

**Board of Selectmen  
July 12, 2017**

**Present:** Richard C. Edwards, Chairperson, Connie Twombley, Lino Avellani, and Kelley Collins, Town Administrator.

Chairman Edwards called the posted meeting to order at 6:15 p.m. **Mr. Avellani made a motion to enter into Non Public Session under RSA 91-A:3, II (a) and (c). Mrs. Twombley seconded the motion. Roll Call Vote: Mr. Edwards – yes; Mrs. Twombley – yes and Mr. Avellani -yes.**

The Board returned to public session at 6:32 p.m. and voted in the previous Non Public Session to give Toni Bodah a 3% increase from \$24.21 to \$24.94 per hour as Executive Assistant to the Board of Selectmen.

**Mr. Avellani made a motion to enter into Non Public Session under RSA 91-A:3, II (a) and (c) at 6:32 p.m. Mrs. Twombley seconded the motion. Roll Call Vote: Mr. Edwards – yes; Mrs. Twombley – yes and Mr. Avellani -yes.**

The Board returned to public session at 6:55 p.m. During the immediately preceding session, the Board reviewed an annual performance evaluation. The Board unanimously voted to accept the evaluation as presented and have the Department Head review the employee again in 90 days. **Mr. Avellani made a motion to seal the minutes of the immediately preceding Non Public Session indefinitely. Ms. Twombley seconded. Roll Call Vote: Mr. Edwards – yes; Mrs. Twombley – yes and Mr. Avellani -yes.**

**Mr. Avellani made a motion to enter Non Public Session at 6:55 p.m. under RSA 91-A: 3, II ( ) litigation threatened in writing. Mrs. Twombley seconded. Roll Call Vote: Mr. Edwards – yes; Mrs. Twombley – yes and Mr. Avellani -yes.**

The Board returned to public session at 7:05 p.m. The Board voted to authorize the Town Administrator to work with the Town Attorney to draft a letter of response to the potential litigant. **Mr. Avellani made a motion to seal the minutes of the immediately preceding Non Public Session indefinitely. Ms. Twombley seconded. Roll Call Vote: Mr. Edwards – yes; Mrs. Twombley – yes and Mr. Avellani -yes.**

The Board moved to the conference room where those present included: Toni Bodah, Secretary; Tom Beeler, *Carroll County Independent*; Fred Guldbrandsen; Liz Olimpio; Janice & John Hotchkiss; Ed Comeau (videographer); Donna Martin (videographer); Sgt. Mike Fenton; Relf Fogg; and Steve Brown.

Mr. Edwards led all in the Pledge of Allegiance.

**1. Appointments**

**a) Liz Olimpio, Sanbornville United Methodist Church** – Ms. Olimpio referred to the decision of the Board of Assessors to remove the tax-exempt status of several local non-profit organizations, including the SUMC. This occurred as a result of those organizations to file paperwork in a timely manner as required by State law. According to Ms. Olimpio, in previous years when certain groups have filed late, the Board of Assessors let the issue go. However, not so this year. Ms. Olimpio stated that the penalty should be commensurate with the tardiness of the filing, which she does not believe is the case. Ms. Olimpio read a portion of the relative RSA (72:23-c), noting the application may be received late if the filing organization can prove this was a result of “accident, mistake or misfortune.”

The SUMC filed only 5 days late. Ms. Olimpio referred to the disability encountered by one individual, as well as the loss of a family member by another. They have been unable to determine where the original reminder letter from the Board of Selectmen went. Ms. Olimpio stated that the Attorney General has suggested that the Board of Assessors treat this as a transition year. She stressed that it is discriminatory to reclassify some local groups but not to do so to others, of whose existence the Town may not be aware. Ms. Olimpio referred to case law by which one cannot change the status of a non-profit church into a private business with the stroke of a pen.

Ms. Collins noted that only 4 entities out of all those to whom reminder letters were sent did not meet the filing deadline. The Assessing office is not required to remind these organizations; it has done so as a courtesy. The transition year was 2013. The SUMC was notified that year that the property would go back on the tax rolls, although this did not actually occur. Ms. Collins stressed that the Board of Tax and Land Appeals is the appellate board, or the Supreme Court. The Board of Selectmen has no jurisdiction over the Board of Assessors. Mr. Avellani provided a BTLA form, the filing cost for which is \$65.

