

SELECTMEN'S MEETING MINUTES WEDNESDAY, FEBRUARY 4, 2004

PRESENT: Selectmen Buttrick, Maxfield and Kardaseski.

Chairman Buttrick called the meeting to order at 6:00 P.M.

I. Chairman Buttrick opened the Public Hearing to amend the Town of Loudon Solid Waste/Transfer Station Ordinance, Section III-h Licenses/Fees.

a. Selectman Kardaseski explained that Janet Darling, member of the Recycling Committee, had advised her that other towns in the Co-Op charge fees to commercial haulers who transport directly to the incinerator. Selectman Kardaseski said currently the commercial hauler delivers directly to the Penacook facility and the Town is then charged for the tonnage delivered. The commercial hauler has not been required to pay any portion of these fees in the past. She stated that 12 of the towns in the Co-Op charge the commercial hauler for the tonnage they take to Penacook. The charge is anywhere from the actual price the town is charged up to what Boscawen charges, which is \$45.00 per ton. Selectman Kardaseski stated that in 2003, if the Town had charged the proposed \$37.15 per ton plus the \$2.00 per ton administrative fee, for a total of \$39.15 per ton, the Town would have received a little over \$70,000 from December 1 to November 30, 2003. She stated this money would go back into the general fund, which would offset some of the Town's cost at the Transfer Station. She stated that the Selectmen hope to establish a Capital Reserve Fund at Town Meeting this year to be used to replace or repair the Transfer Station and equipment and hope that the fees collected from the commercial haulers would go to this purpose. Selectman Kardaseski also pointed out that the commercial haulers are making money for this service and delivering to Penacook and the Town is paying the tipping fee. She also stated that there is no recycling of materials when the commercial haulers deliver directly to Penacook. Tom McCue inquired as to how the Town was going to distinguish between the commercial hauler and just someone delivering to the facility. Selectman Kardaseski stated that the vehicles are 27,000 pounds gross vehicle weight or over, and the commercial hauler must obtain a haulers permit from the Town prior to being able to haul to Penacook. Mr. Plummer inquired if there was information in what the hauler charged the individuals who used their services. Selectman Kardaseski stated that she did not know what arrangements the commercial haulers had with their customers, but that, as their rates increase, the cost will more than likely be passed on to the consumer. Brenda Pearl was recognized from the audience. She asked how many Towns made up the Co-Op. Selectman Kardaseski said 27, with 12 of the towns charging the fees. Mr. Arthur Colby inquired about the fees and inquired about the commercial hauler in town who collects and brings it directly to the Transfer Station. Selectman Kardaseski stated that because the gross vehicle weight is less than 27,000 pounds this hauler would not be charged the fees. Tom McCue inquired about where the money will be placed once it is collected. Selectman Kardaseski stated that this will be effective April 1, 2004. She said it is the

Board's intent to address this issue for the 2005 warrant, placing this money into the Transfer Station Capital Reserve Fund. However, since the outcome of the 2004 Town Meeting is not yet known, the money will be placed in the general fund. Selectman Kardaseski moved that as of April 1, 2004, the Town charge commercial haulers with 27,000 pounds gross vehicle weight or over, the current per ton rate billed to the Town of Loudon, plus a \$2.00 per ton administrative fee. Second by Selectman Maxfield. All in favor. Motion carried.

II. The Board met with Fire Chief Jeff Burr.

a. Chief Burr stated that after interviews were finished he recommended that Rick Wright be appointed to the position of Deputy Chief. Selectman Maxfield moved to appoint Richard D. Wright to the position of Loudon Fire Department Deputy Chief. Second by Selectman Kardaseski. All in favor. Motion carried.

b. Selectman Kardaseski discussed the Building Study Committee's request to have a building inspection for the Town Office to be available for Town Meeting. Discussion ensued. Chief Burr will follow up on this request.

c. Chief Burr advised the Board that he planned on attending a defensive driving course on February 10th and would probably not be in attendance at the Selectmen's meeting.

d. Chairman Buttrick discussed the fire pond for Greenview Drive as well as the Mill Pond and the importance of the Mill Pond project for the Fire Department.

e. Selectman Maxfield stated that the Board would like to have Chief Burr in attendance at the 2nd and last Selectmen's meetings each month if possible.

