Selectmen’s meeting minutes of May 19, 2011.

Present from the Board: Chair Pat Consentino, Selectman Sandy Plessner, Selectman Katherine Dawson, Selectman Norm Boudreau, and Selectman Joe Jesseman.

Also present: Town Administrator Joyce Fulweiler, and Secretary Catherine A. Woessner.

From the public: Congressman Charles Bass, Senator John Sanborn Tom Gallant, Peter Fogg, Bob Hardy, Mr. & Mrs. Bonneville.

Chair Consentino called the meeting to order at 4:35PM. Chair Consentino announced that Congressman Bass is here this evening to answer any questions the public may have for him. Congressman Bass informed the Board that he is in the process of attempting to connect with all of the Select Boards in as many towns as possible. Harold Parker who is part of the Congressman’s staff is also here this evening and has office hours on a regular basis in this area. Congressman Bass said he is interested in making sure he is available and can help residents if they have problems in the near or distance future. Congressman Bass asked the Board if there were any issues he needed to know about.

Chair Consentino asked about SB 156. Senator Sanborn stated he is the prime sponsor on the bill. Senator Forsyth who is the Senator for this District is out of the country so Senator Sanborn is representing him this evening. Selectman Dawson discussed SB 156. She stated that right now the bill is waiting for the Governor’s signature. SB 156 is a bill that is allowing auto dealerships to register motor vehicles for the town. They will be able to accept municipal tax dollars which a direct violation of our RSA’s and our constitution.
Town Clerk/Tax Collector Cindy Reinartz expressed concern that the town is losing revenue. Senator Sanborn said he would be glad to come back at another time to further discuss this issue.

Selectman Dawson asked to discuss a topic that Congressman Bass is familiar with, NOHRA (National Oil Heat Research Alliance). Congressman Bass asked what the concerns are regarding NOHRA. Selectman Dawson explained that NOHRA was created before 2000 by the oil industry for research and development, consumer education, educating oil industry employees. In 2000 Congress passed a law to fund NOHRA with a fee collected from every gallon of oil purchased for heating purposes. This comes from consumers, so the consumers are funding this program. In February of 2010 the law expired because Congress did not act to extend the NOHRA fee. The top five oil companies have earned almost one trillion dollars over the past ten years. Last year they reported 77 billion dollars in profits. In 2001 they reported 40 billion dollars in profits. In 2007 over half of the top five oil companies had record breaking profits due primarily to the high gasoline prices at the pump. Selectman Dawson said that Congressman Bass sponsored the National Oil Heat Alliance reauthorization Act of 2011, basically to bring those fees back. Selectman Dawson asked Congressman Bass how he can justify taking the money out of the consumers pockets to support the oil industry who is reported these outrageous profits for the past ten years and have received billions of dollars in tax breaks and regulatory subsidies.

Congressman Bass responded that NORHA does not provide any money to an oil company. The money never gets past the dealer level. The oil dealers are the ones who want the extension. Congressman Bass said that someone has to be responsible for the consumer’s safety. Congressman Bass said there should be a similar system for national gas and also for wood pellets. All of the safety standards that have been established in the oil industry have not been paid for by taxpayers through state regulations. All of the standards associated with hazaderous issues have been underwritten by communications and by technology development and has been paid for through this NORHA Fund which is non profit.
Congressman Bass said that 86% of all the energy consumed in New Hampshire comes from heating oil and propane. We are the second highest consumer in the country of that. The funds that NORHA has collected have been used exclusively to improve the use of oil safety. The fee is .002. Selectman Dawson asked why the oil companies do not fund this fund, why should the consumers have to pay. Congressman Bass feels that NORHA is a legitimate program. The second issue is the bigger issue with oil companies’ profits. Congressman Bass has said repeatedly in the last couple of weeks is that he believes that special treatment, not tax treatment, that every manufacturer gets, but the treatment that the oil industry itself gets exclusively should be subject to repeal. Tax breaks that only affect the oil industry should be subject to scrutiny and review. Selectman Dawson feels they should be removed.

Congressman Bass said he supports Cape Wind and is on a committee that has jurisdiction over this and is committed to fairness and the development of sustainable alternative energy sources that benefit this State.

