

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Tuesday May 9, 2023

Town Hall

6:30 PM

Select Board members present: George Willard, Bill Ezell, and Ken Caisse

Other Attendees: Peter Allen, Russ Huntley, Connie Kieley, Kent Perry, Steve Anderson, Bruce Kullgren, Ben Fisk, Emily Sliviak, Amy Cabana, Allan Pickman, Gail Cromwell & Jessica Hipp

Meeting called to order by Ezell at 6:30 PM.

Chairman Comments: *None*

Public Comment:

** Peter Allen asked for an update on the electric company contract. Ezell noted this is a complex process and he has been in touch with other towns and is still looking into this. Allen also noted that they still need an investment policy written as pointed out by our auditors. Ezell asked that this be added to the next agenda.*

** Cromwell noted that the flag pole looks really good with the recent paint job.*

Old Business:

- 1. Code Enforcement Officer/Parking Zoning Fee Update – No Update**
- 2. Background checks & policy update – Caisse sent out a draft policy and will meet with the Library this week to go over their part.**
- 3. ARPA funds – Town Common Well, Ballfield, fencing, playground estimates etc. – Ezell noted we need to wrap this up. Maybe hold a public forum. Ezell added that anyone can email the board assistant with ideas. Ezell noted we do have a couple of ideas on what to use the money for. Peter Allen stated there is about 42K left in the fund to spend.**
- 4. Update on Alarm System vendors – No Update**
- 5. Legal Meeting update – Flag Policy – Ezell noted they met with the town attorney and the options are to say no flags or banners can be located on town property with an exception list, or we make a very specific list of permitted flags, dates, locations. Ezell noted that we cannot ban content. Caisse added maybe start with only allowing the American and state flags at specific locations. Ezell agreed noting we can amend the policy later if need be. Willard added some language ideas. Ezell will let the attorney know we want to go with a restrictive policy and have them draft it up.**
- 6. Compensation policy update – Ezell read out loud a draft cost of living rate increase policy he created. Caisse noted we should list out each job position that is eligible. After some additional comments, Ezell noted he will finalize the document adding that this policy is to address the cost-of-living rate adjustments only. There are already other policies in place for all other types of increases.**
- 7. Russell LUCT adjustment – Ezell noted Avitar removed the driveway portion from the LUCT and provided a revised amount of \$5900 down from \$6500. The board signed the amended abatement request.**

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New Business:

- **Broadband Wrap up:** *Jessica Hipp reported that the entire town now has access to high-speed internet. We are wrapping up with Fidium and need to sign the completion form and pay the final 25% installment. This payment will come from the bond money which is in a special bank account. Hipp noted going forward, the pricing is on the website and all NH towns have the same base rate. The subscriber rate is \$14 for Temple and can go down, but never up. Hipp noted we have a direct phone line to Fidium that people can call if they have any problems. The broadband committee should now be disbanded. Hipp added she will send out an Eblast with all of this information. Ezell thanked Jessica and the broadband committee for all their hard work, it has been great. Ezell moved that we declare the contract finished and we pay the final installment. Caisse seconded all were in favor, motion passed.*
- **Review of Cournoyer Land:** *Allan Pickman noted that at town meeting 59% of voters voted in favor of the Sklandany land as the best site for a new Highway garage, which is pretty substantial. Pickman added that some people in town do not think the TLUC has looked hard enough on what can be done at the existing site. Pickman said the amount of land at the current site is not sufficient and he listed several other issues. Pickman added that the Cournoyer site has a steep slope and it crosses 2 wetlands. Any expansion of that land would require a lot of work and would threaten the town well as does the current highway garage location, and it is too small. The Skladany land has no such concerns.*
- **Request for Reconsideration of Fisk LUCT:** *Cromwell read a statement regarding her belief there was an inaccurate LUCT amount charged to Ben Fisk for Tax Map 2A Lot 17. Cromwell noted this complaint is against Avitar not the owner. Ben Fisk addressed the board and said he is sick of Cromwell's harassment which has been going on for years. Cromwell noted she was not going after him she was just trying to follow the law. Sliviak commented that Cromwell has debated this issue for some time now and she hopes the select board does not put any value in what Cromwell is saying now, and leaves this up to the tax professionals. Sliviak added that Cromwell continues to harass the business and Ben noting she is bias and this needs to end now. Ezell noted he has spent hours and hours working with Avitar on this. It has also been reviewed by the Avitar supervisor who is also on the state assessor's board. Ezell added that we are not tax assessors or assessing professionals and we go by what the professionals recommend. (See attachment #1). Cromwell added she wants them to do their job and find out the correct commercial value. Willard feels this conversation has gone on long enough. Ezell stated that both he and George agree that we go by what our assessors say end of story.*
- **Highway Garage Location:** *Sliviak asked that her group be able to discuss, address concerns, ask questions, and be allowed to talk back-to-back without interruption. Connie Kieley noted it would be better to postpone this discussion until Tim Fiske returns from vacation since he is the most knowledgeable. Sliviak asked if the board will share their opinions on the current highway garage since the group feels it is being rushed. Caisse noted they are not taking into consideration the whole project so he cannot support it. Willard thinks the study should continue until the next town meeting. Ezell noted it is up to the town to decide. Sliviak feels there needs to be more work done on the current site. Amy Cabana commented that they have spent hours going over documents and feel there is more work that needs to be done. Cabana*

