

**MINUTES
SELECT BOARD
TOWN OF PETERBOROUGH**

Tuesday, July 2, 2019 – 5:00 PM
1 Grove Street, Peterborough, New Hampshire

Present: Tyler Ward, Karen Hatcher, Bill Taylor

Also Present: Nicole MacStay, Leo Smith, Alison Kreutz

The meeting was called to order by Chair Ward at 5:00 PM

Leo Smith, Finance Director – Financing Renovations and Improvements to the Town House

Mr. Leo Smith informed the group that at 2017 Town Meeting, Article 12 was adopted to raise a million dollars for the Town House Improvement and Renovation project. The new floor in the Upper Hall is complete, the roofing project has started, brick work needs to be done, and there are also plans for improvements in lighting and sound system and acoustic upgrades. Original financing plan was to get general finance bond for a million dollars over a period of 20 years at an interest rate of 3.5-4%. Discussions with People's United Bank revealed opportunity for a non-revolving line of credit with 3.2% interest rate, which is lower than what the NH bond bank is offering currently.

Mr. Smith explained that the LCHIP commitment will open happen once the project is almost complete, and then LCHIP will determine what aspects of the project qualify for the grant.

Chair Ward asked for confirmation that the LCHIP was for \$250,000.00. Mr. Smith confirmed.

Mr. Smith said that, using People's United Bank, the yearly payment would be \$118,430.00 with total interest of \$184,302.00 over 10 years. He recommends the shorter period for financing (10 years VS 20 years), which would save between \$300,000 and \$320,000 in interest. Bond counsel will need to review, per usual.

Motion: Ms. Hatcher made a motion to move forward with 10-year financing plan and authorize Rodney Bartlett to execute the plan.

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

Request For Rehearing

Select Board Decision concerning Validity of Protest Petitions Against Zoning Amendment 15 – submitted by Attorney Mark Fernald on behalf of several clients

Chair Ward announced that the Select Board has had a chance to review the request submitted by Attorney Fernald and has addressed the relevant points made in the request. Chair Ward then read aloud the following statement:

We recognize that there are two very active, passionate groups that support and oppose the protest petitions and which support and oppose the Article 15 zoning amendment.

We understand that there are concerns about the validity of the protest petitions, and there are concerns about whether Article 15 lumps together unrelated zoning amendment issues, in violation of the single purpose rule that prohibits combining unrelated amendments in a single zoning article.

The Peterborough Planning Board had no authority to modify zoning article 15, because it was presented by petition.

It may be that the Courts will have to decide whether the protest petitions were valid and whether Article 15 was properly drafted or that it is invalid because it violated the single purpose rule.

The Board is making the best decision on the information that it has received.

If this matter goes to Court, the Board position will be one of seeking clarity on how the law is applied to the facts, and not advocating for or against Amendment 15 or the protest petitions.

We take no sides in this matter. We are just trying to make the best decision we can.

Chair Ward said the Peterborough Planning Board had no authority to modify Article 15, as it was submitted by petition. "If the matter goes to court, the Select Board takes no sides in the matter."

Ms. MacStay said all information is live on the website and available to all who would like to review it.

Ms. Hatcher commented that the further research has made it even more apparent that this issue is of such complexity that there is no precedent for it, and the Select Board alone could not resolve it. She said she felt the court may be the right place for the final decision to be made.

Mr. Taylor said there are points of law that need to be determined, and the Select Board is not made up of judges or attorneys: "It needs to be legally decided."

Motion: Chair Ward made a motion to deny Attorney Fernald's Request for Rehearing.

Vote: Ms. Hatcher seconded. All in favor. Motion passed.

Request For Rehearing

May 14, 2019 vote of the Legislative Body amending Zoning Ordinance (Zoning Amendment 1) – submitted by Attorney Thomas Hanna on behalf of Monadnock Rod & Gun Club, Inc.

Chair Ward said the Select Board would be setting a date for rehearing regarding the legislative body's amending Zoning Amendment 1.

Ms. Hatcher said the legislative body (Town voters) made the decision regarding the Zoning Ordinance at Town Meeting, so it requires rehearing.

Ms. MacStay said next possible date for rehearing would be July 16th. Attorney Hanna and his partner are requesting a 6:30 PM start time for the rehearing. The meeting could start at 6:00 PM, depending on how much other business is on the agenda.

Discussion of Housing Chapter of the Master Plan Update Process

Ms. Hatcher, the liaison for the Master Plan Steering Committee, read aloud a viewpoint that the Select Board had collectively composed:

Of all the responsibilities of the Town Select Board, ensuring the strength and resilience of our community is among the top. Our ability to encourage civil discourse, address differences, and gain consensus on points of contention determine the long-term strength of the fabric that is our community.

