

**SELECT BOARD MEETING AGENDA**  
**TOWN OF PETERBOROUGH**  
Tuesday, March 12, 2013 – 5:30 PM  
1 Grove Street, Peterborough, New Hampshire

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**APPOINTMENT**

5:30pm – Nancie Vaihinger

- PPACA-Related Personnel Handbook Amendments and Other Policy Changes
- Electronic Delivery of Tax and Utility Bills

5:45pm – Rodney Bartlett

- Library Boiler

**OLD BUSINESS**

1. Review and Approval of Minutes of February 5 and 19, 2013 and Non-Public Minutes of February 5, 2013

**CONSENT AGENDA**

*Building Permits:*

1. 91 Hancock Road – HHKC, LLC – Remodel create office space
2. 36 High Street – Tammy Lenski & Rodney Christy – Two Car Garage

**PUBLIC HEARING**

6:00 pm – Public Hearing – Union Street Reconstruction Bond

6:30 pm – Public Hearing – GAR Hal Property Renovation Bond

7:00 pm – Public Hearing – Robbe Farm Road/Legacy Lane Reconstruction Bond

**ADJOURN**

*\*\*Unless a Public Hearing is scheduled, all times should be considered approximate\*\**

**MINUTES**  
**SELECT BOARD**  
**TOWN OF PETERBOROUGH**  
Tuesday, March 12, 2013 – 5:00pm  
1 Grove Street, Peterborough, New Hampshire

**Present:** Joe Byk, Barbara Miller, Liz Thomas

Bob Lambert, Susy Mansfield, Paul Sullivan, Leslie Lewis, Gordon Kemp, Roland Patten

**Also Present:** Pamela Brenner, Nancie Vaihinger, Rodney Bartlett, Nicole MacStay

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**Chair Miller** called the meeting to order at 5:30pm.

**Nancie Vaihinger – Patient Protection and Affordable Care Act – Selection of Safe Harbor Periods and other related Personnel Handbook Amendments**

**Ms. Vaihinger** began by reviewing the memo included in the selectmen's packet. She said that at the meeting on February 5, we discussed the affordable care act and its effect on the town. Included in that discussion was the selection of Safe Harbor measurement and stability periods, and an administrative period. She also reviewed changes to the current School Care health insurance plan, effective July 1, 2013 which will include all part-time and variable our employees including on-call firefighters and EMTs who meet the eligibility requirements of the PPACA of an average of 30 hours over the applicable safe harbor that measurement period. She noted that a number of the changes are mandated by law or already in effect. These changes have been recommended by the town's Personnel Committee, and have been reviewed by town attorney and School Care.

**Motion:**

**Mr. Byk** made a motion to adopt a safe harbor standard measurement. From May 1, 2013 to April 30, 2014, to select an administrative period from May 1, 2014 to June 30, 2013, and to adopt a safe harbor stability period from July 1, 2014 to June 30, 2015; **Ms. Thomas** seconded the motion.

**Vote:**

**Mr. Byk, Ms. Thomas, and Chair Miller** voted in favor of the motion; the motion carried.

**Electronic Delivery of Tax and Utility Bills**

**Ms. Vaihinger** said and RSA has been changed and instead of mailing tax utility bills and notices at the request of the taxpayer those bills can be emailed. We plan to start with utility bills, and when we update the software package we will begin to offer electronic tax bills as well.

**Motion:**

**Chair Miller** made a motion to accept electronic delivery of tax utility bills and notices; **Ms. Thomas** seconded the motion.

**Vote:**

**Chair Miller, Ms. Thomas, and Mr. Byk** voted in favor of the motion; the motion carried.

**Rodney Bartlett – Library Boiler**

**Mr. Bartlett** said that today he spoke with Primex, we have been formally offered a settlement to repair the wood pellet boiler, unfortunately that firm will not do the repair. He said he has opened up discussions with Primex regarding addressing the boiler and short-term heating solutions. The issues surrounding that particular model of pellet boiler which is no longer in production, is that anyone who does repair takes on the responsibility. **Mr. Bartlett** then reviewed the following options:

1. The existing oil boiler can be upgraded to a production of 300,000 BTUs per hour, which is very close to the original heat load calculation. Mr. Bartlett says that he has asked Adam Koehler from Kohler and Lewis in Keene to make sure that we won't have any problems with that. It is estimated that this will cost approximately \$500.
2. Purchase a boiler which would provide an additional 100,000 BTUs the estimated cost of which is nearly \$10,000 in total which includes the removal of the old boiler
3. purchase a new wood pellet boiler for \$37,000

**Mr. Bartlett** says that he is estimating the cost of an additional oil boiler as compared to the cost the pellets. He added that staff is also looking at other low hanging fruit options, including reducing the heat demand of the building. Mr. Bartlett and recommended that the library's budget for fiscal year 2014 be increased to accommodate the additional cost of oil.

