

**DRAFT, SUBJECT TO REVIEW, CORRECTION AND APPROVAL**

**DUNBARTON BOARD OF SELECTMEN  
MINUTES OF MEETING  
THURSDAY, SEPTEMBER 26, 2013  
TOWN OFFICES – 7:00 P.M.**

The Dunbarton Board of Selectmen held their regularly scheduled meeting at the above time, date and place with Les Hammond, Chairman, presiding.

The following were present:

Les Hammond, Chairman  
Ted Vallieres, Selectman  
Line Comeau, Town Administrator  
Alison Vallieres, Recording Secretary

Travis James, Selectman, was absent due to illness

**Members of Boards/Committees and Town Officials:**

Linda Landry, Town Clerk  
John Stevens, Energy Committee  
Patrick Bowne, Transfer Station Manager  
Jon Wiggin, Fire Chief

**Members of the Public:**

None

Les Hammond, Chairman, called the meeting to order at 7:00 p.m. with two members of the Board of Selectmen present along with Line Comeau, Town Administrator, and Alison Vallieres, Recording Secretary.

**APPROVAL OF PREVIOUS MEETING MINUTES (Thursday, September 19, 2013)**

***MOTION:***

*Ted Vallieres made a motion that the Dunbarton Board of Selectmen approve the minutes of the Thursday, September 19, 2013 Board of Selectmen's meeting as written. Les Hammond seconded the motion. The motion passed unanimously.*

***MOTION:***

*Ted Vallieres made a motion that the Dunbarton Board of Selectmen approve the minutes of the Thursday, September 19, 2013 Non-Public Executive Session of the Board of Selectmen as written. Les Hammond seconded the motion. The motion passed unanimously.*

**OTHER BUSINESS:**

**Welfare Director Insurance:**

Line Comeau, Town Administrator, stated she had received the invoice for the Welfare Director's insurance for the Food Pantry that is at her home. The Salvation Army is requiring a Certificate of Insurance from the Town of Dunbarton. Based on this fact, the Welfare Director is requesting that the cost for the additional

insurance be paid by the Town. She would recommend taking it from the \$2,000 allocated for the Salvation Army within the Welfare Budget.

*The Board of Selectmen reached a consensus that the insurance amount should be taken from the Welfare Budget line of \$2,000 for the Salvation Army but that the Town of Dunbarton should receive a copy of the insurance policy to keep on file. Will hold up on payment of the premium until the policy is received by the Town.*

**Flu Immunization Clinic:**

Line Comeau, Town Administrator, announced that there will be two Flu Immunization Clinics for Flu Shots as follows:

Dunbarton Elementary School - Monday, September 30, 2013 from 11:00 am - 12:00 noon

Dunbarton Congregational Church - Tuesday, November 5, 2012 from 9:00 a.m. - 11:00 a.m.

**Tax Rate Setting:**

Line Comeau, Town Administrator, reported that all the forms necessary for the setting of the Tax Rate have been sent to DRA. Have the option of either having DRA come to Dunbarton or traveling to the DRA Offices.

*The Board of Selectmen agreed to take either option, whichever came first.*

**Stil-Mac Proposal for Replacement of Railings on Balconies of Town Hall:**

Stil-Mac presented a proposal for replacement of railings on the balconies of the Town Hall. Due to the fact that the replacements will be PVC, it was suggested that Tiffany Dodd be contacted to be sure it would not affect any grant applications, etc. because of a change in the historic features of the Town Hall.

**PUBLIC HEARING PURSUANT TO THE PROVISIONS OF RSA 231:163 AND 43:2 FOR THE PURPOSE OF CONSIDERING AMENDING ALL EXISTING POLE LICENSES TO INCLUDE LANGUAGE REGARDING TAXATION PURSUANT TO RSA 72:23**

Les Hammond, Chairman, opened the Public Hearing for the Pole Licensing at 7:20 p.m.

Stated the reasons for the Public Hearing were as follows:

1. Considering amending all existing pole licenses to include language regarding taxation pursuant to RSA 72:23.
2. Consider adopting a revised Pole and/or Conduit License form which will include the language regarding taxation pursuant to RSA 72/23.
3. To determine if it is in the best interest of the public good to amend the pole licenses so that they are consistent with the property taxation statutes RSA 72:23.

