

**MINUTES  
SELECT BOARD  
TOWN OF PETERBOROUGH**

Tuesday, April 9, 2019 – 5:00pm  
1 Grove Street, Peterborough, New Hampshire

**Present:** Barbara Miller, Karen Hatcher, Tyler Ward

**Also Present:** Rodney Bartlett, Nicole MacStay, Alison Kreutz

ConVal School Board Members Dick Dunning, Kristen Reilly, and Jerome Wilson

---

Chair Miller called the meeting to order at 5:00 PM.

*ConVal School Board Members Dick Dunning, Kristen Reilly, and Jerome Wilson. – Discussion of Lawsuit*

Mr. Dunning shared the rationale with moving forward the lawsuit. He said, using the State's own criteria, the State has not adequately funded schools for over twenty-five years. There are a lot of other initiatives to help needy communities, but those are controlled by the legislature, so they come and go, but once adequacy is set, it can't be changed. Mr. Dunning said the judge in Keene ruled they have until June 30<sup>th</sup> to continue with the suit, which they intend to do, and other school districts have joined. Mr. Dunning said they are often asked where the funding should come from, and his answer is that it's the legislature's job. Because of the lack of funding, "they have put us in a position where local communities are rivals."

Ms. Reilly reiterated that once adequacy has been set it cannot be lowered and, once determined, constitutionally the State is required to provide funding.

Mr. Hatcher said the lawsuit is building on the Claremont decisions, where the Supreme Court ruled the State was required to fund an adequate education. This lawsuit is trying to define the terms of adequacy and hold the State accountable.

Chair Miller asked how adequacy was defined.

Mr. Dunning said, for the lawsuit's purposes, they were defining adequacy with the State's own criteria.

Ms. Hatcher added when the district calculated required funding with the State's numbers, it was just under \$10,000 per student (not including transportation). Currently, the State only provides about \$3,000 in funding per student.

Chair Miller said that if the lawsuit was successful, the State would be responsible for \$10,000, and the District would be responsible for the remainder, which would make a significant impact on taxes. Mr. Dunning confirmed.

Mr. Ward asked about the probability of change happening as a result of the lawsuit. Mr. Dunning said, "If you don't ask, you don't get."

Chair Miller said a lot more people were aware now of the issue, and she hoped the momentum would continue. Ms. Hatcher said Clairmont won twice, so she felt the suit has a good chance to move forward.

Representative Ivy Vann said the State has limited revenues, and for change to happen, citizens are going to have to care enough about the issue to accept the taxes that may be used to make up the difference.

Chair Miller asked what potential tax solutions might be. Representative Peter Leishman said Capital Gains Tax could raise \$150 million, but Governor Sununu says he's going to veto it. Unless the present or future governor changes the way they feel about broad-based taxes, like state income or sales tax, it will difficult to find the funding.

Ms. Hatcher asked if there had been any talk about state-wide valuation, and a formula based on the whole state, then redistributed by the number of children in districts. Representative Leishman said no, there hadn't been.

Resident Bill Kennedy asked how adequacy was funded currently. Representative Leishman explained that a variety of things fund the Education Trust Fund, including business taxes, lottery, Rooms & Meals Tax, but it's not a lot of money. Right now, the State can't come up with the type of funding needed to solve the problem.

Ms. Reilly asked Representatives Vann and Leishman how people who are interested can get more information and make their concerns heard. Representative Vann said they could call the Governor, or a group could get together and request someone from the School Education Fairness Funding Group come and explain how the school funding system works.

Chair Miller thanked the members of the School Board for their hard work.

*Review and Approval of Minutes of March 19<sup>th</sup> and March 26<sup>th</sup>, 2019*

Motion: Ms. Hatcher made a motion to accept the Minutes of March 19<sup>th</sup> and March 26<sup>th</sup>, 2019.

Vote: Mr. Ward seconded. All in favor. Motion passed.

Chair Miller called a five minute recess.

*Public Hearing - Community Development Block Grant for Nuttin' Ordinary*

Chair Miller opened the first public hearing for discussion of the CDBG project at 5:30 p.m.

Chair Miller read out loud the Public Hearings Notice for the Community Development Block Grant.

Rebeckah Bullock, Community Development Specialist with Southwest Region Planning Commission explained that Community Development Block Grant (CDBG) funds are available to municipalities for economic development, public facility and housing rehabilitation projects that primarily benefit low-and-moderate income persons. The Town of Peterborough is eligible to receive up to \$500,000 a year for public facility/housing rehabilitation, up to \$500,000 a year for economic development projects, as well as up to \$500,000 a year in emergency funds. Feasibility Study funds are available for up to \$12,000. Rebeckah Bullock provided a handout describing the NH Community Development Block Grant Program eligible activities that included the area HUD income limits.

Rebeckah Bullock provided a project handout. The proposed application to the Community Development Finance Authority (CDFA) is for \$120,000 in CDBG Economic Development funds. The CDBG would be sub-granted to Monadnock Economic Development Corporation (MEDC) which would use the funds to make a loan to Nuttin' Ordinary of 49 Vose Farm Road, Peterborough NH for working capital and equipment purchases. Nuttin' Ordinary will create up to 6 new jobs as a result of this project, the majority of which will be filled by persons from low to moderate income families. The total project is anticipated to exceed \$240,000 of investment in Peterborough NH. If the Town receives this CDBG grant award, there will be a requirement of a Subrecipient Agreement involving MEDC, and a Business and Employment Commitment Agreement with Nuttin' Ordinary, which provides a contractual obligation to meet low-moderate income household targets.

