are looking for the complete full exemption be granted for the full tax year of 2012 as the Church does not have the financial resources to pay the taxes. She said they struggle

week to week to pay their bills and that this is a significant hardship to the church to pay the July 2012 bill in the amount of \$3,908.

Church members left the meeting at 6:50 pm.

Selectmen continued to discuss the situation and the decision made by a prior Board on the exemption application. Holmes moved to abate half of the outstanding first issue 2012 tax bill, St Germain seconded. Hunter then said he would consider abating $\frac{3}{4}$ of the tax due. Holmes withdrew his motion and St Germain her second. Hunter then moved to abate $\frac{3}{4}$ of the outstanding first issue 2013 tax bill, and Holmes seconded. The vote was approved 3-0.

The Board discussed abatement of interest that has since accrued on first issue, and decided they would also abate that if the Church agreed to pay one quarter of the bill issued. The Board discussed that this puts that tax burden out to the balance of the taxpayers due to the fact the Church did not timely file.

The Board discussed their former and this decision being made in good faith, in consideration of all of the taxpayers.

6:45 pm Public Input - none

7:00 pm Department Heads - none

At 7:35 pm Mark Pitkin met with the Board to discuss the work currently being finished by Stantec for culvert replacement work in Town, to be covered by the NH Hazard Mitigation Grant program from disaster # 4095. Pitkin explained that he met with Engineer Dan Tatem and they looked at four areas of Town where the culverts need to be resized. Tatem then submitted funding requests for the Hazard Mitigation Grant Program (4095-NH). Copies of the grant applications and the detail on each project were available.

Questions arose on whether the Town has to pay all bills up front and then be reimbursed, which is how Carlson described most FEMA-grant funding work. Pitkin will follow-up with FEMA. He said if approved, that FEMA HMGP will fund 75% of the culvert work. Each of the projects is nearly \$100,000 in total scope. There were questions about what is needed for reimbursement, and how long the Town had to spend the grant funds if approved.

Pitkin said that he would like to do the one on Sandown Road at Victoria Farm first. The total project cost estimate is nearly \$116,000 (including all engineering and permitting contingencies). Other project areas reviewed and submitted for consideration included North Road at the Brentwood town line, Sandown Road, and Abbott Road.

A full package of information will be copied for Selectmen when the questions from this evening are all answered.

Pitkin then discussed getting a contract in place with Stantec for the beginning of engineering services on the Martin Road Bridge Project. Pitkin discussed beginning this work with the \$40,000 currently in Capital Reserve for this purpose.

The Town does not want to enter into a contract for the total project cost (as outlined by Stantec); but only for the \$40,000 that the Town has on hand for this purpose. It is a contract that will be sent to the new attorney once the paperwork is in order.

Selectmen asked Pitkin about No Parking signs on Shirkin Road. Pitkin reported talking to Interim Chief Wood about this, and Wood is contacting Seacoast United Soccer to place signs.

Pitkin reported that the two Town-owned lots on Red Brook Road have been surveyed and will be further investigated for use by the Town for gravel and sand material. Test pits will be done once the ground dries out.

Discussion moved to the winter plow contracts. St Germain questioned if we need to replace the six-wheeler that was formerly contracted with Leon Holmes Sr. Holmes Sr said that he was probably going to give the truck to Michael Holmes.

Pitkin said that Leon Holmes Jr, Michael Homes, and Steve Chase would like to ask for a higher pay rate for the six wheeler trucks, and they are doing some research into what current rates are, and will then plan to meet with the Selectmen to present their information. Pitkin said this may be a good time to give them some more money and not be responsible for the setup of equipment. St Germain mentioned that the previous expense for equipment set-up on these large truck were not written into contracts as the Town's responsibility

Pitkin suggested the Town could then just take care of the plows, plow cutting edges, and sanders only. All other items such as lights, hydraulics, frames and any other set-up costs would be at the expense of the Contracted Vendors.

Selectmen discussed the contract being re-written to be more specific about who pays for what costs involved in setup to avoid the extremely high costs paid by the Town last year in two new trucks being converted. St Germain reminded Pitkin that no vendor's equipment is to be repaired without his approval.