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noted that people need to be updated with all of the information including the associated costs. Cabana wanted the board to guarantee that no taxpayers money would be spent until more research is done. Ezell commented that they do not have that kind of control of the money. They cannot stop the spending of money voted on at town meeting for specific warrant articles. Peter Allen commented that of all the warrant articles voted on in the past few years, no decisions have been made on actually moving the highway garage. We need professionals to come in and figure this all out. Russ Huntley added that he took a walk on the Cournoyer land and if managed and cleaned up properly, it could be better. Huntley believes doing a study of this land would be cheap in comparison and this way we have the facts. Allan Pickman reminded that the voters voted at town meeting and made a decision on the Skladany land and they are within their rights to proceed with engineering studies. Temple will always have roads that need to be paved, plowed, etc. Cromwell added the TLUC committee is having a meeting on Monday, anyone can come, they would like to hear their opinions. Bruce Kullgren handed Ezell a petition warrant article for a special town meeting which Ezell noted they cannot refuse. Ezell read the two warrant articles. Kullgren offered if there is some way for the Select Board to authorize holding off on any progress on the Sklandany land, their group would withdraw the petition. Ezell noted they cannot override a town meeting warrant article and forbid them from spending the money for more studies. And they cannot establish a standing committee either. Caisse commented he was not privy to the meeting with the Municipal group and he needs to sit down and find out what is going on before having an opinion. Caisse noted we should get legal counsel involved as well. Steve Anderson noted we need at least 50% of the electoral to attend the special town meeting to override a warrant article. The idea is to just put the brakes on and not compete with the TLUC. Anderson also suggested that Thursday night is the best night to hold the meeting. Connie Kieley noted they want to do all these engineering studies and surveys and she wonders where that money is coming from. Anderson noted it is coming from the group. Ezell concluded that they will research what needs to be done next.

- **ARPA Funds – Town Clerk Ideas:** *Ezell reported that the town clerk has suggested a couple of ideas for ARPA fund use. Caisse added they are asking for 2 4 drawer fireproof files, and a copy machine for the office. Ezell said we need the fire proof files and can move forward getting quotes. Caisse and Ezell said the copier is a CIP thing and we need to get them involved. We can get this in place for next year.*
- **Review 2 fence quotes from the Library:** *Caisse noted he asked for 2 quotes and got them but they were for two different kinds of fences and he needs to see quotes that are comparable. Caisse noted he will be attending the Library meeting on Thursday and will bring this to their attention.*
- **Reappoint Dan Cournoyer to the Rec Dept 3-year term** – *Caisse moved to reappoint Dan Cournoyer to the Rec Department for a 3-year term. Ezell seconded, all were in favor, motion passed.*
- **Appoint Jennifer Kiley to the Rec Dept 3-year term.-** *Willard moved to appoint Jennifer Kiley to the Rec Dept. for a 3-year term. Caisse seconded, all were in favor, motion passed.*
- **Review & Approve Notice of Intent to cut – Jenks – West Rd.** *The board reviewed and signed the notice of intent.*