## **2. Unscheduled Matters/Public Comment #1**

--Mr. Comeau asked for the relative RSA, which is 72:23-c. Mr. Comeau stated that it appears as though the RSA needs to be adjusted. He questioned why a church should have to file over and over again. Ms. Collins advised that it is not just churches—it is all non-profit organizations. She added that the law is in place to protect all taxpayers. It is not uncommon for some organizations to cease to exist and, therefore, all must confirm their tax exempt status each year. A specific form must be filed between January 1 and April 15 each year. Mr. Comeau would like to determine an easier way for this to occur. Mr. Guldbrandsen referred to the problem being that all this filing is done by volunteers. Ms. Collins stressed that no one has taken away the SUMC's status as a church. Its tax exempt status has been removed as it relates to property taxes. Every 5 years the Department of Revenue Administration examines the Towns with the purpose of "Certification." In 2013 the Wakefield Board of Assessors was written up because of number of otherwise eligible organizations did not file at all. The Assessors should have put those properties back on the tax rolls; however, due to an error, this did not occur. Therefore, the SUMC already had their transition year; in fact, they have had 5. 2018 is our next Certification year, and the Board of Assessors does not want to be written up again. Although he did suffer a loss, Mr. Guldbrandsen was back in Town in March and had opportunity to file in a timely manner.

--Ms. Hotchkiss, of the Union Congregational Church, referred to a number of personal issues she faced over the past year. She also read RSA 72:23-c aloud, then spoke to the benefit to the community provided by area churches. Ms. Hotchkiss asked that all this information be considered in this issue.

--Mr. Hotchkiss asked with what board an abatement application is filed. Ms. Twombly advised that would be filed with the Board of Assessors.

--Mr. Beeler wonders whether the system should be turned around, by penalizing those institutions found to be filing falsely rather than penalizing those who fail to file.

## **3. Unfinished Business**

**a) Auction of Tax Acquired Property** – Ms. Collins advised that the auction is now advertised on the web site. Rick Sager requires a Power of Attorney from the board in order to conduct the auction.

Ms. Twombly moved to execute the Power of Attorney to auction the 7 properties listed on that document. Mr. Avellani seconded the motion, which passed 3-0.

#### **4. New Business**

**a) Tax Acquired Property – Bedrock Road** – Ms. Collins referred to the tax deeding process, whereby at least 6 years of property taxes are owed by the time the Town auctions the property. Some properties involve various fees—such as road association dues. Ms. Collins suggests that when such a fee is involved with a tax-deeded property, the Board consider disposing of that property prior to the 3-year redemption period (in accordance with RSA 80:89). This could be done on a case-by-case basis. The Town cannot assess past due association dues to a new owner. Ms. Collins referred to a scenario whereby a town takes ownership of mobile homes located within a park.

**b) Raffle Permit Request** – RSA 287-A requires a permit from the Board of Selectmen in order to conduct a raffle. Ms. Collins noted that this is a way to keep the Board aware of such activity, as it may receive calls from the public who are concerned about a scam. **Mr. Avellani moved to approve the request of St. Anthony of Padua Parish to conduct a raffle, which permit shall expire on July 31, 2018. Ms. Twombly seconded the motion, which passed 3-0.** Mr. Comeau was advised that there is no cost involved with this permit.

**c) Public Works Mutual Aid Program** – Ms. Collins noted that both the Fire/Rescue and the Police Departments have mutual aid agreements. She referred to recent catastrophic events in Grafton. Other towns were not hit by difficulties and were able to assist Grafton. There is no cost to belong; however, a receiving town would need to pay responding towns for services provided. Likewise, we would bill other towns for services provided to them in a similar situation. Each town can choose whether it will provide aid. **Mr. Avellani moved to enter into the NH Public Works Mutual Aid Program, thereby being good neighbors. Ms. Twombly seconded the motion, which passed 3-0.** Mr. Edwards executed the agreement.

**d) Strafford Regional Planning Commission MPO TAC** – SRPC is seeking Wakefield representation. **Mr. Avellani moved to appoint Steve Brown to the SRPC MPO TAC for the applicable term. Mr. Edwards seconded the motion, which passed 3-0.**

**Mr. Avellani moved to appoint Relf Fogg as the alternate to the SRPC MPO TAC for the applicable term. Ms. Twombly seconded the motion, which passed 3-0.**

#### **5. Proposed Capital Reserve Fund Expenditures**

**a) Invasive Species \$3375 – Province Lake Assoc** – The Board previously approved PLA's request for funds. A motion is required to release the funds from the CRF. **Ms. Twombly moved to approve the expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.**

**b) Invasive Species \$3875 – Lovell Lake Assoc** – See remarks above. **Ms. Twombly moved to approve the expenditure as presented. Mr. Avellani seconded the motion, which passed 3-0.**

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**c) Invasive Species \$7500 – BLIMP** – See remarks above. **Ms. Twombly moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.**

**d) GWRC \$1400** – The purpose of this expenditure is an initial payment for exterior painting. **Ms. Twombly moved to approve this expenditure as presented. Mr. Edwards seconded the motion, which passed 3-0.**

**e) PSB II \$19.50** – this represents the cost to advertise the sprinkler project. **Ms. Twombly moved to approve this expenditure as presented. Mr. Avellani seconded the motion, which passed 3-0.**