**Motion:**

**Mr. Byk** made a motion to amend the fiscal year 2014 library budget to include an additional \$10,000 to cover the cost of whatever heating option is eventually chosen with any offsetting revenue; **Chair Miller** seconded the motion.

**Vote:**

**Mr. Byk, Chair Miller, and Ms. Thomas** voted in favor of the motion; the motion carried.

**6:00 PM - Public Hearing - Union Street Bond - \$2,635,000**

**Mr. Bartlett** said this is a request for a bond of \$2,635,000 for the reconstruction of Union Street from the intersection with Main Street and on street to the intersection with Scott Winn Road. We would use the existing curving, and reclaim the existing paving, and reconstruct the sidewalks and roadway and make some drainage and sewer system improvements. The length of the project is approximately 6200 feet. The area around the playground will include a public process including traffic calming measures. The work would begin as early as this year, which would be finished by the end of the construction season and 2014. The length and value of the project is very similar to the West Peterborough project. The numbers seem right; we met today with HTA to discuss water and sewer improvements, and we have another meeting next week to talk about the drainage.

**Alan Zeller** said that this reconstruction has been many years overdue. **Leslie Lewis** said that this bond request is for roadway, water and sewer, and drainage and asked if he would be getting a more precise estimate; **Mr. Bartlett** replied that the final figure may move up or down a little, but that number does include all three items, and will also include offsetting revenue from water and sewer. **Mr. Byk** noted that it seems like we're adding more money again to water and sewer fees; **Ms. Brenner** said that it could all be paid from the tax rolls by not including an offset, and as the request is currently written it is 100% supported by the taxpayers. **Mr. Bartlett** said that they have already can read the sewer lines to as playground it was Peterborough and said that there are five locations with a pipe SAG so much that they are full of waste in the camera cannot get through, and for areas where there are blockages, breaks, and leakage into the drainage system.

**6:30 PM - GAR Hall Property Renovation Bond - \$300,000**

**Chair Miller** reviewed the following matrix. There were no questions or comments from those present.

The **GAR Hall** was given as a gift to the town in 1899. A stipulation of the agreement was that it would be held forever by the town for use as a park and memorial building. This wording establishes a trust. A *Cy Pres* Petition from the court is required to strip out the restriction in the deed in order for the town to sell the property.

We received a ruling from the Attorney General’s Charitable Trust Division that the proceeds of the sale of the building must all go into a public fund that furthers the purpose of the trust.

We have the following three options:

<b>Warrants</b>	<b>Proposed Restrictions Of Sale</b>	<b>Procedures</b>	<b>Impact on the Taxpayer</b>
<p>Article 10. Place GAR Hall on the open market for one year</p> <p>Minimum sale price is consistent with assessed value: \$172,000 (single appraisal) Will get three appraisals</p> <p>Recommended by Select Board and Budget Committee</p>	<p>Historic Preservation Easement with deed Protect: exterior of building, including stonewalls.</p> <p>Statues/artifacts remain in possession of the town</p>	<p>If no offer after one year: sell at market value (best offer)</p>	<p>Mothball the building until sold \$30,000 minimum maintenance each year</p> <p>\$.05 per \$1,000 assessed value of your property (\$200,000 home = \$10 per year)</p>
<p>Article 9. Appropriate an amount equal to the appraised value (\$172,000) to a parks and recreation purpose to satisfy NH Charitable Trust Division</p> <p>Accept sale at market value (highest offer)</p>	<p>Same as above</p>	<p>Sell immediately</p>	<p>\$172,000 Appropriation</p> <p>\$0.29 per \$1,000 assessed value of your property (\$200,000 home = \$58 one time)</p> <p>Sale revenue will offset appropriation</p>
<p>Article 5. Renovate the building (estimated at \$300,000+) so it meets codes and is ADA compliant</p> <p>May be used by the town or leased Loss of tax revenue Yearly maintenance costs continue</p>			<p>\$300,000 renovations: 5 year bond, 3% interest \$66,000 per year \$0.11 per \$1,000 assessed value of your property (\$200,000 = \$22 per year)</p> <p>Rental income would offset costs</p>

**7:00 PM - Robbe Farm Road/Legacy Lane Reconstruction Bond - \$200,000**

**Mr. Bartlett** said that the original subdivision for Robbe Farm Road and Legacy Lane was for a cluster development on private roads which is not unusual. During the development in the early to mid 2000s, the roads were built and houses were constructed. To get occupancy permits the binder was put down with the belief that these would be private roads, and the responsibility for their maintenance would fall on the developer. The construction of the roads is not completed, and nothing has changed since 2006.