Selectman Jesseman asked Congressman Bass how he feels about Northern Pass. Congressman Bass stated that he and Senator Ayotte wrote a joint letter to the Department of Energy opposing the project. Does not believe the project takes into account the direct and indirect impacts that it could have on the economy in the State.

At this time Chair Consentino opened the meeting to the public.

Marge Bonneville resident of Tilton and president of NARC Chapter 1694 and also a member and former president of NH Chapter league of postmasters. Ms. Bonneville asked Congressman Bass what he sees as the future of the Postal Service or as it may very soon be called the Postal Business. Congressman Bass said from his perspective this is not a political question. The postal service is independent from Congress. Congressman Bass said he does not know of any legislation for change. Ms. Bonneville stated that the postal service is going to Congress to ask to change Title 39 which is the law that governs the postal services and the funding of small post offices.
Ms. Bonneville is in favor of keeping small post offices open in New Hampshire.
Congressman Bass said he thinks the post office has to do everything that every other form of communication is capable of doing.
Mr. Bonneville spoke of the cuts in the budget from the State and what a burden this has on families
Bob Hardy, Chair of the Parks Commission and also a Conservation Committee member and is also on the State Executive Committee for the NH Tree Farm Program. Bob said he is very active on the NH Tree Farm Program and his concern with this is that these programs are going to be cut. The programs help insure that land owners are able to substantially match their lands providing clean air and clean water for everyone. The work done on the ground through the following programs assure that our forests remain healthy. Bob said they understand that the budgets are being squeezed across the federal government he is asking to allow these programs to continue the good work they are doing on the ground. Bob asks that this vital conservation work continues so that future generations will not be short cut.
Congressman Bass discussed the economy and although we may be in a slow recovery we need to create jobs where people can get real work, not temporary work as a result from a government grant. But rather real employers producing goods/and or services that provide security, provide tax revenue to municipalities and the State and Federal Government. Congressman Bass said that is the challenge and part of that challenge is associated with trying to stabilize the spending that is going on in Washington D.C. Congressman Bass said he has a fundamentally different belief about economic recovery. He does not think the government can create economic prosperity through use of taxpayer’s money to provide benefits to people. The best way to do this over the long term is to provide opportunities to people to have real jobs.
Selectman Boudreau asked Congressman Bass how he proposes that coming to fruition with energy costs spiking the way the way they are now. Congressman Bass said he is appalled by the cost of energy and is hopeful that there is going to be soon a reduction.
Congressman Bass said he is afraid that the high energy cost that occurred are going to potentially create another dip in the economy. The question is what can we do about it.

Chair Consentino asked to bring up one aspect that always seems to be forgotten and that is our seniors. Federally we have the American Elders Act and this funds a lot of our programs that we have for our seniors and this is being cut. Chair Consentino said she finds a part of the American Elders Act distasteful because one of their funding sources is transportation from town to town. Young Disabled people are not allowed to ride the buses because it is funded by the American Elders Act. Chair Consentino said she would think there could be a change to be able to help both seniors and disabled.

The Selectmen are seeing more and more seniors cannot afford the homes they are living in and cannot afford heat, medicine, going to the doctor and cannot afford to buy food. On a State level our programs are severely cut. There are committees in Tilton that are volunteers to help with the seniors and are picking more and more hours because of State and Federal cuts. Chair Consentino feels that everyone has forgotten our seniors and they are the ones who have made America great.

Chair Consentino and the Board thanked Congressman Bass and Senator Sanborn for coming and invited them to come back.

Conservation Commission: Chair Chuck Mitchell & members Kathi Mitchell and Bob Hardy.