Holmes Sr discussed a recent situation where Holmes Jr had dropped off a truck at Henderson Welding for some work, and that Pitkin had not been previously notified. There was a confrontational exchange of words between Holmes Sr and Pitkin concerning comments made by Bob Henderson to each person separately. St Germain called order. It was discussed that Mark Pitkin is the Department Head and has a budget that he is responsible to the Selectmen for the budget.

Hunter asked when the vendors may come forward with their research information; Pitkin was not sure. He would like to come to an agreement with the contractors and get the contracts in place for the fall. Last year they were in order by September 1st. The Board's goal is for the same to happen this year, so new information would need to be submitted no later than August 1st for consideration, and any potential changes to the contract verbiage.

Pitkin then asked the Board where they wanted to go with hottopping. He said he would like to finish the end of Shrikin Road (reclaim only, approximately 800 to 1,000 feet); and overlay Rogers Road due to the heavy truck traffic in it. He would also like to get into Poplin Acres, especially the sharp corner at Meetinghouse Road. There was also discussion about Whittier Drive, and getting into some of the subdivisions. Pitkin will come back in with a final list. He would like to get a mile done this year.

Pitkin said that Dan Tatem of Stantec, has also done permitting through NH DES for culvert replacement in the Vetter Drive subdivision. This is work for the 2013 budget year.

Pitkin thanked the Board for their time and left the meeting at approximately 8:30 pm.

VI. OLD BUSINESS

1. Selectmen discussed the respondents for the Police Chief Search Committee. Carlson advised that there had been some concern expressed by respondents about the process. Following further discussion and members outlining their goals, St Germain moved to move forward with the Police Chief ad posting and the Search Committee as outlined. Hunter seconded and the vote was 2-1 with Holmes voting in the negative.

Selectmen reviewed a preliminary task list for the committee and discussed holding a meeting with the members in mid-May (depending on Hunter's work schedule); to introduce the members, and discuss the process.

Carlson was advised to post the job ad in the Union Leader to include a Sunday. Once the final verbiage is complete, it will also be emailed to Hunter for posting on Craig's list.

2. Carlson updated the Board on NHMA and services they provide (and no longer provide). Their new website is www.nhmunicipal.org and all email addresses have all changed to the nhmunicipal.org extension. They no longer provide recruitment or personnel services, and have ceased doing the annual wage, salary, and benefit survey.

3. Selectmen reviewed and approved a certificate for presentation to Reese Bassett. A final version needs to be prepared for signature and the Town's seal.

4. Carlson discussed the disposal of some tax-deeded properties, specifically properties located with in the old Spaulding and Frost commercial site (lots 03-037.000 sublots 003, 004, 005, 006, 007, and 009). Selectmen authorized Carlson to work with St Jean Auctioneers in Epping to do this at no cost to the Town. The options were briefly discussed, and St Jean will review the properties and present a proposal for review.

Selectmen also agreed that some other Town-owned lots that are abutting/backland to other lots could be disposed of (formerly owner or owners unknown) to include 02-009.001, 03-105.001, and 03-107.001.

5. Selectmen reviewed a letter from Diane Gorrow, the Town's new Counsel. The Board was comfortable with a letter of understanding and said they would like to meet the new counsel, next week if that may be possible.

6. Selectmen noted receipt of a letter from Francis and Annemarie Cullen and asked Carlson to follow-up with Interim Chief Wood regarding his final report that had been promised to their son, Andrew.

VII. NEW BUSINESS

1. Selectmen reviewed the payroll manifest \$20,065.22 and accounts payable manifest \$19,147.34 for current week dated 26 April 2013. Motion was made by Hunter and seconded by St Germain to approve the manifests. The vote was unanimously approved 3-0.

2. Selectmen reviewed bills and invoices for payment next week.

3. Selectmen reviewed the folder of incoming correspondence.

VIII. NON-PUBLIC SESSION NH RSA 91-A – none.

The Board did ask that time be set aside at the end of the work session next week to discuss a pending legal matter.

The next regular Board meeting will be a work session, to be held on Thursday May 2, 2013 at 6:00 pm.

IX. ADJOURNMENT – by 9:00 pm

With no further business to come before the Board, motion was made by Hunter and seconded by Holmes Sr to adjourn the meeting at 8:45 pm. The vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson
Town Administrator