**6. Correspondence**

**a) Tim Krafon re: Abatement of Dog License Fines** – Mr. Krafon is requesting an abatement of dog licensing fines. He will delay having his dog get required shots until the end of July, by which time his dog will no longer be nursing her pups. **Ms. Twombly moved to extend the deadline for Tim Krafon to license his dog until July 31, 2017. Mr. Edwards seconded the motion, which passed 3-0.**

**b) Primex Contribution Assurance Program** – Ms. Collins noted that last year PLT dissolved. The Town now has its workers' comp and unemployment insurance with Primex, while the property liability insurance is with Travelers. An effort is being made to create a new municipal insurance group, currently in the study stages, in order to provide competition for Primex. Ms. Collins spoke to several issues with our coverage with Travelers. Primex is now offering us the opportunity to lock-in to a maximum 8% increase per year for the next 3 years for workers comp insurance. Ms. Collins does not recommend this action. She stated it is important to encourage the new municipal insurance group. Rates with Primex may not necessarily exceed 8% in any event, and the Town has not had many claims this year. Ms. Collins noted it is premature to enter a 3-year program with Primex when this new group is so close to writing workers comp. We are already \$7000 over budget with Travelers. Perhaps we could consider the Primex offer if they are willing to extend the deadline. Mr. Avellani is hesitant to lock future boards into this action. Ms. Collins will determine whether Primex is willing to extend their offer.

**7. Unscheduled Matters/Public Comment #2**

--Ms. Olimpio may be contacting the Town about replacing the electric doors at the Greater Wakefield Resource Center to the tune of \$3500.

--Mr. Guldbrandsen asked how the Town would get out of the Public Works Mutual Aid Program if it so desired. Mr. Avellani suggested that a vote of the Board should suffice. Ms. Collins added that the Town could just never avail itself of the available resources.

**8. Administrative Matters**

**a) Town Administrator's Update**

--The next Court date for Dollar General is August 17 at 1 p.m.

--The new municipal insurance group was already discussed.

--Ms. Collins distributed draft revisions to the Town's Personnel Policy.

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--Ms. Collins will hold the next department head meeting on Thursday, July 20, at 4:30 at Town Hall. If more than 1 Board member expects to attend, the session should be posted.

--Chief Fifield would like to put the 2010 Ford Crown Vic out to bid. Sgt. Fenton confirmed the vehicle is not worth passing along to another department. The Board approved putting this vehicle out to bid.

--The need to revisit the current wage chart has been discussed during various performance reviews. Ms. Collins would like to solicit new information, to include benefits. She provided a list of towns to contact, having chosen towns similar in population, as well as geographically attractive towns. Mr. Edwards questioned use of some of the towns on the list. Ms. Collins would like to keep the list in tact, knowing that not every town will respond. She would also throw out the high/low responses. The Board agreed to the list and to the solicitation. Ms. Olimpio noted that reference to the schools in each town is also an important factor.

--Ms. Collins is working with Harry Wesson, owner of the Lovell Lake Market, to address issues relating to use of the Town Hall rear parking lot.

--Ms. Collins obtained prices from Hales to address lawn maintenance at both the Spinney Meeting House and the East Wakefield School, and has passed that information along to the Heritage Commission. East Wakefield School: \$700 for clean up mow, trim and haul away debris, then \$55/cut thereafter. Spinney Meeting House: \$300 for clean up, mow, trim and haul, then \$60/cut thereafter.

**b) Building Permit Releases** – None received.

**c) Petition and Pole License** – Mr. Avellani moved to approve the petition for Brackett Road, as presented. Ms. Twombly seconded the motion, which passed 3-0.

**d) Payment Manifest** – Ms. Twombly moved to approve AP #23 in the amount of \$756,121.12. Mr. Edwards seconded the motion, which passed 3-0.

**e) Minutes** – Mr. Avellani moved to approve all minutes of June 28, 2017, as presented. Ms. Twombly seconded the motion, which passed 3-0.

**Mr. Avellani moved to approve all minutes of July 3, 2017, as presented. Ms. Twombly seconded the motion, which passed 2-0-1 (Mr. Edwards abstaining).**

**f) Selectmen's Work Session**

--Mr. Edwards advised that the plumbing project at the public safety building is nearly complete. The insulators are due around the first of August. The sprinkler company is developing plans and expects to be on site on the 17<sup>th</sup>.

--Mr. Avellani apologized to Ms. Collins, who had interest in serving as alternate representative to the SRPC MPO TAC. Mr. Fogg is willing to step aside. **Mr. Avellani moved to appoint Kelley Collins as the alternate representative to the SRPC MPO TAC. Mr. Edwards seconded the motion, which passed 3-0.**

**At 8:31 p.m. Mr. Edwards moved to adjourn. Ms. Twombly seconded the motion, which passed 3-0.**

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Approval of Minutes:

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Richard C. Edwards, Chairperson

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Connie Twombly

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Lino Avellani