The results of the voting in May around zoning and how we address the need for workforce and affordable housing has polarized our voters. In order to address this issue directly, the Select Board is embarking on a project that will coordinate across town boards and committees to create a community-based process, one that supports our coming together in facilitated conversation to enable us to address the big questions of what we value and how we can do better creating the community we want together.

Working with the Office of Planning and Community Development, whose responsibilities include coordination of the Town's Master Plan and the Planning Board, the Select Board will be supporting a comprehensive and inclusive process that provides all who are interested an opportunity to participate and be heard. We are investigating a number of approaches that have proven successful in other communities facing divisive issues. One approach is found in a book by consultant Peter Block entitled "Community: the Structure of Belonging". A number of us in town leadership are currently reading it and highly recommend it. No matter which approach we take, the overall goal will be to create an inclusive, accessible process that will compel each of us to look personally at the role we've played in creating the situation we find ourselves in, and ask us to identify and commit our unique gifts to the process of rebuilding our community. We expect that this process done well, will take about 18 months to complete.

We respectfully request that those members of our community who have taken strong positions on this issue be willing to hit the pause button on taking any new actions that would seek to change or repeal existing ordinances, and instead dedicate themselves fully to this community process which we believe will help us shape housing policy that is reflective of our whole community, and that ultimately will inform the appropriate changes in zoning that follow.

The formation of a Housing Policy Task Force will be the first step in the process. This group will be charged with helping to shape the RFP and select a professional facilitator whose skills match our needs; and provide leadership throughout the time it takes to move through the community engagement process.

We encourage all who are interested to apply to be part of the Housing Policy Task Force. If you believe you have the time to dedicate and a background that would be helpful, we have created an online application that may be found on the homepage of the Peterborough Town website. Our goal is to select a diverse group of residents and stakeholders for the committee, so if this opportunity excites you, we hope you will apply. Applications are due by July 24, 2019. Selections will be made by the Select Board in early August and the work will begin in September.

We appreciate your partnership and trust as we do the work you have elected us to do. If you have any questions about this process or any business of the Select Board, please reach out to us. We are happy to chat.

Resident Libby Reinhardt said she felt it was “a great approach” and asked Ms. Hatcher to reread a portion of the viewpoint regarding “hitting the pause button.” Ms. Hatcher complied.

Ms. Reinhardt said it sounded like the Select Board was asking residents to not take the Amendment 15/Protest Petition issue to court. Ms. Hatcher said that was not what that section was addressing; it does not concern what’s “in play” at the current moment, and specifically concerns new issues.

Resident Jim VanValkenberg said he felt there was a lot of “non-listening” on the part of the Planning Board, and he hopes they hear this message clearly as well.

Ms. Hatcher said she hopes that together the community will come to a good result. Mr. Ward said it would be facilitated by an outside party.

Resident Ed Henault asked if this meant that the Planning Board would not be submitting new zoning recommendations during the pause.

Ms. Hatcher replied they were asking everyone, including the boards, to “take a breath” and do something different.

Resident Karen Nelson said she was glad to hear an outside firm would be involved and asked if this would take place in the current budget year. Ms. MacStay said there is money in the budget for this process that was passed at Town Meeting, and there is an MTAG grant that will support of portion of the process.

Resident Joanne Carr asked how many people would be on the committee.

Ms. Hatcher said they were thinking 15-20 people, but it is sure to be a large and diverse group regarding both experience and viewpoint. “We need a process that gets us at the same table.”

Mr. Ward shared a story about starting a Recycling Center Task Force a few years back. It went “spectacularly”, and the PRCAC was established as a result.

Ms. Carr commented that she was grateful to the Select Board for doing this: “It’s long overdue.”

Ms. Reinhardt asked how this 'limbo state' would be handled by the Planning Board regarding hearing proposals. Ms. MacStay said that will get decided with consultations with attorneys. Ms. Hatcher added that they have met with the chairs and co-chairs of the Planning Board and Master Plan Steering Committee and they have all enthusiastically endorsed this process.

Resident Sarah Steinberg-Heller asked for confirmation that the Planning Board was not just going to proceed on it's own, and that an attorney would be consulted.

The Board confirmed.

Ms. MacStay said she would put copies of the statements and memorandums in the hallway for anyone to take.

Review and Approve the Minutes of May 9th, 2019 and June 4th, 2019

Motion: Ms. Hatcher made a motion to accept the minutes from Select Board Meetings held May 9th and June 4th, 2019

Vote: Mr. Taylor seconded. Mr. Ward abstained. Motion carried.