Copies of the Revised Petition for License (Document #1), Sample form for the Town to issue the pole license (Document #2), and a Resolution to be signed by the Board of Selectmen (Document #3) were presented. Les Hammond, Chairman, read the Resolution for the record as follows:

*"Pursuant to the provisions of RSA 231:163 and 43:2, the Board of Selectmen held a public hearing on September 26,, 2013, to determine if it would be in the best interest of the public good to amend all of*

*the existing pole licenses issue by the Town of Dunbarton through September 26, 2013 to include language regarding taxation pursuant to RSA 72:23.*

*As a result of the public hearing the Board of Selectmen have found it is in the best interests of the public good to amend these existing pole licenses to include the following language:*

*As a result of the public hearing, the Board of Selectmen have found it is in the best interest of the public good to amend these existing pole licenses to include the following language:*

*In accordance with the requirement of RSA 71:23, I (b), this license is granted to the licensee(s) subject to the condition that the licensee(s) and any other entity using or occupying property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay duly assessed personal and real property taxes when due shall be cause to terminate this license.*

*In accordance with the requirements of RSA 72:23, I (b), the licensee(s) hereunder and any other entity using or occupying the property of the municipality pursuant to this license shall be responsible for the payment of, and shall pay, both current and potential real and personal property taxes when due. Furthermore, in accordance with the requirements of RSA 72:23, I (b), the licensee(s) and any other entity using and/or occupying property of the municipality pursuant to this license shall be obligated to pay real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying the property of the licensor pursuant to this license.*

*In addition, the Board of Selectmen has found it to be in the best interests of the public good to adopt a revised Pole License form to be used by the Town of Dunbarton effective September 27, 2013 that includes the same language noted above for all future pole licenses to be issued in the Town of Dunbarton. "*

At this point in the Public Hearing Rachel Goldwasser, Orr and Reno Law Firm, stated she was representing Unifit and wanted to make sure that any changes would not be retroactive.

John Stevens, Energy Committee, stated he was not totally sure he was clear on the process.

Les Hammond stated that when utility companies put in a pole they make a sketch of it and make out a form that comes to the Board of Selectmen. The Board of Selectmen sign it on behalf of the Town and the Town Clerk keeps it on file in perpetuity. The pole is subject to a tax. 2012 is the first year it is subject to a tax. There was a law that they were taxable and it was put "on hold". We did not tax the poles for many years. The State Law was on hold. Last year they did not renew the "on hold" clause therefore poles will be taxed.

John Stevens stated he has a pole halfway up his driveway. Is the tax applied to the utility company.

It was noted the utility company is the one who will be paying taxes on the poles and not the homeowner.

**MOTION:**

*Ted Vallieres made a motion that the Dunbarton Board of Selectmen accept the Resolution as presented, read above and written including the new language (Document #3). Les Hammond seconded the motion. The motion passed unanimously.*

John Stevens noted that Linda Landry, Town Clerk, has to process a form on this and the Town get money from the utility companies. This is a revenue to the Town versus the cost of forms and administrative costs.

It was noted that in 2012 the Town received taxes of \$26,000 for poles.

Les Hammond stated that there are still poles going along the old road on Mills Hill by Stanley Soule's house and because of where they are, I think they are older. They were put there before 1950 when the road was moved. The Town still taxes these poles.

**MOTION:**

*Ted Vallieres made a motion that the Dunbarton Board of Selectmen accept the form regarding "Ordered" as written for the purpose of issuing the pole license (Document #2). Les Hammond seconded the motion. The motion passed unanimously.*

Linda Landry, Town Clerk, asked if the revised Petition for License Form included a blank for the Town Clerk to list the Book and Page numbers.

It was noted that there was a blank for the Book and Page to be written on page 3 of the Petition for License.

**MOTION:**

*Ted Vallieres made a motion that the Dunbarton Board of Selectmen accept the revised form for "Petition for License" as written. (Document #1) Les Hammond seconded the motion. The motion passed unanimously.*

At this point, the Public Hearing was closed.

**OTHER DEPARTMENTS:**

**Linda Landry, Town Clerk -**

No business.

**Jon Wiggin, Fire Chief -**

No business. It was noted his budget looked very good at this point.

**Patrick Bowne, Transfer Station Manager -**

Patrick Bowne, Transfer Station Manager, appeared before the Board of Selectmen to discuss the following issues for information and approval by the Board of Selectmen:

**Hiring:**

Presented two applications for applicants which he stated he would like to hire for the Transfer Station. Stated he had checked their references and contacted former employers and it was all positive. One of the applicants already has a CDL License. He requested permission from the Board of Selectmen to hire both applicants.