III. The Board began their review of weekly correspondence.

a. Selectman Kardaseski moved to approve the Selectmen's Meeting Minutes of Tuesday, January 20, 2004 as presented. Second by Selectman Maxfield. All in favor. Motion carried.

b. The Board discussed the budget hearing at Merrimack Valley School District for the proposed 2004-2005 fiscal year. They stated that there were just a handful of people in attendance and that the proposed budget is at 26 million dollars.

c. Selectman Kardaseski moved to appoint Eileen Maxfield to the position of Deputy Town Clerk effective March 15, 2004. This appointment shall expire on March 31, 2005. Second by Selectman Maxfield. All in favor. Motion carried.

d. Selectman Maxfield moved to appoint Terry Hamel to the position of Loudon Town Clerk effective March 15, 2004. This appointment shall expire on March 8, 2005. Second by Selectman Kardaseski. All in favor. Motion carried.

e. The Board addressed the memo regarding Bill Crowley's road construction bond. The Board agreed that as long as the total of the insurance bond and cash certificates of deposit equal the required amount, Mr. Crowley's request is approved.

f. Selectman Kardaseski moved to approve an abatement for Mr. And Mrs. Hebert on tax map 12, lot 051 for an inventory penalty of \$10.00. The Hebert's were not the owners of record on April 15. Second by Selectman Maxfield. All in favor. Motion carried.

g. Selectman Maxfield moved to forward the following past due ambulance bills to collection: Account # 14733 for \$97.53, #24878 for \$413.50, #24855 for \$421.00, #24865 for \$405.00, #24341 for \$365.00 and #24014 for \$382.00. Second by Selectman Kardaseski. All in favor. Motion carried.

V. Chairman Buttrick opened the Public Hearing for the final review of the proposed budget and warrant articles for fiscal year 2004-2005.

a. Chairman Buttrick then turned the hearing over to Selectman Maxfield. Selectman Maxfield instructed the audience to turn to the last page of the budget and then reviewed the bottom line numbers. The total proposed budget of \$3,057,928 is up \$126,464 over last year and represents a 4.32% increase. He also said that \$1,693,944 is for salaries and benefits. This represents 55.8% of the entire budget and is consistent with most corporations and businesses. Selectman Maxfield began his review of the changes to the budget that have taken place since the first budget hearing. Selectman Maxfield said most of the budget remains at level funding. Selectman Maxfield stated that the Prosecution line under the Police Department budget increased from \$21,750 to \$24,500. Selectman Maxfield noted the budget for Special Events details and offsetting revenues. Attorney Tom McCue questioned the line for Witness Fees and the offsetting revenue. Selectman Maxfield said the Board would get clarification from Chief Fiske on these lines. Barbara Cameron asked if the officers are being paid their regular hourly rate. Peter Pitman also questioned how the officers are paid for this duty. Selectman Maxfield reiterated that the Board would discuss their concerns with Chief Fiske. Selectman Maxfield reviewed the change in the Loudon Communications Council appropriation. This line has been increased to \$10,000 and the warrant article for \$20,000 has been eliminated. Selectman Maxfield stated that a majority of the Board voted for this change. Attorney Tom McCue representing the Communications Council stated that he had also questioned why this request had appeared as a warrant article at the first budget hearing. He said that in order for the Council to continue to maintain their tax-exempt status, at least 1/3 of their income had to come from town government or private individuals. The Council appreciates this \$10,000 appropriation, which will guarantee that at least six issues of *The Loudon Ledger* will be published. Selectman Maxfield said that since there had been two previous warrant articles on funding the Council he felt that it should be a warrant article this time. Selectman Maxfield said if all the warrant articles pass, including the two bond issues, which would cost approximately \$125,000 per year, the affect on the tax rate would be 97 cents per \$1,000 value. Selectman Kardaseski said that, as a point of reference, if both bond issues pass, the Town is looking at an approximate payment of \$125,000 once a year, as opposed to the \$545,000 **per month** that is paid to the School District.

b. Selectman Maxfield moved on to review the estimated revenues for fiscal year 2004-2005, which currently stand at \$2,057,311. Selectman Maxfield clarified the line under other taxes for Host Community Fees, which is the per ton processing fee paid to the Town by Environmental Soil Management (ESMI). Selectman Maxfield reviewed the offsetting revenues for the special event details, which include administrative fees and overhead costs. Selectman Maxfield explained the overlay account, which is required to cover property tax abatements and refunds. Attorney Tom McCue addressed the Land Use Change Tax line, which is estimated to be \$85,000 for 2004-2005.