Chair Consentino asked Selectman Dawson, Selectman Plessner and Selectman Jesseman to speak to the subject of Ernie’s Used Car property. The Conservation Committee met on Monday and the Selectmen met with the Brownfields people and Winnipesaukee Trail Association last week. Selectman Plessner informed the Board that at the Conservation Commissions meeting Ernie’s property was discussed and a motion was made at that time. Chuck explained the motion to the Selectmen. It was presented that the Selectmen informed them that the Winnipesaukee Trail Association wanted to try to delay any action in cleaning up the property including removal of the building while they apply for grant money.
After discussion a motion was made that the Conservation Commission would require a request that the building would be taken down in full as well as cleaning up the footprint of the building by September 1st, 2011. They also want to make sure there is proper signage and tape strung around the building and properly closed up so that no one can get in to it. Chuck stated that when the vote was taken it was unanimous, 7-0 for a request to take the building by September 1, 2011.
Chuck commented that the Conservation Commission feels very strongly that that particular building is a hazard and a liability to the community and hope that it will be taken down sooner than later. Nothing else can be done to this property until it is cleaned up. Chair Consentino asked how the request of the date of September 1st, to remove the building affect the State’s mandate of additional monitoring wells. Chuck reported that according to the information the Town Administrator has they have the right to go in and clean the building up now. The WRTA would like to delay the demolition of the building as they are applying for grants and funding.
Conservation Commissioner Bob Hardy stated that he was very much opposed to signing the MOU and they were assured by WRTA at their meetings that clean up costs would not exceed $20,000 on Ernie’s property and if it did exceed that amount WRTA would cover the additional cost. After further discussion Chair Consentino asked the Board’s consensus, do they go along with the Conservation Commission and remove both buildings by September 1, 2011 or allow WRTA to keep them up until April when they find out whether or not they have the grant or grants available. If they take the buildings down by September then they would have to do more fund raising as they would not be able to use that as back up for matching funds.
Chuck asked if they are trying to do what is best for the community or are they trying to do what is best for the fund raising activities of the Winnipesaukee River Trails Association.
Selectman Jesseman is in favor of tearing down the building, it is an eyesore. Selectman Boudreau agrees it is an eyesore but also, if it is going to jeopardize the WRTA grant money to totally do the whole project, he is conflicted at this time, but would like to see the building removed.
Selectman Dawson feels it is best for the community to have the buildings removed now. Selectmen Dawson is concerned regarding the liability.
Selectman Dawson asked if the Conservation Commission looked at the property and envisioned how they feel it should look with these agreements made with WRTA and the 12ft. across the property to be determined. Bob Hardy said they have talked about doing some landscaping. Selectman Plessner said she is in favor of the WRTA and would like to see the bridge go in and continue with the trails development, but has to consider what is best for the community, and that is to take the building down. Chair Consentino agrees with Selectman Plessner and said she feels the Conservation Commission has gone above and beyond trying to work with the Winnipesaukee Trail to make this happen, but they have to make sure this is done in a safe way. Chair Consentino sated that the Selectmen would like to be on the committee when the bridge goes up, when they speak with the State to design the bridge. The Selectmen would like input as to where the bridge will be placed and the design of the bridge.

Joe Gray, member of the Recycling Committee informed the Board that the committee decided at their last meeting to purchase clear plastic containers. The goal is to have more recycling opportunities for residents. The Recycling Committee would like to work with the Parks Commissioners to coordinate having the containers in the parks. There was discussion regarding having the containers at the Island Park when the concerts are scheduled. Chair Consentino informed Mr. Gray that the Island Park is going to be take care of by the Select Board, not the Parks Commissioners. Chair Consentino said she will bring this idea to the Town of Northfield who they share the Island with. Mr. Gray was asked to put this proposal in writing and give to the Tilton Selectmen who will then present it to the Northfield Selectmen. Selectman Jesseman who is also on the recycling committee said they will be putting these receptacles out for Old Home Day, Summer Fair and may also be available for purchase. Six of these containers have been purchased so far.

Chair Consentino announced tomorrow at 6:00PM at the Middle School Cafeteria is the Town Meeting. Adam Sattler will maintain the audio at the school.
The town has paid for the use of an audio tech in the past for Town Meetings. The Board agreed to pay Adam Sattler for the audio service at Town Meeting, May 19, 2011 at the Middle School.

Chair Consentino asked the Board if they would approve a donation to CASA in memory of Robert DeForge. Flowers were sent along with the Sewer Commissioners. After discussion Chair Consentino made a motion to approve a donation of $50.00 to CASA of New Hampshire, seconded by Selectman Plessner. All were in favor.