*The Board of Selectmen agreed with the hiring of both applicants to work at the Transfer Station as part-time employees effective 10/1/2013.*

Patrick Bowne noted that one of the applicants has a planned vacation for the week of October 10, 2013 so he would start the following week. One of the applicants has done some truck maintenance work.

Line Comeau asked if either of the applicants had indicated how they heard about the position. Patrick Bowne stated that one lived in Town and could have seen the sign at the Transfer Station and the other probably saw the advertisement in the Concord Monitor.

**Equipment Repairs:**

Noted there is one container that needs to be welded. Bill Nichols is willing to do the welding on it. All the containers need patching.

**Recycling Materials:**

Waiting to ship some materials. Trying to get a vendor. Have made a couple of calls. Have 50,000 lbs. of paper waiting to go, 18 bales of plastic, and 17-18 bales of other products. Hope to start moving the materials Tuesday of next week.

**Lights at Transfer Station:**

Stated that he had copies of the Ligh Tec, Inc. Summary Reports submitted. (attached) It would be up to the Selectmen to chose what we should do about lighting at the Transfer Station.

John Stevens noted that there is a big difference in cost between the Metal Halide and LED Lighting. He would not be in favor of going with the most expensive lighting at any cost. Should consider the Metal Halide lighting which is the lowest cost. Halide lights would lose 1/2 the life after 10,000 hour which would mean you would lose about 35% of its brightness. LED lights will last for 100,000 hours.

Les Hammond asked how much we are going to be running the lights.

John Stevens noted he had done a spread sheet regarding usage. It came up with the normal hours of running the lights would be about 128 hours per year. Bumped it up to 150 hours a year. A Metal Halide light is rated for 20,000 hours with losing about 1/2 the brightness by 10,000 hours. These lights would look like on-coming headlights. Asked if the Selectmen wanted to put in a pole or have them mounted on the building. The Compactor Building vibrates causing issues with lights mounted on it.

Need lights for safety reasons.

At this point in the discussion, Ted Vallieres asked why we were not considering contacting Public Service regarding rental of two lights. This way, they would be responsible for maintenance on them. We would only pay a rental fee instead of installation, etc. We already have two pole lights that we pay Public Service rental for. This way we would not have to pay the cost of new poles, etc.

Patrick Bowne noted we need lighting down by the burn pile. This area is shadowed.

*Patrick Bowne will contact Public Service Company regarding getting rental lighting at the Transfer Station and estimates as to cost, etc.*

**Jon Wiggin, Fire Chief:**

**Use of Upper Town Hall:**

Noted that there will be a Tailgate Party on the Common. There will be other events at the Upper Town Hall. Someone needs to regulate these events. There should be some sort of control. It was noted that there will be someone at the bottom of the stairs counting the number of people who are upstairs so it does not exceed 50 people.

Jon Wiggin also noted there are all sorts of ADA issues if these events are opened to the public. The ADA is very strict about these requirements. If we are opening this area to the public, we should be ADA compliant. He stated he is only responsible for the number of people allowed upstairs because of fire issues, etc. He is not an ADA person.

Ted Vallieres suggested that ADA requirements be investigated before allowing any public in the Upper Town Hall.

**Painting:**

Painting of the Selectmen's Meeting Room has been completed. Painter will be back on a Friday, Saturday around the first of October to finish up.

**Public Hearing for Unanticipated Revenue:**

A Public Hearing is scheduled for Thursday, October 10, 2013 for Unanticipated Revenues received from FEMA. They will mostly go to the Highway Department to cover Winter Plowing. There is a small part which is for the OHRV Grant for the Police Department. Will go directly into the Highway and Police Department budgets.

**AED Batteries:**

Linda Landry, Town Clerk, reported that Mark Lang had recently come in to check the AED and replaced the batteries. Thank you, Mark for taking care of us.

There being no further business, the following motion was made:

***MOTION:***

*Ted Vallieres made a motion that the Board of Selectmen meeting adjourn at 8:15 p.m. The motion was seconded by Les Hammond and passed unanimously.*

Respectfully submitted,

Alison R. Vallieres, Recording Secretary

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Les Hammond, Chairman

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Ted Vallieres, Selectman

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Travis James, Selectman