c. Selectman Maxfield began the review of proposed warrant articles. Selectman Maxfield said the Board was in receipt of a petitioned warrant article to increase the Board of Selectmen from 3 members to 5 members. By law, this article must appear on the official ballot and will be voted on, by ballot, at the first session of Town Meeting on Tuesday, March 9. Selectmen Kardaseski noted that a public hearing must be held to allow residents the opportunity to discuss this article and that hearing will be held Tuesday, February 24 at 7:30 P.M. This is during the regular Selectmen's meeting, held in the Community Building. Selectman Maxfield said his point on this article is that the only opportunity to discuss this article is at a public hearing and not that many residents attend the public hearings. Selectman Kardaseski stated that the first session of Town Meeting is to vote on the first three articles: Article #1 to elect town officers, #2 to vote on the Zoning Amendments, and # 3 the petitioned article.

d. Selectman Kardaseski addressed article 4, which is a bond issue to purchase land and construct a new town office building. A 2/3-ballot vote is required to pass this article. Selectman Kardaseski noted that a PowerPoint presentation was running on the computer in the back of the room to show the deficiencies in the present facility. A more formal presentation will take place at the bond hearing on February 17 as well as at Town Meeting. Peter Pitman asked how the numbers were arrived at. Selectman Kardaseski said that the building study committee was working with a contractor, who has built several buildings of this design and that no monies have been expended for engineering fees at this time. Mr. Pitman also asked if a site has been determined. Selectman Kardaseski said the study committee was currently negotiating on a couple of sites and that it is hoped to keep the Town Offices in the Village, as is stated in the Master Plan and the Village Study Plan. Selectman Maxfield asked where the sites were specifically. Selectman Kardaseski said that since the negotiations are ongoing, she would prefer not to release that information at this time.

e. Selectman Maxfield moved on to article 5 and explained that by law, any bond issue must appear first on the warrant for the second session of Town Meeting. Article 5 is for repairs to the Soucook River dam and dredging of the Mill Pond. Bob Ordway spoke on behalf of this article.

f. Chairman Buttrick read article 6, which is for a storm water drainage system. Mr. Ordway noted that word has just been received that the grant application for this project has been denied and would ask that the wording referencing the grant monies be removed from this article. Peter Pitman questioned the affect on the tax rate, as it appears that there is a discrepancy in the numbers. Selectman Maxfield said that the Board will pause a moment to recalculate the figures on all of the articles that will affect the tax rate. Article 7 should be 11 cents per \$1,000 value. The rest of the numbers are correct as shown.

g. Chairman Buttrick addressed article 7 for the 24x74 storage building for parking of the police cruisers and the Cate Memorial van. The 14x24 portion of the structure would be enclosed and heated for the van. This article calls for an appropriation of \$40,000. Bob Ordway questioned the dimensions of the van portion of the structure and asked if these are inside or outside dimensions. Chairman Buttrick said they are outside dimensions. Mr. Ordway said that space is needed to put the wheelchair lift down and asked if the width could be changed to 17 feet. Chairman Buttrick said he felt that an adjustment could be made. Tom McCue asked about the number of bays that will

be required for the cruisers. Chairman Buttrick explained that the construction would be shiplap with a metal roof. Tom McCue asked if any monies are included in the proposed budget for heating fuel, electricity, and insurance. The Board concurred that these items have not been addressed and thanked Attorney McCue for pointing this out. The Selectmen will take care of this prior to adoption of the final budget.

h. Selectman Maxfield addressed article 8 for repaving North Village Road and Lower Ridge Road.

i. Chairman Buttrick reviewed article 9, to discontinue the Landfill Closure Capital Reserve Fund. Selectman Maxfield said that the closure is completed and all that is now required is a maintenance fund, which is addressed in article 10. Selectman Kardaseski read this article and noted that the recommended amount for this maintenance fund is \$35,000.

j. Selectman Kardaseski addressed article 11. This article calls for the creation of a town office construction Capital Reserve Fund in the amount of \$88,000. If the bond issue passes these funds will also be needed for the town office building. She also noted that both of the new Capital Reserve Funds would be created with monies from the discontinued Landfill Closure CRF and no monies would be raised from taxation. Attorney McCue questioned naming the Selectmen as agents of these funds. Selectman Kardaseski explained that by naming agents for a Capital Reserve Fund, no further vote at a town meeting is required to expend funds.

