

Minutes
Board of Selectmen Meeting
Tuesday June 17, 2014 @ 7:00 PM

Selectmen Present:
Colin Stubbings, Robert Lang and Ernest Hartley

The meeting was called to order @ 7:00pm by Chairman Stubbings.

Chairman Stubbings announced that the meeting was being recorded solely for the purposes of preparing the minutes and that others inside the meeting may also be recording the meeting.

There were no department heads present at this time, but Susan Belyea, Deputy Treasurer was present and Chairman Stubbings asked her how her training was going. Ms. Belyea reported that she has only had one day of training so far. She and the Treasurer, Erik Wagstaff, had not been able to get together last week for additional training due to their schedules. They are planning on more training tonight after the Selectmen's meeting.

Executive Assistant – Ms. Collins noted that she did not have much to report. Brendan Jones has been working very hard and has helped get a lot of the filing done. He has also been working on accounts payable and learning the process. Selectman Lang asked where the deeds went that had been on the desk in the copier room. Ms. Collins said that the deeds had been placed in a box and were initially going to be shredded since the Town Attorney said that under the RSAs the Town was not required to keep them. However, Chairman Stubbings felt that we should keep them and place them in the corresponding property record cards.

Manifests – The manifests were reviewed and signed by the Board.

Old Business

Veillette Court Date – There will be a hearing in the Superior Court in Haverhill, NH on Wednesday June 25, 2014 at 9:00am regarding the Veillette property. Selectman Lang is planning on attending and Chairman Stubbings noted that he might attend as well.

Treasurer – Erik Wagstaff joined the meeting and reported that the training of the Deputy Treasurer is going well. They will be doing more training this evening.

New Business

Abatements – The Town Assessor recommended an abatement for Fairpoint Communications. Apparently FairPoint submitted a report to our assessors which contained a large list of all the

poles that FairPoint has. According to the report FairPoint lists only 250 poles in Piermont. Our assesment is based on 324 poles. As a result, Avitar recommends an abatement of \$23,300 in assessed value, which equates to \$520.76 in tax value. Selectman Lang asked if we knew how many poles we had. Ms. Collins said she has not seen any records that list this figure. Selectman Lang said that he has no issue with the rationale behind the abatement, but is hesitant to sign something if we don't know how many poles we have in Town. The Selectmen wondered where the original count of 324 came from. The Selectmen said that they would like more information before signing the abatement. Selectman Lang asked Ms. Collins to pull the inventories for FairPoint to see if they report any pole information on them. The Board voted to table this abatement until the next meeting.

Tax Deferral Application – Ms. Collins presented the Board with a disabled tax deferral application that had been submitted to the Board. Ms. Collins informed the Board that the applicant had met all the criteria to qualify for the deferral. The Board discussed the applications and it was noted by Ms. Collins that the applicant also had outstanding taxes from 2010, 2011 & 2012. Therefore, even if the Board approved the application, there was nothing stopping the tax collector from deeding the property to the Selectmen based on the 2010 taxes which are outstanding. Ms. Collins also noted that the amount of taxes requested for deferral on the application is more than the amount billed for the 2013 tax year. The amount of taxes that can be deferred, based on what was billed, is \$1,830.00. It is believed that when the application was filled out, the outstanding interest as well, which is cleared out when the deferral is approved.

The Board asked Ms. Collins to calculate the Equity Value of the home and to draft a letter, to be reviewed by the Town Attorney, which explains to the applicant that despite his tax deferral being approved for the 2013 tax year there are still outstanding taxes from 2010, 2011 and 2012. If the 2010 taxes are not paid in full soon or a payment plan worked out with the tax collector then the tax collector can and probably will start the deeding process on the home. The property taxes from 2011, while not legally liened by the Town may be part of the small claims action that the Town is considering against all property owners who have outstanding 2011 taxes and have not made adequate payment arrangements with the tax collector. Ms. Collins will try to have this done for this Thursday's work session. If not it will be ready for the work session on June 26th. Selectman Lang motion to approve the application pending a review of everything by the Town Attorney. Since this is the first deferral application the Town has seen he would like to make sure that we are doing everything correctly. Chairman Stubbings seconded that motion. The Board voted all in favor of the motion.

Veteran's Credit – A veteran's credit application was submitted to the Selectmen for approval. Ms. Collins had reviewed the application and determined that the applicant had been honorably discharge and had served the required amount of time. However, she was not sure if the applicant had been in a qualifying war. The time period that the applicant served qualifies in the all other wars or armed conflict section, but an applicant must also have received a qualifying medal during their service. Ms. Collins could not determine from the list of medals if one of them qualified as an armed forces expeditionary medal or theater of operations medal.

The Board reviewed the list of medals on the DD214 and felt that one of those medals should qualify the applicant. The Board approved the application, pending verification of the medal.