Approximately a month ago he and Ms. Ogilvie met with representatives from the neighborhood about how to get the roads to town standards. A neighborhood meeting was held last week about how to go through RSA 231:28 process which allows the Select Board to bring the road up to standards and then under RSA 231:29 to assess the betterment assessment to the property owners, with a recoup window of up to ten years. When we put together the public notice we are looking at a cost of \$150,000 and after an initial assessment we made some assumptions; we are now looking at about \$190,000 now that we have seen the roads without snow. The warrant itself will carry a number of \$200,000. **Mr. Bartlett** made it clear that this would be an open process for the cost of the contract, and staff will work to get the unit prices combined with the town to get the lowest price we can. He said that it is up to the residents of the neighborhood to say that this plan works for them and to move it forward at Town Meeting.

**Alan Zeller**, resident of the Robbe Farm Road neighborhood, said that **Mr. Bartlett** originally told us of the project must be signed off by 75% of the neighbors. **Mr. Bartlett** explained that that number comes from our own processes relative to water and sewer line extensions. When those utilities are extended to your home, you are assessed a betterment charge. The town ordinance requires that 75% of the neighborhood sign off on the utility extension, understanding that there will be a betterment charge. That provides the Select Board and staff some comfort that the neighborhood supports the project. He added that a bond issue requires 60% of the people voting to pass it. There was some discussion about how the betterment assessment would be collected.

At this time the Budget Committee joined the Select Board. **Ms. Brenner** said that we needed a vote whether or not the Select Board and Budget Committee recommend the bonds.

**Review of Warrant Articles**

**Chair Miller** noted that Articles 2, 3, 4, 8 and 11 had already been voted on by both the Select Board and Budget Committee. The Select Board and Budget Committee needed to vote on whether or not to recommend Articles 5, 6, 7, 9 and 10.

**Article 5 – GAR Hall Renovation Bond - \$300,000**

**Chair Miller** said that the Select Board has made it clear in the past that they do not support this article. There was a discussion about the three GAR Hall related warrant articles, and how they would be presented at Town Meeting.

**Motion:**

**Mr. Patten** made a motion to not recommend Article 5; **Ms. Lewis** seconded.

**Vote:**

**Mr. Patten, Ms. Lewis, Mr. Lambert, Ms. Mansfield and Mr. Sullivan** voted in favor of the motion.

**Article 6 – Robbe farm Road/Legacy Lane Improvement Plan - \$200,000****Motion:**

**Chair Miller** made a motion to recommend Article 6; **Mr. Byk** seconded.

**Vote:**

**Chair Miller, Mr. Byk, Mr. Lambert, Ms. Mansfield, Mr. Sullivan, Ms. Lewis, Mr. Kemp and Mr. Patten** voted in favor of the motion; the motion carried.

**Article 7 – Union Street Infrastructure Improvement Plan - \$2,635,000**

**Motion:**

**Mr. Byk** made a motion to recommend Article 7; **Chair Miller** seconded.

**Vote:**

**Mr. Byk, Chair Miller, Mr. Lambert, Ms. Mansfield, Mr. Sullivan, Ms. Lewis, Mr. Kemp and Mr. Patten** voted in favor of the motion; the motion carried.

**Article 9 – GAR Hall Expendable Trust Fund - \$172,000**

**Chair Miller** said that the Select Board has made it clear in the past that they do not support this article.

**Motion:**

**Ms. Lewis** made a motion that the Budget Committee not recommend this article; **Mr. Lambert** seconded.

**Vote:**

**Ms. Lewis, Mr. Lambert, Ms. Mansfield, Mr. Sullivan and Mr. Patten** voted in favor of the motion; the motion carried.

**Article 10 – GAR Hall – Sale of the Property**

**Chair Miller** said that the Select Board has made it clear in the past that they do support this article.

**Motion:**

**Ms. Lewis** made a motion that the Budget Committee recommend this article; **Mr. Lambert** seconded.

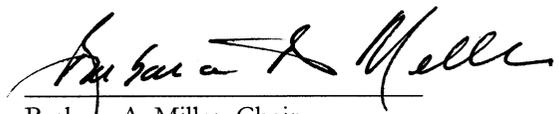
**Vote:**

**Ms. Lewis, Mr. Lambert, Ms. Mansfield, Mr. Sullivan and Mr. Patten** voted in favor of the motion; the motion carried.

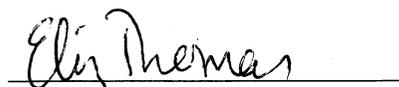
As there was no further business, **Mr. Byk** made a motion to adjourn; **Ms. Thomas** seconded. All in favor, the meeting adjourned at 8:14 PM.

Respectfully Submitted,  
Nicole MacStay, Assistant Town Administrator

PETERBOROUGH  
SELECT BOARD:

  
Barbara A. Miller, Chair

  
Joe Byk

  
Elizabeth M. Thomas