k. Selectman Maxfield reviewed article 12 for the creation of a Transfer Station Maintenance Expendable Trust Fund. The appropriation calls for \$20,000 to be placed in this fund. Selectman Kardaseski advised those present that the Selectmen voted to begin assessing tonnage fees to commercial haulers with vehicles over 27,000 lbs. Gross Vehicle Weight. The current tonnage fee plus a \$2.00 per ton administrative fee will be assessed to each commercial hauler beginning April 1, 2004. The estimated revenue, based on 2003 tonnage figures, is between \$60,000 and \$70,000 annually. Jean Lee asked the Board about creating an offsetting revenue line based on the Board's decision. The Board concurred.

l. Chairman Buttrick reviewed article 13, which, if approved, would turn over 100% of all land use change tax revenue to the Conservation Commission, instead of being used to reduce the tax rate. Selectman Maxfield stated that the Board has already established an expendable trust fund, with an annual appropriation of \$20,000 that can be utilized for purchasing land for conservation purposes. The Board also noted that they do not recommend this article. Selectman Kardaseski advised those present that 31.6% of open space land in Loudon is under current use assessment. Those residents with land in current use receive a reduction in their property taxes, which then spreads the tax burden onto properties not in current use. Tom McCue discussed a possible amendment to this article from the floor at town meeting. Selectman Maxfield said that the survey results from a mailing by the Conservation Commission, sent to 2000 households, netted 200 replies. From these, 50% were in favor of the article and 50% indicated a lesser amount.

m. Selectman Kardaseski addressed article 14, to completely discontinue a portion of Old Shaker Road at the intersection of Clough Pond Road. This portion has already been closed by a vote at town meeting.

n. Chairman Buttrick reviewed article 15 for a pick-up truck for the Fire Chief and Fire Department. Peter Pitman said it was his understanding that an old police cruiser would be utilized for this purpose. Selectman Kardaseski said it was discussed but no final decision was made. Barbara Cameron questioned the fact that the Fire Department currently has two pick-up trucks. The Board explained that those trucks are converted army trucks used for forestry purposes.

o. Selectman Kardaseski reviewed article 16 for an ambulance purchase, which is listed in the current Capital Improvements Program. Attorney McCue questioned the increase in the budget for the Ambulance/Rescue CRF. The Board explained that the Fire Department is looking to replace the current rescue vehicle in few years and funds will be necessary to cover this purchase.

p. Selectman Maxfield said the next four articles are by petition. Article 17 is for discontinuance of a portion of Cooper Street. By a majority vote, the Selectmen do not recommend this article. Selectman Kardaseski addressed article 18, which calls for a resolution to prohibit the possession, sale and use of leaded gasoline within the Town of Loudon. The Selectmen do not recommend this article. Selectman Kardaseski said she feels this article is aimed specifically at the racetrack. Barbara Cameron discussed an article she has read regarding leaded gasoline pollution. Chairman Buttrick said the possibility of future pollution is very minimal. John Plummer said he felt if this article were passed it would shut down the racetrack. The Board agreed that was a possibility. Chairman Buttrick read article 19, which calls for the Bicentennial Quilt to be moved from the Maxfield Public Library to the Loudon Historical Society. Selectman Maxfield addressed article 20, which is requesting that the ballot box, dated 1890, and gavel be retired from the Town Hall to the Historical Society. The Selectmen recommend this article. Peter Pitman asked if there was a problem with using a new ballot box. Bonnie Theriault said she felt the issue was about protecting something that was over 100 years old.

q. The Board agreed to add a total of \$540 to the Town Office heating (\$300) and electricity (\$240) lines to cover anticipated expenses for the Cate van and police cruiser storage facility. The Board then closed the public hearing.

r. Selectman Maxfield moved to adopt the Warrant and 2004 – 2005 Operating Budget in the amount of \$3,054,468. Second by Selectman Kardaseski. All in favor. Motion carried.

Selectman Kardaseski moved to adjourn at 9:01 P.M. Second by Selectman Maxfield. Majority vote, motion carried.

LOUDON BOARD OF SELECTMEN

C. R. Buttrick, Chairman

Roger A. Maxfield, Selectman

Deborah A. Kardaseski, Selectman