Chair Consentino read an e-mail to the Selectmen from Scott Dunn to Attorney Robert Ciandella who represents the consortium. In the e-mail it states that one of the issues is the town of Tilton has no franchise agreement so they would like to be part of our group to ultimately force Metrocast to operate within the confines of a franchise agreement. Chair Consentino’s question is when the Town of Tilton decide they would like to be part of the group to ultimately force Metrocast to operate within the confines of a franchise agreement. Selectman Jesseman said they have not signed anything and Tilton is a member of this only in that he has been part of the discussions. Selectman Jesseman explained to the Board that this is a proposal to hire an attorney to draft a proposal that he would then bring back to the Selectmen to discuss being a part of. Nothing has been signed. Selectman Jesseman is asking the Selectmen if they will be part of the consortium. Chair Consentino asked Selectman Jesseman to inform Mr. Dunn that the Town of Tilton has not agreed to be a part of their group as he stated in him e-mail.

Chair Consentino read an e-mail from resident Pat Clark sent to Augusta Marsh in the Land Use office regarding tax map R-20 he received and is reviewing the map in preparation for the special town meeting on Friday and has some questions. At this time it appears the following lots owned by Nickerson Business Park, are in current use and has some questions regarding this. He said he was told by Selectman Dawson that if they approve the water line warrant on Friday and one of the lots in current gets developed all of the lots in current use will then come out of current use.
Selectmen's meeting minutes of 5/19/2011

Selectman Dawson said she did not say this. The next question was that he thought that in order for current use to come into play there was a minimum of 10 acres. Nine of the lots are well below ten acres and there are tax cards saying they are all in current use. Mr. Clark is asking how this works and is it proper and is asking to have Avitar send him the provisions that allow this. He is also asked if R-20 Lot is recorded at the registry of deeds as separate lots as listed. Chair Consentino asked Augusta to forward this e-mail to the Board of Selectmen and let Pat Clark know that it has been forwarded and they will be responding to his questions. Selectman Plessner said she has talked to Mr. Clark and has gone through his questions.

Selectman Dawson said she has also responded to Mr. Clark’s question that was directed to her.

Approval of minutes of 4/28/2011: Selectman Boudreau made a motion to approve the minutes as corrected, seconded by Selectman Plessner. All were in favor.

Town Administrator Joyce Fulweiler Agenda Items:

Joyce discussed an order of notice the town received. After the Board discussed this they asked Joyce to contact Attorney Scott McGuffin and ask him to review the order of notice and ask how they should proceed.

Joyce reported she has filed the claim for the water damage at the Tilton Senior Center. The Contractor has submitted an estimate which is limited to the back of the building. The amount is $7,300 with a $1,000 deductible. Chair Consentino asked Joyce if she asked Dennis to put a tarp over the roof so there is no more damage. Joyce will call Dennis tomorrow morning.

Chair Consentino reported that everything went well with the meeting to sign the parking agreement with the Sarno’s. They would like to see how this year goes and then perhaps next year have a three or five year agreement. What they would like to do is when they receive their tax bill they would like to invoice the town and we will pay the invoice.
They feel this would be a less confusing way to go. The other concern the Sarno’s have is the snow removal issue. Chair Consentino said it is not our highway dept. that is plowing snow on their property, but believes it may be whoever is plowing the Church or the Fire Station. Someone is pushing the snow up to the entrance of Gabriel’s walk way and they cannot shovel this.

Chair Consentino read the letter they asked Joyce to send the Fire Department regarding the generators. Also talk to the Code Enforcement officer and ask him to hold the check for permit fees until this issue has been resolved.

Joyce informed the Board that Loren Martin, Avitar will meet with th4m on June 2, 2011 regarding Mr. Partridges’ view tax.

Chair Consentino informed the Board that on May 28th, 2011 at 9:00AM the Fence Viewers have been requested to be at Mr. Sellars Vs. Dould for the erecting of the fence.

At 8:30PM Chair Consentino made a motion to go into non public session for Attorney/Client privileged information per RSA 91: seconded by Selectman Plessner. Selectman Dawson, yes, Selectman Plessner, yes, Selectman Boudreau, yes, Selectman Jesseman, yes, and Chair Consentino, yes.

At 9:05PM the Board resumed their regular session. At this time Selectman Boudreau made a motion to seal the minutes of the non public session as they pertain to legal issues, sealed until the issues are resolved, seconded by Selectman Plessner. Selectman Dawson, yes, Selectman Plessner, yes, Selectman Boudreau, yes, Chair Consentino, yes, and Selectman Jesseman, yes.

Selectman Plessner made a motion to adjourn the meeting at 9:10PM, seconded by Selectman Boudreau. All were in favor.