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- **Review & Approve Solar tax Exemption – Clark – Moran Rd.** *The board reviewed the application and Avitar recommendation. Caisse moved to approve the solar permit application. Ezell seconded, all were in favor, the board signed the application.*
- **Review Jeta Grove Religious Exemption application.** *Caisse noted this is the annual paperwork for their tax exemption and noted that based on Avitar's recommendation, he moves to approve. Willard seconded the motion, all were in favor, motion passed.*
- **Approve Rec Dept Subcommittee Town Scales, appoint Steve Anderson & Scott Junior:** *Caisse noted we talked about this at the last meeting adding that the Recreation department has recommended forming a subcommittee for making the town scales usable again. Ezell moved to create the subcommittee and to appoint Steve Anderson and Scott Junior to this committee with Ken Caisse as the select board liaison. Willard seconded the motion.*
- **Approve Select Board Meeting Minutes April 25, 2023:** *Caisse moved to approve the minutes from April 25th as amended. Willard seconded the motion, all were in favor, motion passed.*

Other Business:

None

Committee Updates:

- *Ezell noted he attended a recycling committee meeting and added that costs will be going up a lot this year as they have several upcoming expenses including EPA fixes.*
- *Willard noted he attended a SAC meeting and they are using an outside contractor to review everything including the articles of agreement and all of the 9 schools, with the intention of having something completed by December. At that time, they may ask the towns to change the articles of agreement and he believes they are targeting Temple to remove them from the Conval school district.*

Non-Public Session:

Meeting Adjourned: *Motion to adjourn by Willard second by Caisse. Meeting adjourned at 8:20 PM*

Next Select Board Meeting: *The next select board meeting will be held on **Tuesday May 23rd** at the town Hall main room at 6:30pm. Meeting minutes respectfully submitted by Carole Singelais*

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Attachment #1

From: **Evan Roberge** <evan@avitarassociates.com>

Date: Wed, May 3, 2023 at 2:54 PM

To: Board Assistant <boardassistant@templenh.org>

Hey Carole,

I can not keep going back and forth with Gail. We made a recommendation based on the information provided and available. If the Board wants to adjust it, that is completely up to them. However, while I respect Gail's drive, history and knowledge, she is using sections of the rules and statutes that fit her opinions and ignoring facts that I have mentioned several times. To start with, when we initially did the LUCT and to this day the current use files were extremely lacking, especially the current use map. As I mentioned before with the information I had, the initial site was already out of current use, been paying taxes on a buildable lot, etc. and again the current use files were lacking, appeared it would at least abut or be contiguous with this area being disturbed, it is not like the commercial site is hundreds of feet away, and it will still be one site going forward, albeit a commercial site.

I 100% agree with Gail that a commercial site is more valuable than a residential site, and the assessment on the property will reflect that. I also agree with Gail that the LUCT, **had there not been** a site already out of current use, that the LUCT would be \$10,000 (or more). But if you have a site that is already out of current use (NICU) that holds the bulk of the weight, then that site gets expanded (still staying one site) you could not assess as another site, then you would be inflating the value of that property, in this case using Gail's Methodology, you would have the initial site at for example \$100,000, then they disturb more and assess that at \$100,000 also, for a total of \$200,000.

For example, if you have a 7 acre property 100% in current use and you initially disturb 0.5 acres for a house site, most of the weight is in that 0.5 acres, so let's say that comes out at \$60,000 (\$6,000 LUCT) for example, if in the following year they disturb another 0.5 acres for a barn or garage, expand the lawn, etc. it cannot then come out at the \$6,000 again, as most of the value is in the initially house site that was previously removed from current use, it would come out at typically the excess acreage rate (could be \$2,000, \$3,000/acre, depends on the sales at the time). That is the similar situation here.

The higher LUCTs that Gail is referring to are properties that DID NOT have a house site already out of current use (was 100% in current use), and therefore, it could be released at a buildable site value, which holds most of the weight, etc.

Lastly, I have spoken with a few DRA employees and more importantly my superior, Loren Martin who is on the ASB (Assessing Standards Board) and while there can be opinions that differ in the assessing world, as not everything is black and white, all stated releasing the area using the excess acreage rate (in this case \$2,000/acre) was accurate and reasonable.

Going forward, as Gail has no standing in the matter and as the Board already issued the LUCT, it has since been paid, etc., they need to simply tell her that they did their job and it's done.

I hope this helps, Evan

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