Chair Miller introduced Jack Dugan, and recognized Joshua Velasquez and Adam Hamilton. Mr. Dugan said MEDC has been working with Nuttin' Ordinary for several years, and has seen how they've grown and will continue to grow in Peterborough.

Mr. Velasquez explained that Nuttin' Ordinary manufactures a cashew-based cheese product cultured with probiotics. Their goal in offering employment opportunities is to create quality, living-wage jobs.

Ms. Hatcher asked how many people they currently employ. Mr. Velasquez said they have four in-house employees, and have also contracted a sales and demonstration team.

Ms. Hatcher asked about the scope of their current distribution. Mr. Velasquez said their product is being sold in markets as far south as Virginia. Wegmans just brought them on board, and they have 98 stores, so they are growing rapidly.

Chair Miller asked about their expansion plans. Mr. Hamilton said focus right now is on the Northeast, with expansion down the East Coast, and then nationwide distribution by 2021.

Mr. Kennedy asked about the skill-set needed for potential employees. Mr. Hamilton said food manufacturing is low-skill, but as they are investing in more equipment the technical aspect is increasing, and there are also potential opportunities to bring on employees to help with sales, marketing, and office administration.

Reporter Ms. Ashley Saari with the Monadnock Ledger Transcript asked if the jobs would be full-time. Mr. Velasquez confirmed.

Resident Mr. Andrew Dunbar asked if there was a time constraint on how long the invested-in companies have to stay in Peterborough. Ms. Bullock said there is an 18-month period after the grant is provided and the job creation requirement is completed, but after that, monitoring ends. Mr. Dugan added that in the application itself, it asks what the applicant's long-term commitment is to the area, and that Nuttin' Ordinary has a long-term lease.

Resident Ms. Judy Furstenberg said that as sometimes a company will be acquired by another company, and may be required to move.

Audience member and resident Mr. Ray Cote said he felt it was important to stay focused on short-term success regarding this type of grant, and the company seemed to fit in very well with the culture of Peterborough.

Ms. Saari asked for specifics about how the funds are used. Mr. Hamilton said the funds are used for working capital and equipment purchases to keep up with growing demand.

*Motion:* Chair Miller motioned to approve the submittal of the application and vote to authorize Rodney Bartlett as the Authorized Official to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Authorized Official to execute any documents which may be necessary to effectuate the CDBG contract.

*Vote:* Seconded by Mr. Ward. All in favor. 3 to 0. Motion passed.

Chair Miller closed the Public Hearing on the Project portion of the CDBG Block Grant Hearing and opened the public hearing for discussion of the Residential Anti-Displacement and Relocation Assistance Plan.

Rebeckah Bullock explained that if any permanent displacement takes place as a result of this project, the Uniform Relocation Act must be followed, which requires that any permanently displaced household or business in a project using federal funds must be found comparable housing in a comparable neighborhood at a comparable price. Rebeckah Bullock noted that no permanent displacement is planned at this time. Under the certification section of the application, the Town will certify that the Residential Anti-Displacement and Relocation Assistance (RARA) Plan is in place, and in the event that it is discovered that this specific project does permanently displace persons or households, a displacement implementation plan must be submitted to CDFA prior to obligating or expending funds.

Chair Miller called for any public comment. There were no public comments.

Chair Miller closed the public hearing for discussion of the proposed RARA Plan.

*Motion:* Ms. Hatcher motioned to adopt the February 2019 Residential Anti-displacement and Relocation Assistance Plan.

*Vote:* Seconded by Tyler Ward. All in favor. 3 to 0. Motion passed.

The next Select Board meeting will be Tuesday, April 23<sup>rd</sup>, and the focus will be on the new Public Works Facility.

*Motion:* Ms. Hatcher made a motion to enter Non-Public Session Pursuant to RSA 91-A:3 II (d) (real estate).

*Roll Call Vote:*

Chair Miller: Yes

Mr. Ward: Yes  
Ms. Hatcher: Yes

*At 5:53 PM the Select Board entered non-public session attended by all members of the Board, as well as Mr. Bartlett, Ms. MacStay, and Ms. Kreutz.*

*Motion:* Chair Miller made motion to close the non-public session.

*Roll Call Vote:*

Chair Miller: Yes  
Mr. Ward: Yes  
Ms. Hatcher: Yes

Non-public session closed at 6:14 PM. Public meeting reopened by Chair Miller at 6:14 PM.

*Motion:* Mr. Ward made a motion to seal the minutes of the non-public session pursuant to RSA 91-A:3 II (d) (real estate).

*Roll Call Vote:*

Chair Miller: Yes  
Mr. Ward: Yes  
Ms. Hatcher: Yes

Chair Miller made a motion to adjourn the meeting at 6:15 PM. Mr. Hatcher seconded. All in favor. Motion carried.

Respectfully Submitted,  
Alison Kreutz, Administrative Assistant

PETERBOROUGH  
SELECT BOARD:

  
Barbara Miller, Chair

  
Karen Hatcher

  
Tyler Ward

**ACTION ITEM PENDING LIST**

1.