Current Use Applications – Two current use applications had been submitted to the Board and were reviewed by the Town Assessor. The Assessor recommended that the Board approve both applications so long as the applicants made minor changes to their applications. The first application was submitted by Helga Mueller for Map R09, Lot 37. Ms. Mueller had put on her application that she wanted to put her land in current use under the “managed” care category. However, she had not submitted a Management Plan. If she corrected her application to say that the property was to be put in current use as unmanaged then the application could be approved. Ms. Collins got in touch with Ms. Mueller and the correction was made. The Board approved this application.

The second application was submitted by Emory Ackley for Map R04 Lot 06. Mr. Ackley had erroneously identified his property as R14-06. Mr. Ackley e-mailed Ms. Collins and stated that his property should have been listed as R04-06. The Board approved this application.

Timber Taxes – The Board signed timber tax warrants for David and Robert Ritchie (R10-13, R10-10) in the amount of \$1,781.68 and Hal Covert (R10-31) in the amount of \$677.12. A matrix form had been filled out for both cuts. Ms. Collins also mentioned that the Tax Collector had previously returned a Timber Tax Warrant to her because she had billed multiple properties together in one lump sum. Ms. Collins had subsequently returned it to the Tax Collector and said that the Report of Cut lumped everything together. Therefore, Ms. Collins was unable to break it down any further.

The Report of Cut for Ritchie’s was done the same way. Ms. Collins wanted to know if going forward the Board wanted to receive one Intent for each piece of land being cut. It was mentioned that if a logger is cutting multiple parcels for one property owner that are adjacent to one another it would be difficult for the logger to know when he was crossing over onto another lot. The Board would look into this further and would probably contact Jesse Bushaw as well to get his opinion of this matter. Chairman Stubbings also recommended that the timber intents and reports be kept in the property record cards.

Intent to Excavate – Ms. Collins asked the Board what they wanted her to do with the Intent to Excavate from Stacey Thomson. Ms. Collins stated that she had spoken with Helga Mueller and Ms. Mueller had stated that the revised bond had not been submitted. Therefore the pit has not received final approval for operation. Chairman Stubbings asked Ms. Collins to continue to hold on to the Intent and he would discuss this further with the Planning Board when they met tomorrow night. Then the Board would decide how to proceed.

PA-28 Form Request Letter – The Board signed a letter informing the DRA that the Town intended to continue to use the PA-29 Form (Inventory of Taxable Properties) in 2015 and we would like to receive 850 forms. Chairman Stubbings noted that next year the PA-28 would be put on the web page and owners could get a copy from there.

Tax Collector Training – Ms. Collins stated that the Tax Collector wanted to attend a training put on by the NH Tax Collector’s Association. Chairman Stubbings read the following statement: In the course of the last three years the Town has had three different Tax Collectors. The training of these has cost the Town dearly, about \$1,500 each. We are a small Town and can not continue to afford this expenditure. There is a definite lack of funds. The Board hopes they have made some headway in controlling this by changing the position to one of appointment as opposed to election. The current Tax Collector has applied for full scholarship for this year’s certification course (\$550.00), which would help the Town considerably. The course runs for three years and the scholarship has to be applied for each year.

Joint Authorization and Power of Attorney – Ms. Collins stated that in January 2014, then Chairman Lang signed a Joint Authorization and Power of Attorney with HealthTrust, Inc. Since then HealthTrust, Inc and Property-Liability Trust, Inc have terminated their Settlement Agreement. As a result the Town now needs to sign a Joint Authorization and Power of Attorney agreement with Property-Liability Trust, Inc. Chairman Stubbings signed this new agreement.

Flexible Benefits Plan Agreement – Due to changes in several key provisions of PPACA and other recent IRS guidance it became necessary to make changes to the Town’s Flexible Benefits Plan. This revised agreement was signed by Chairman Stubbings.

Indemnification for Damages – Chairman Stubbings asked if anyone was aware of the Town having previously adopted RSA 31:105 Indemnification for Damages. This RSA after being adopted by a vote of the governing body (Board of Selectmen), indemnifies and holds harmless for loss or damage occurring after said vote any person employed by it and any member or officer of its governing board, administrative staff or agencies including but not limited to Selectmen, school Board members, chartered public school trustees, , city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officers, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of the any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destructions was acting in the scope of employment or office.

Selectman Hartley moved to adopt RSA 31:105. Selectman Lang seconded the motion. The Board voted all in favor of this motion.

Minutes – The minutes from the 06/03/14 meeting were reviewed and changes were made. Selectman Hartley moved to accept the minutes as amended. Selectman Lang seconded the motion. The Board voted all in favor of this motion.

Selectman Hartley moved to adjourn to executive session per RSA 91:A-3,2C at 8:04PM.
Selectman Lang seconded the motion. The Board voted all in favor of this motion.

The Board adjourned from executive session at 8:25 PM. Selectman Hartley moved to adjourn from the regular meeting at 8:25 PM. Selectman Lang seconded the motion. The Board voted all in favor of adjourning from the meeting.

Respectfully Submitted,
Jennifer L. Collins

Board of Selectman
Colin Stubbings, Chairman

Approved:

Members of the Public Present at the general meeting as recorded by "sign-in sheet" included:
E. Wagstaff, S. Belyea, and J. Collins