State Budget Status – Senator Jeanne Dietsch

Senator Jeanne Dietsch said the Senate and House “worked many long hours” to come together on a consensus budget. The House felt they were going to have to give up the Capital Gains Tax Idea, and the Senate felt they were going to give up Paid Family Medical Leave, and both were given up, in the hopes the Governor would give up his idea to give another business tax reduction for the last three years in a row. He vetoed the budget, which puts in jeopardy the stability grant reinstatement. Stability grants have been cut 4% per year, and are down 12% total. ConVal gets some of the money, and more property-poor towns are very dependent on the process. Senator Dietsch outlined the programs that are waiting for funding due to the veto: “We are stuck spending on last year’s levels.” The Senator said the State can’t even spend the one-time bonus money in the amount of \$124 million that was given to the State by federal tax repatriation policy. Senator Dietsch encouraged the community to let the Governor know how they feel about the veto.

Ms. Hatcher asked what comes next in the process.

Senator Dietsch said if Governor Sununu is willing to negotiate, he will meet with the finance chairs from both the House and the Senate. If he is not willing to meet with them, the continuing resolution goes for 90 days, and then they will have to pass another continuing resolution. If the funds are not ready to be dispersed, the rates will be set without the new budget.

Ms. Hatcher asked how long this could go on.

Senator Dietsch said the previous year’s budget would hold, and the process would have to start all over again next session.

An unidentified audience member asked if the business tax reduction would stay at last year’s level. Senator Dietsch confirmed.

Ms. Hatcher said the Town and the school district is hit by this veto twice – Once by not being granted the additional municipal aid, again due to the stall of stabilization grants which means there are towns losing money, which affects the entire school district budget, which in turn affects the tax rate. Ms. Hatcher said that the Governor’s vetoing of the budget, after the House and Senate worked to compromise on it, is “devastating.”

Senator Dietsch added that the financial impact for Troy was \$400,000.00, and Jaffrey was hugely affected also.

Mr. VanValkenberg asked about the solar 5-Megawatt bill (SB365).

Senator Dietsch said they were trying to raise the caps but they don’t currently have the votes, so it will be up to the public to let their representatives know how they feel about it. The Senator briefly explained electricity

billing and said, in order for costs to decrease, “we need to be cutting our demand as fast as the states surrounding us.”

Ms. Reinhardt asked why we’re still on a “different trajectory” from other states who are cutting demand. Senator Dietsch said other states have been working hard to increase net metering caps and reduce consumption, and focusing on alternative means of energy.

Chair Ward thanked Senator Dietsch.

There were no Select Board liaison reports at this time.

Chair Ward shared that the Town Clerk will be closed both the 4th and the 5th of July, but the Finance Office (and other Town Offices) will be open on the 5th for business as usual. Tax bills are due on the 9th.

The next Select Board meeting is scheduled for July 16th. The start time is to be determined, depending on the length of the agenda, but will be established with adequate time for notice.

Mr. Taylor made a motion to adjourn the meeting at 5:45 p.m. Chair Ward seconded. All in favor. Motion carried.

Respectfully Submitted,
Alison Kreutz, Assistant to Administration

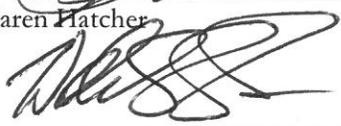
PETERBOROUGH
SELECT BOARD:



Tyler Ward



Karen Hatcher



Bill Taylor

ACTION ITEM PENDING LIST

- 1.



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August 15, 2019

**Addendum to Minutes of Select Board Meeting held July 2nd, 2019
Regarding the Minutes of the May 9th, 2019 Select Board Meeting**

At the Select Board meeting held July 2nd, 2019, Chair Ward abstained from the vote approving the Minutes of the May 9th, 2019 Select Board meeting as he had not yet reviewed them.

Following the meeting, I realized that the meeting on May 9th had taken place prior to Town Meeting, and so Mr. Taylor could not provide the second signature needed (Ms. Hatcher provided the first signature) for approval of the Minutes, as Mr. Taylor had not yet been a Select Board member at the May 9th meeting.

I notified Chair Ward, who said he would read the Minutes of the May 9th, 2019 Select Board meeting prior to the next scheduled Select Board meeting and, if he approved, would sign.

Chair Ward approved of and signed the Minutes of the May 9th, 2019 Select Board meeting following the Select Board Meeting held on Tuesday, August 6th, 2019. Let it be known that, though he abstained from the initial vote, Chair Ward later reviewed and approved the Minutes of the May 9th, 2019, and so the Minutes bear his signature.

Alison S. Kreutz
Assistant to Town Administration

